

# HOUSE . . . . . No. 4977

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## The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2850) of the House Bill relative to the Affordable Homes Act (House, No. 4726), reports recommending passage of the accompanying bill (House, No. 4977) [Bond Issue: General Obligation Bonds: \$5,160,756,900.00]. August 1, 2024.

James Arciero	William N. Brownsberger
Aaron Michlewitz	Lydia Edwards

**HOUSE . . . . . No. 4977**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act relative to the Affordable Homes Act.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the financing of the production and preservation of housing for low and moderate income citizens of the commonwealth and to make related changes in certain laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. To provide for a capital outlay program to rehabilitate, produce and  
2 modernize state-aided public housing developments, to preserve the affordability and the income  
3 mix of state-assisted multifamily developments, to support home ownership and rental housing  
4 opportunities for low- and moderate-income citizens, to stem urban blight through the  
5 implementation of housing stabilization programs, to support housing production for the elderly,  
6 disabled and homeless, to preserve housing for the elderly, homeless, low- and moderate-income  
7 citizens and persons with disabilities, to develop facilities for licensed early care and education  
8 and out of school time programs; and to promote economic reinvestment through the funding of  
9 infrastructure improvements, the sums set forth in sections 2 to 2B, inclusive, for the several

10 purposes and subject to the conditions specified in this act, are hereby made available subject to  
11 the laws regulating the disbursement of public funds.

12 SECTION 2.

13 EXECUTIVE OFFICE OF EDUCATION

14 *Department of Early Education and Care*

15 3000-0411 For the purpose of state financial assistance in the form of grants for the  
16 Early Education and Out of School Time Capital Fund for the development of eligible facilities  
17 for licensed early care and education and out of school time programs established in section 18  
18 of chapter 15D of the General Laws; provided, that the department of early education and care  
19 may contract with quasi-public or nonprofit entities to administer the program including, but not  
20 limited to, the Community Economic Development Assistance Corporation established in  
21 chapter 40H of the General Laws; provided further, that the department may develop or finance  
22 eligible facilities and may enter into subcontracts with nonprofit organizations established  
23 pursuant to chapter 180 of the General Laws or organizations in which such nonprofit  
24 corporations have a controlling financial or managerial interest; provided further, that the  
25 department shall consider: (i) a balanced geographic plan for such eligible facilities when issuing  
26 the funding commitments; and (ii) funding large group and school age child care centers as  
27 defined by the department; provided further, that the services made available pursuant to such  
28 grants shall not be construed as a right or entitlement for any individual or class of persons to the  
29 benefits financing; provided further, that no expenditure shall be made from this item without the  
30 prior approval of the secretary of administration and finance; and provided further, that eligibility  
31 shall be established by regulations promulgated by the department pursuant to chapter 30A of the

32 General Laws for the implementation, administration and enforcement of this  
33 item..... \$50,000,000

34 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

35 *Office of the Secretary*

36 7004-0069 For a program of loans or grants to assist homeowners or tenants with a  
37 household member with blindness or severe disabilities in making modifications to their primary  
38 residence for the purpose of improving accessibility or to allow such individuals to live  
39 independently in the community or for construction costs to allow for the building of an  
40 accessory unit, which shall mean a unit constructed as an additional dwelling unit separate from  
41 the primary dwelling unit, for a person with disabilities or an elder needing assistance with  
42 activities of daily living; provided, that not more than 10 per cent shall be used for grants to  
43 assist landlords seeking to make modifications for a current or prospective tenant with  
44 disabilities, who but for such a grant would be unable to maintain or secure permanent housing;  
45 provided further, that the secretary of housing and livable communities and the secretary of  
46 health and human services shall take all steps necessary to minimize the program's  
47 administrative costs; provided further, that the secretary of health and human services may  
48 contract with quasi-public or nonprofit entities to administer the program, including, but not  
49 limited to, the Community Economic Development Assistance Corporation established in  
50 chapter 40H of the General Laws; provided further, that the program shall be available pursuant  
51 to income eligibility standards approved by the secretary of health and human services; provided  
52 further, that the repayment of the loans may be delayed until the sale of the principal residence  
53 by the homeowner; provided further, that persons residing in a development covered by section 4

54 of chapter 151B of the General Laws shall not be eligible for the program unless the owner can  
55 show that the modification is an undue financial burden or that the landlord is participating in the  
56 grant program to maintain or secure housing for a tenant with disabilities; provided further, that  
57 the secretary of health and human services shall consult with the Massachusetts commission for  
58 the blind and the Massachusetts rehabilitation commission to develop rules, regulations and  
59 guidelines for the program; provided further, that nothing in this item shall give rise to  
60 enforceable legal rights in any party or an enforceable entitlement to services; provided further,  
61 that funds expended from this item shall, to the maximum extent feasible, be prioritized for  
62 projects that comply with decarbonization and sustainability standards; and provided further, that  
63 the secretary of housing and livable communities shall submit quarterly reports to the house and  
64 senate committees on ways and means, the joint committee on bonding, capital expenditures and  
65 state assets and the joint committee on housing detailing the status of the program established in  
66 this item..... \$60,000,000

67           7004-0070   For state financial assistance in the form of loans for the development of  
68 community-based housing or supportive housing for individuals with mental illness and  
69 individuals with intellectual disabilities; provided, that the loan program shall be administered by  
70 the executive office of housing and livable communities through contracts with 1 or more of the  
71 following agencies: the Massachusetts Development Finance Agency established under chapter  
72 23G of the General Laws, the Community Economic Development Assistance Corporation  
73 established under chapter 40H of the General Laws, operating agencies established under chapter  
74 121B of the General Laws and the Massachusetts Housing Finance Agency established under  
75 chapter 708 of the acts of 1966; provided further, that those agencies may develop or finance  
76 community-based housing or supportive housing or may enter into subcontracts with nonprofit

77 organizations, established under chapter 180 of the General Laws, or organizations in which such  
78 nonprofit corporations have a controlling financial or managerial interest or for-profit  
79 organizations; provided further, that preference for the subcontracts shall be given to nonprofit  
80 organizations; provided further, that the executive office shall consider a balanced geographic  
81 plan for such community-based housing or supportive housing when issuing the loans; provided  
82 further, that the executive office shall consider development of a balanced range of housing  
83 models by prioritizing funds for integrated housing as defined by the appropriate housing and  
84 service agencies, including, but not limited to, the executive office of housing and livable  
85 communities, the department of mental health and the department of developmental services, in  
86 consultation with relevant and interested clients, clients' families, advocates and other parties as  
87 necessary; provided further, that loans issued pursuant to this item shall: (i) not exceed 50 per  
88 cent of the financing of the total development costs; (ii) not be issued unless a contract or  
89 agreement for the use of the property for such housing provides for repayment to the  
90 commonwealth at the time of disposition of the property if such property will no longer be  
91 subject to a recorded deed restriction pursuant to clause (iii) of this item; provided further, that  
92 such repayment shall: (1) be in an amount equal to the commonwealth's proportional  
93 contribution from the Facilities Consolidation Fund to the cost of the development through  
94 payments made by the state agency making the contract; and (2) not be required if the executive  
95 office of housing and livable communities, in consultation with the department of mental health  
96 and the department of developmental services, determines that relevant clients will be better  
97 served at an alternative property and the proceeds from the disposition of the property will be  
98 used, to the extent necessary for replacement of the housing at the property, to: (A) acquire such  
99 alternative property; or (B) rehabilitate such alternative property; (iii) not be issued unless the

100 contract or agreement for the use of the property for the purposes of such housing provides for  
101 the recording of a deed restriction in the registry of deeds or the registry district of the land court  
102 of the county in which the real property is located, for the benefit of the executive office and the  
103 departments, running with the land, that the land shall be used to provide community-based  
104 housing or supportive housing for eligible individuals as determined by the department of mental  
105 health and the department of developmental services; provided further, that the property shall not  
106 be released from such restriction unless: (1) the balance of the principal and interest for the loan  
107 has been repaid in full; (2) a mortgage foreclosure deed has been recorded; or (3) the executive  
108 office of housing and livable communities has determined, pursuant to subclause (2) of clause  
109 (ii) of this item, that repayment to the commonwealth is not required; (iv) be issued for a term  
110 not to exceed 30 years, during which time repayment may be deferred by the loan issuing  
111 authority; provided further, that if on the date the loans become due and payable to the  
112 commonwealth, an outstanding balance exists and if, on such date, the executive office of  
113 housing and livable communities, in consultation with the executive office of health and human  
114 services, determines that there still exists a need for such housing and that there is continued  
115 funding available for the provision of services to such development, the executive office of  
116 housing and livable communities may, by agreement with the owner of the development, extend  
117 the loans for such periods not to exceed 10 years, as the executive office shall determine;  
118 provided further, that the project, whether at the original property, or at an alternative property  
119 pursuant to subclause (2) of clause (ii) of this item, shall remain affordable housing for the  
120 duration of the loan term, including any extension thereof, as set forth in the contract or  
121 agreement entered into by the executive office; provided further, that in the event the terms of  
122 repayment detailed in this item would cause a project authorized by this item to become

123 ineligible to receive federal financial assistance which would otherwise assist in the development  
124 of that project, the executive office may waive the terms of repayment which would cause the  
125 project to become ineligible; and (v) have interest rates fixed at a rate, to be determined by the  
126 executive office, in consultation with the state treasurer; provided further, that the loans shall be  
127 provided only for projects conforming to this item; provided further, that the loans shall be  
128 issued in accordance with a facilities consolidation plan prepared by the secretary of health and  
129 human services, reviewed and approved by the executive office of housing and livable  
130 communities and filed with the secretary of administration and finance, the house and senate  
131 committees on ways and means, the joint committee on bonding, capital expenditures and state  
132 assets and the joint committee on housing; provided further, that no expenditure shall be made  
133 from this item without the prior approval of the secretary of administration and finance; provided  
134 further, that the executive office of housing and livable communities, the department of mental  
135 health and the Community Economic Development Assistance Corporation may identify  
136 appropriate financing mechanisms and guidelines for grants or loans from this item to promote  
137 private development to produce housing, provide for independent integrated living opportunities,  
138 write down building and operating costs and serve households at or below 15 per cent of the area  
139 median income for the benefit of department of mental health clients; provided further, that  
140 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects  
141 that comply with decarbonization and sustainability standards; provided further, that  
142 prioritization shall be determined through objective scoring criteria in the Qualified Allocation  
143 Plan developed by the executive office of housing and livable communities; provided further,  
144 that for new construction projects, the standards set forth in the commonwealth's Opt-in  
145 Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green



146 Communities standards shall be the applicable standards for prioritization; provided further, that  
147 any project proposing less than full compliance with said standards shall provide detailed  
148 analysis demonstrating why full compliance would render the project infeasible notwithstanding  
149 utilization of all available federal and state incentives, including rebates and tax credits; provided  
150 further, that for retrofits of existing units, prioritization shall be given to projects that include  
151 energy efficiency and electrification decarbonization measures, including, but not limited to,  
152 electric or ground source heat pumps, net-zero developments, Passive House Institute  
153 certification or an equivalent energy efficiency certification, and all-electric buildings and  
154 projects that incorporate green, sustainable and climate-resilient elements; provided further, that  
155 projects that include lower embodied carbon construction materials and methods shall be further  
156 prioritized; provided further, that not more than \$10,000,000 may be expended from this item for  
157 a pilot program of community-based housing or supportive housing loans to serve mentally ill  
158 homeless individuals in the current or former care of the department of mental health; provided  
159 further, that in implementing the pilot program, the executive office shall consider a balanced  
160 geographic plan when establishing community-based residences; provided further, that the  
161 housing services made available pursuant to such loans shall not be construed as a right or an  
162 entitlement for any individual or class of persons to the benefits of the pilot program; provided  
163 further, that eligibility for the pilot program shall be established by regulations promulgated by  
164 the executive office; and provided further, that the executive office shall promulgate regulations  
165 under chapter 30A of the General Laws to implement, administer and enforce this item,  
166 consistent with the facilities consolidation plan prepared by the secretary of health and human  
167 services and after consultation with the secretary and the commissioner of capital asset  
168 management and maintenance.....\$70,000,000

169           7004-0071     For state financial assistance in the form of loans for the development and  
170 redevelopment of community-based housing or supportive housing for persons with disabilities  
171 who are institutionalized or at risk of being institutionalized and who are not eligible for housing  
172 developed pursuant to item 7004-0070; provided, that the loan program shall be administered by  
173 the executive office of housing and livable communities, through contracts with the  
174 Massachusetts Development Finance Agency established under chapter 23G of the General  
175 Laws, the Community Economic Development Assistance Corporation established under chapter  
176 40H of the General Laws, operating agencies established under chapter 121B of the General  
177 Laws and the Massachusetts Housing Finance Agency established under chapter 708 of the acts  
178 of 1966; provided further, that the agencies may develop or finance community-based housing or  
179 supportive housing or may enter into subcontracts with nonprofit organizations established under  
180 chapter 180 of the General Laws or organizations in which such nonprofit corporations have a  
181 controlling financial or managerial interest or for-profit organizations; provided further, that  
182 preference for such subcontracts shall be given to nonprofit organizations; provided further, that  
183 the executive office shall consider a balanced geographic plan for such community-based  
184 housing or supportive housing when issuing the loans; provided further, that all housing  
185 developed with these funds shall be integrated housing as defined by the appropriate state  
186 housing and service agencies, including, but not limited to, the executive office of housing and  
187 livable communities, the executive office of health and human services and the Massachusetts  
188 rehabilitation commission, in consultation with relevant and interested clients, clients' families,  
189 advocates and other parties as necessary; provided further, that loans issued pursuant to this item  
190 shall: (i) not exceed 50 per cent of the financing of the total development costs; (ii) not be issued  
191 unless a contract or agreement for the use of the property for the purposes of such housing

192 provides for repayment to the commonwealth at the time of disposition of the property if such  
193 property will no longer be subject to a recorded deed restriction pursuant to clause (iii) of this  
194 item; provided further, that such repayment shall: (1) be in an amount equal to the  
195 commonwealth's proportional contribution from community-based housing to the cost of the  
196 development through payments made by the state agency making the contract; and (2) not be  
197 required if the executive office of housing and livable communities, in consultation with the  
198 Massachusetts rehabilitation commission, determines that relevant clients will be better served at  
199 an alternative property and the proceeds from the disposition of the property will be used, to the  
200 extent necessary for replacement of the housing at the property, to: (A) acquire such alternative  
201 property; or (B) rehabilitate such alternative property; (iii) not be issued unless a contract or  
202 agreement for the use of the property for the purposes of such community-based housing or  
203 supportive housing provides for the recording of a deed restriction in the registry of deeds or the  
204 registry district of the land court of the county in which the real property is located, for the  
205 benefit of the executive office, running with the land, that the land shall be used to provide  
206 community-based housing or supportive housing for eligible individuals as determined by the  
207 Massachusetts rehabilitation commission or other agency of the executive office of health and  
208 human services; provided further, that the property shall not be released from such restrictions  
209 unless: (1) the balance of the principal and interest for the loan has been repaid in full; (2) a  
210 mortgage foreclosure deed has been recorded; or (3) the executive office of housing and livable  
211 communities has determined, pursuant to subclause (2) of clause (ii) of this item, that repayment  
212 to the commonwealth is not required; (iv) be issued for a term not to exceed 30 years during  
213 which time repayment may be deferred by the loan issuing authority; provided further, that if, on  
214 the date the loans become due and payable to the commonwealth, an outstanding balance exists

215 and if, on that date, the executive office of housing and livable communities, in consultation with  
216 the executive office of health and human services, determines that there still exists a need for  
217 such housing, the executive office may, by agreement with the owner of the development, extend  
218 the loans for such periods not to exceed 10 years, as the executive office shall determine;  
219 provided further, that the project, whether at the original property or at an alternative property  
220 pursuant to clause subclause (2) of (ii) of this item, shall continue to remain affordable housing  
221 for the duration of the loan term, including any extensions thereof, as set forth in the contract or  
222 agreement entered into by the executive office; provided further, that in the event the terms of  
223 repayment detailed in this item would cause a project authorized by this item to become  
224 ineligible to receive federal financial assistance, which would otherwise assist in the  
225 development of that project, the executive office may waive the terms of repayment which would  
226 cause the project to become ineligible; and (v) have interest rates fixed at a rate, to be determined  
227 by the executive office, in consultation with the state treasurer; provided further, the loans shall  
228 be provided only for projects conforming to this item; provided further, that the loans shall be  
229 issued in accordance with an enhancing community-based services plan prepared by the  
230 secretary of health and human services, in consultation with the executive office of housing and  
231 livable communities and filed with the secretary of administration and finance, the house and  
232 senate committees on ways and means, the joint committee on bonding, capital expenditures and  
233 state assets and the joint committee on housing; provided further, that funds expended from this  
234 item shall, to the maximum extent feasible, be prioritized for projects that comply with  
235 decarbonization and sustainability standards; provided further, that prioritization shall be  
236 determined through objective scoring criteria in the Qualified Allocation Plan developed by the  
237 executive office of housing and livable communities; provided further, that for new construction

238 projects, the standards set forth in the commonwealth’s Opt-in Specialized Energy Code under  
239 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the  
240 applicable standards for prioritization; provided further, that any project proposing less than full  
241 compliance with said standards shall provide detailed analysis demonstrating why full  
242 compliance would render the project infeasible notwithstanding utilization of all available  
243 federal and state incentives, including rebates and tax credits; provided further, that for retrofits  
244 of existing units, prioritization shall be given to projects that include energy efficiency and  
245 electrification decarbonization measures, including, but not limited to, electric or ground source  
246 heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy  
247 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable  
248 and climate-resilient elements; provided further, that projects that include lower embodied  
249 carbon construction materials and methods shall be further prioritized; provided further, that no  
250 expenditure shall be made from this item without the prior approval of the secretary of  
251 administration and finance; and provided further, that the executive office shall promulgate  
252 regulations pursuant to chapter 30A of the General Laws for the implementation, administration  
253 and enforcement of this item, consistent with the enhancing community-based services plan  
254 prepared by the secretary of health and human services after consultation with the secretary and  
255 the commissioner of capital asset management and maintenance.....\$55,000,000

256           7004-0072     For the capitalization of the Affordable Housing Trust Fund established in  
257 section 2 of chapter 121D of the General Laws; provided, that funds expended from this item  
258 shall, to the maximum extent feasible, be prioritized for projects that comply with  
259 decarbonization and sustainability standards; provided further, that prioritization shall be  
260 determined through objective scoring criteria in the Qualified Allocation Plan developed by the

261 executive office of housing and livable communities; provided further, that the executive office  
262 shall consider geographic equity in awarding funds from this item; provided further, that for new  
263 construction projects, the standards set forth in the commonwealth's Opt-in Specialized Energy  
264 Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be  
265 the applicable standards for prioritization; provided further, that any project proposing less than  
266 full compliance with said standards shall provide detailed analysis demonstrating why full  
267 compliance would render the project infeasible notwithstanding utilization of all available  
268 federal and state incentives, including rebates and tax credits; provided further, that for retrofits  
269 of existing units, prioritization shall be given to projects that include energy efficiency and  
270 electrification decarbonization measures, including, but not limited to, electric or ground source  
271 heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy  
272 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable  
273 and climate-resilient elements; provided further, that projects that include lower embodied  
274 carbon construction materials and methods shall be further prioritized; provided further, that not  
275 more than \$50,000,000 of the funds made available in this item may be used to create and  
276 maintain opportunities for homeownership for first-time homebuyers; provided further, that  
277 funds shall be expended to create and enhance access to homeownership in order to foster long-  
278 term benefits for housing security, health and economic outcomes and to address a systemic  
279 homeownership gap in socially disadvantaged communities and among targeted populations;  
280 provided further, that funds may be expended for down payment assistance programs, mortgage  
281 insurance programs and mortgage interest subsidy programs administered by the Massachusetts  
282 Housing Finance Agency and the Massachusetts Housing Partnership; and provided further, that

283 funds may be expended to first-time homebuyer counseling and financial literacy  
284 programs.....\$800,000,000

285           7004-0073     For state financial assistance in the form of grants or loans for the Housing  
286 Stabilization and Investment Trust Fund established in section 2 of chapter 121F of the General  
287 Laws and awarded only pursuant to the criteria established in said section 2 of said chapter 121F;  
288 provided, that not less than 25 per cent shall be used to fund projects that preserve and produce  
289 housing for families and individuals with incomes of not more than 30 per cent of the area  
290 median income, as defined by the United States Department of Housing and Urban  
291 Development; provided further, that if the executive office of housing and livable communities  
292 has not spent the amount authorized under the bond cap for this program, at the end of each  
293 fiscal year following the effective date of this act, the executive office may award the remaining  
294 funds to projects that serve households earning more than 30 per cent of the area median income,  
295 as defined by the United States Department of Housing and Urban Development; provided  
296 further, that funds expended from this item shall, to the maximum extent feasible, be prioritized  
297 for projects that comply with decarbonization and sustainability standards; provided further, that  
298 prioritization shall be determined through objective scoring criteria in the Qualified Allocation  
299 Plan developed by the executive office of housing and livable communities; provided further,  
300 that the executive office shall consider geographic equity in awarding funds from this item;  
301 provided further, that for new construction projects, the standards set forth in the  
302 commonwealth’s Opt-in Specialized Energy Code under 225 CMR 22.00 and 23.00 and the  
303 Enterprise Green Communities standards shall be the applicable standards for prioritization;  
304 provided further, that any project proposing less than full compliance with said standards shall  
305 provide detailed analysis demonstrating why full compliance would render the project infeasible

306 notwithstanding utilization of all available federal and state incentives, including rebates and tax  
307 credits; provided further, that for retrofits of existing units, prioritization shall be given to  
308 projects that include energy efficiency and electrification decarbonization measures, including,  
309 but not limited to, electric or ground source heat pumps, net-zero developments, Passive House  
310 Institute certification or an equivalent energy efficiency certification, and all-electric buildings  
311 and projects that incorporate green, sustainable and climate-resilient elements; provided further,  
312 that projects that include lower embodied carbon construction materials and methods shall be  
313 further prioritized; provided further, that not less than \$10,000,000 shall be expended for the  
314 Small Properties State Acquisition Funding Pilot established in item 1599-6084 of section 2A of  
315 chapter 268 of the acts of 2022; provided further, that the fund shall issue soft loans to  
316 supplement other acquisition soft loans administered by municipal or other affordable housing  
317 acquisition lenders on a rolling basis; provided further, that acquisitions pursuant to this pilot  
318 shall follow the affordability restrictions of the affordable housing acquisition lenders; and  
319 provided further, that loans under this program shall be used for the acquisition of: (i) buildings  
320 of 1 to 8 units, inclusive, of residential housing for rental or ownership; or (ii) mixed-use  
321 buildings for a term of not less than 30 years.....\$425,000,000

322           7004-0074     For state financial assistance in the form of grants for projects undertaken  
323 pursuant to clause (j) of section 26 of chapter 121B of the General Laws; provided, that contracts  
324 entered into by the executive office of housing and livable communities for those projects may  
325 include, but shall not be limited to, projects providing for renovation, remodeling, reconstruction,  
326 redevelopment and hazardous material abatement, including asbestos and lead paint, and for  
327 compliance with state codes and laws and for adaptations necessary for compliance with the  
328 Americans with Disabilities Act of 1990, the provision of day care facilities, learning centers and



329 teen service centers and the adaptation of units for families and persons with disabilities;  
330 provided further, that priority shall be given to projects undertaken for the purpose of compliance  
331 with state codes and laws or for other purposes related to the health and safety of residents;  
332 provided further, that funds may be expended from this item to make such modifications to  
333 congregate housing units as may be necessary to increase the occupancy rate of such units;  
334 provided further, that the executive office shall continue to fund a program to provide predictable  
335 funds to be used flexibly by housing authorities for capital improvements to extend the useful  
336 life of state-assisted public housing; provided further, that not less than 25 per cent of the funds  
337 made available in this item shall be used to fund projects that preserve or produce housing for  
338 families and individuals with incomes of not more than 30 per cent of the area median income, as  
339 defined by the United States Department of Housing and Urban Development; provided further,  
340 that not less than \$99,000,000 shall be expended by the Boston Housing Authority for the  
341 development of replacement public housing and additional new housing on the Faneuil Gardens  
342 site owned by the Boston Housing Authority between Faneuil street and North Beacon street,  
343 Boston Parcel ID 2202616000, in the city of Boston and the adjacent parcel at the southeast  
344 corner of North Beacon street and Goodenough street, Boston Parcel ID 2202627000, in the city  
345 of Boston; provided further, that not less than \$15,000,000 of the funds made available in this  
346 item shall be used to increase accessibility of state-aided public housing for persons with  
347 disabilities; provided further, that not more than \$150,000,000 of the funds made available in this  
348 item may be used to fund projects that include sustainability initiatives to reduce greenhouse gas  
349 emissions and make progress towards decarbonization through energy efficiency and  
350 electrification decarbonization measures, including, but not limited to, electric or ground source  
351 heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy

352 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable  
353 and climate-resilient elements; provided further, that projects that include lower embodied  
354 carbon construction materials and methods shall be further prioritized; and provided further, that  
355 funds made available in this item shall, to the extent feasible, be used in accordance with the  
356 Massachusetts state hazard mitigation and climate adaptation plan.....\$2,000,000,000

357           7004-0075     For state financial assistance in the form of grants for a demonstration  
358 program, administered by the executive office of housing and livable communities, to  
359 demonstrate cost effective revitalization methods for state-aided family and elderly-disabled  
360 public housing that seek to reduce the need for future state modernization funding; provided, that  
361 housing authorities with state-aided housing developments pursuant to chapter 200 of the acts of  
362 1948, chapter 667 of the acts of 1954, chapter 705 of the acts of 1966, chapter 689 of the acts of  
363 1974 or chapter 167 of the acts of 1987 shall be eligible to participate in the demonstration  
364 program; provided further, that the executive office may exempt a recipient of demonstration  
365 grants from the requirements of chapters 7C and 121B of the General Laws upon a showing by  
366 the recipient that such exemptions are necessary to accomplish the effective revitalization of  
367 public housing and shall not adversely affect public housing residents or applicants of any  
368 income who are otherwise eligible; provided further, that the executive office may provide to  
369 recipients of demonstration grants such additional regulatory relief as may be required to further  
370 the objectives of the demonstration program; provided further, that funds may be made available  
371 for technical assistance provided by the Community Economic Development Assistance  
372 Corporation established under chapter 40H of the General Laws or the Massachusetts Housing  
373 Partnership Fund established under section 35 of chapter 405 of the acts of 1985 to recipients of  
374 demonstration grants and for evaluation of the demonstration; provided further, that the

375 executive office’s regulations for the implementation, administration and enforcement of this  
376 item shall: (i) require that selected housing authorities demonstrate innovative and replicable  
377 solutions to the management, marketing or capital needs of state-aided family and elderly-  
378 disabled public housing developments and contribute to the continued viability of the housing as  
379 a resource for public housing eligible residents; (ii) encourage proposals that demonstrate  
380 regional collaborations among housing authorities; and (iii) encourage proposals for new  
381 affordable housing units on municipally-owned land, underutilized public housing sites or other  
382 land owned by the housing authority; provided further, that funds expended from this item shall,  
383 to the maximum extent feasible, be prioritized for projects that comply with decarbonization and  
384 sustainability standards; provided further, that prioritization shall be determined through  
385 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of  
386 housing and livable communities; provided further, that the executive office shall consider  
387 geographic equity in awarding funds from this item; provided further, that for new construction  
388 projects, the standards set forth in the commonwealth’s Opt-in Specialized Energy Code under  
389 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the  
390 applicable standards for prioritization; provided further, that any project proposing less than full  
391 compliance with said standards shall provide detailed analysis demonstrating why full  
392 compliance would render the project infeasible notwithstanding utilization of all available  
393 federal and state incentives, including rebates and tax credits; provided further, that for retrofits  
394 of existing units, prioritization shall be given to projects that include energy efficiency and  
395 electrification decarbonization measures, including, but not limited to, electric or ground source  
396 heat pumps, net-zero developments, Passive House Institute or equivalent energy efficiency  
397 certification, and all-electric buildings and projects that incorporate green, sustainable and

398 climate-resilient elements; and provided further, that projects that include lower embodied  
399 carbon construction materials and methods shall be further prioritized .....\$200,000,000

400           7004-0076     For state financial assistance in the form of grants or loans for the Housing  
401 Innovations Trust Fund established in section 2 of chapter 121E of the General Laws; provided,  
402 that not less than 25 per cent of the funds made available in this item shall be used to fund  
403 projects that preserve and produce housing for families and individuals with incomes of not more  
404 than 30 per cent of the area median income, as defined by the United States Department of  
405 Housing and Urban Development; provided further, that funds expended from this item shall, to  
406 the maximum extent feasible, be prioritized for projects that comply with decarbonization and  
407 sustainability standards; provided further, that prioritization shall be determined through  
408 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of  
409 housing and livable communities; provided further, that the executive office shall consider  
410 geographic equity in awarding funds from this item; provided further, that for new construction  
411 projects, the standards set forth in the commonwealth’s Opt-in Specialized Energy Code under  
412 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the  
413 applicable standards for prioritization; provided further, that any project proposing less than full  
414 compliance with said standards shall provide detailed analysis demonstrating why full  
415 compliance would render the project infeasible notwithstanding utilization of all available  
416 federal and state incentives, including rebates and tax credits; provided further, that for retrofits  
417 of existing units, prioritization shall be given to projects that include energy efficiency and  
418 electrification decarbonization measures, including, but not limited to, electric or ground source  
419 heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy  
420 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable

421 and climate-resilient elements; and provided further, that projects that include lower embodied  
422 carbon construction materials and methods shall be further prioritized.....\$200,000,000

423           7004-0078   For state financial assistance in the form of no interest loans, grants,  
424 subsidies, credit enhancements and other financial assistance for innovative, sustainable and  
425 green housing initiatives; provided, that entities eligible to receive financial assistance under this  
426 item shall include qualified for-profit or nonprofit developers, community development  
427 corporations, local housing authorities, community action agencies, community-based or  
428 neighborhood-based nonprofit housing organizations, other nonprofit organizations and for-  
429 profit entities, and governmental bodies; provided further, that funds may be used to assist units  
430 occupied by and affordable to persons with incomes not more than 110 per cent of the area  
431 median income, as defined by the United States Department of Housing and Urban Development  
432 with priority given to projects that provide higher and deeper levels of affordability; provided  
433 further, that not less than 25 per cent of the occupants of housing in projects assisted by this item  
434 shall be persons whose income is not more than 60 per cent of the area median income, as  
435 defined by the United States Department of Housing and Urban Development; provided further,  
436 that financial assistance shall be awarded in a manner that promotes geographic, social, racial  
437 and economic equity; provided further, that funds expended from this item shall, to the  
438 maximum extent feasible, be prioritized for projects that comply with decarbonization and  
439 sustainability standards; provided further, that prioritization shall be determined through  
440 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of  
441 housing and livable communities; provided further, that for new construction projects, the  
442 standards set forth in the commonwealth’s Opt-in Specialized Energy Code under 225 CMR  
443 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable

444 standards for prioritization; provided further, that any project proposing less than full compliance  
445 with said standards shall provide detailed analysis demonstrating why full compliance would  
446 render the project infeasible notwithstanding utilization of all available federal and state  
447 incentives, including rebates and tax credits; provided further, that for retrofits of existing units,  
448 prioritization shall be given to projects that include energy efficiency and electrification  
449 decarbonization measures, including, but not limited to, electric or ground source heat pumps,  
450 net-zero developments, Passive House Institute certification or an equivalent energy efficiency  
451 certification, and all-electric buildings and projects that incorporate green, sustainable and  
452 climate-resilient elements; provided further, that projects that include lower embodied carbon  
453 construction materials and methods shall be further prioritized; provided further, that financial  
454 assistance under this item shall be to accelerate and support: (i) innovative strategies for the  
455 production of affordable and mixed-income housing developments and other market  
456 transformation activities, including but not limited to: (a) re-use of commercial space, office  
457 space, and underutilized state- or locally-controlled land or assets, including, but not limited to,  
458 brownfield or greyfield sites, or other property that the secretary of housing and livable  
459 communities has determined is suitable for sustainable residential or mixed-use development; (b)  
460 modular construction, manufactured housing, and other innovative housing models that offer  
461 development or operating cost savings, utilize advanced and applied technologies, provide  
462 efficiencies to help accelerate production and incorporate energy efficiency or energy  
463 conservation into their design, construction or rehabilitation; (c) accessory dwelling units and co-  
464 housing models; and (d) other market transformation efforts to be determined by the executive  
465 office of housing and livable communities, which may include, but shall not be limited to, any  
466 pilot program or demonstration program that is consistent with the purposes of this item;

467 provided further, that such strategies may include a mixed income social housing pilot program  
468 in which a local or regional housing authority or other public or quasi-public entity maintains  
469 majority ownership or control of such housing; (ii) the creation of low-income and moderate-  
470 income residential housing units and mixed use developments that include both residential  
471 housing units and commercial or retail space in close proximity to transit nodes or within  
472 neighborhood commercial areas including, but not limited to, those areas designated as main  
473 street areas and rural villages; provided further, that the program shall be administered to: (a)  
474 maximize the amount of affordable residential and mixed-use space in close proximity to transit  
475 nodes or within neighborhood commercial areas, resulting in higher density, compact  
476 development and pedestrian-friendly, inclusive and connected neighborhoods; (b) increase mass  
477 transit ridership; (c) decrease traffic congestion and reduce greenhouse gas emissions; and (d)  
478 increase economic opportunity for disadvantaged populations by making it easier for residents of  
479 affordable housing to access public transportation, including transportation supporting commutes  
480 to employment centers; provided further, that the program may be administered to include  
481 projects that have residential units above commercial space located in areas characterized by a  
482 predominance of commercial land uses, a high daytime or business population or a high  
483 concentration of daytime traffic and parking; provided further, that the financial subsidy for the  
484 commercial portion of a project shall not exceed 25 per cent of the total development cost of the  
485 commercial portion of the project or \$1,000,000, whichever is lesser; provided further, that the  
486 executive office may provide financial support to nonprofit and for-profit developers that enter  
487 into binding agreements to set aside residential units in existing market-rate, transit-oriented  
488 housing, over and above any units required to be set aside under local zoning or approvals, for  
489 rent or sale to income-qualified households at affordable rents or sale prices, as applicable; and

490 (iii) the creation and preservation of sustainable and climate resilient affordable multifamily  
491 housing; provided further, that such financial assistance shall be made to: (a) incorporate  
492 efficient, sustainable and climate resilient design practices in affordable residential development  
493 to support positive climate mitigation outcomes; (b) reduce greenhouse gas emissions and  
494 reliance on fossil fuels; (c) increase resiliency of existing housing developments to mitigate  
495 impacts of climate change, including flooding and extreme temperatures; and (d) enhance  
496 emergency preparedness, including sustainable means of power generation to allow for  
497 sheltering vulnerable populations in place; provided further, that financial assistance provided  
498 pursuant to clause (i) or clause (iii) may be administered by the executive office of housing and  
499 livable communities through contracts with the Massachusetts Housing Partnership Fund,  
500 established in section 35 of chapter 405 of the acts of 1985, or the Massachusetts Housing  
501 Finance Agency, established in chapter 708 of the acts of 1966, or both, which may, as the case  
502 may be, directly offer financial assistance for the purposes set forth herein or may enter into  
503 subcontracts with nonprofit organizations, established pursuant to chapter 180 of the General  
504 Laws for those purposes; provided further, that financial assistance provided pursuant to clause  
505 (ii) may be administered by the executive office through contracts with said Massachusetts  
506 Housing Partnership Fund; provided further, that the executive office of housing and livable  
507 communities or an administering agency under contract with the executive office may establish  
508 additional program requirements through regulations or policy guidelines; and provided further,  
509 that funds may be made available under this item to fund, finance or refinance limited equity  
510 housing cooperatives pursuant to chapter 157B of the General Laws, including assisting first-  
511 time buyers to purchase shares of stock in such cooperatives .....\$275,000,000



512           7004-0080    For the Middle-Income Housing Fund administered by the Massachusetts  
513 Housing Finance Agency..... \$100,000,000

514           SECTION 2A.

515                       EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

516                                       *Office of the Secretary*

517           1100-2518    For costs associated with planning and studies, the preparation of plans  
518 and specifications, demolition, remediation, construction and relocation of utilities, construction  
519 and reconstruction of infrastructure, predevelopment, and site preparation; provided, that any  
520 funds received by a state agency in connection with projects funded from this item may be  
521 retained by the executive office for administration and finance and expended for the purposes of  
522 the project, without further appropriation, in addition to the amounts appropriated in this item;  
523 provided further, that where appropriate, the commissioner of capital asset management and  
524 maintenance may transfer funds authorized herein in accordance with a delegation of project  
525 control and supervision process pursuant to section 5 of chapter 7C of the General Laws or for  
526 the capitalization of the Surplus Real Property Disposition Trust Fund established in section 123;  
527 and provided further, that funds from this item shall be distributed in furtherance of affordable  
528 housing production goals and availability of sites suitable for construction or expansion of  
529 housing opportunities in the commonwealth in consultation with the secretary of housing and  
530 livable communities..... \$30,000,000

531           1599-1953    For local housing initiatives; provided, that not less than \$1,000,000 shall  
532 be expended for the Northern Bristol County Assistance Collaborative, Inc. for development  
533 costs for the Attleboro affordable senior housing project; provided further, that not less than

534 \$1,000,000 shall be expended for a new connector road in Shrewsbury for new housing units;  
535 provided further, that not less than \$500,000 shall be expended for Holyoke housing authority for  
536 phase III of South Holyoke homes; provided further, that not less than \$100,000 shall be  
537 expended for the Care drive senior housing project in the town of Erving; provided further, that  
538 not less than \$500,000 shall be expended for Worcester property insurance cancellation repair  
539 program; provided further, that not less than \$100,000 shall be expended for a feasibility study to  
540 explore affordable housing opportunities in the town of Orange; provided further, that not less  
541 than \$100,000 shall be expended for a feasibility study to explore affordable housing  
542 opportunities in the town of Winchendon; provided further, that not less than \$300,000 shall be  
543 expended for the removal or securing of blighted or abandoned property on sites to be used for  
544 affordable, senior, or mixed-use housing in the town of Athol; provided further, that not less than  
545 \$100,000 shall be expended for the removal or securing of blighted or abandoned property on  
546 sites to be used for affordable, senior, or mixed-use housing in the town of Orange; provided  
547 further, that not less than \$1,000,000 shall be expended for the renovation of Cassilas Farm for  
548 affordable housing units in New Marlborough; provided further, that not less than \$100,000 shall  
549 be expended for a feasibility study of St. Martin Hall on the property of Shakespeare and  
550 Company located in the town of Lenox; provided further, that not less than \$5,000,000 shall be  
551 expended for seasonal supportive housing for the non-profit creative economy in Berkshire  
552 county; provided further, that not less than \$500,000 shall be expended for capital improvements  
553 to the Revere housing authority; provided further, that not less than \$200,000 shall be expended  
554 for the Revere housing authority gold star families public housing development; provided  
555 further, that not less than \$4,000,000 shall be expended for the construction of a new entrance  
556 and exit ramp on route 1 for safety improvements and planned access to Malden, Revere and the

557 overlook development which includes mixed income housing; provided further, that not less than  
558 \$1,000,000 shall be expended for the demolition of the former Winthrop middle school to  
559 facilitate the development of a mixed-use property including 55 plus housing; provided further,  
560 that not less than \$500,000 shall be expended for capital improvements to the Tyngsborough  
561 housing authority; provided further, that not less than \$500,000 shall be expended for capital  
562 improvements to the Dracut housing authority; provided further, that not less than \$250,000 shall  
563 be expended to the Shrewsbury housing authority for capital improvements; provided further,  
564 that not less than \$100,000 shall be expended for the design, permitting and construction of a  
565 road in Bellingham connecting North Main street and Mechanic street to improve access  
566 between the downtown community and the Massachusetts Bay Transit Authority terminal link by  
567 improving road infrastructure to allow for 550 new units of housing; provided further, that not  
568 less than \$1,000,000 shall be expended to the Malden housing authority for repairs to the  
569 Springdale elderly-disabled public housing facility; provided further, that not less than  
570 \$1,000,000 shall be expended for the Malden housing authority for critical infrastructure repairs  
571 to the Forestdale elderly-disabled public housing facility; provided further, that not less than  
572 \$500,000 shall be expended for the YWCA Malden for renovations to units within its residency  
573 program for low-income women; provided further, that not less than \$500,000 shall be expended  
574 for the North Star Family Services, Inc.'s journey home family housing in Leominster; provided  
575 further, that not less than \$1,000,000 shall be expended for Clear Path for Veterans New  
576 England, Inc. veterans housing in Leominster; provided further, that not less than \$250,000 shall  
577 be expended for the Lunenburg housing authority to improve and renovate site conditions in  
578 Lunenburg; provided further, that not less than \$2,000,000 shall be expended for the  
579 Neighborhood of Affordable Housing, Inc. for the restoration and production of housing at the

580 Union Block building in Taunton; provided further, that not less than \$500,000 shall be  
581 expended for NewVue Communities, Inc. redevelopment, renovation and or repurposing of  
582 underutilized properties; provided further, that not less than \$1,000,000 shall be expended for the  
583 permitting and engineering costs associated with establishing a connection to the Massachusetts  
584 water resources authority for the town of Walpole through the town of Norwood; provided  
585 further, that not less than \$2,000,000 shall be expended for the city of Fitchburg to assist with the  
586 redevelopment, renovation and site improvement of underutilized properties to provide  
587 additional housing capacity; provided further, that not less than \$250,000 shall be expended for  
588 the Townsend housing authority to improve and renovate site conditions in Townsend; provided  
589 further, that not less than \$100,000 shall be expended for the town of Mansfield for development  
590 in the parkway from North Main street and Chauncy street; provided further, that not less than  
591 \$2,000,000 shall be expended for the Worcester affordable housing trust fund; provided further,  
592 that not less than \$750,000 shall be expended for improvements to the West Boylston housing  
593 authority; provided further, that not less than \$250,000 shall be expended for the Groton housing  
594 authority to improve and renovate site conditions in Groton; provided further, that not less than  
595 \$250,000 shall be expended to the Pepperell housing authority to improve and renovate site  
596 conditions in Pepperell; provided further, that not less than \$2,000,000 shall be expended for the  
597 WHEAT Community Connections' housing project in the town of Clinton; provided further, that  
598 not less than \$250,000 shall be expended to the town of Ashby to improve and renovate site  
599 conditions in Ashby; provided further, that not less than \$1,000,000 shall be expended for  
600 improvements to the Leicester housing authority; provided further, that not less than \$1,000,000  
601 shall be expended for facility upgrades at Menotomy Manor and the Arlington housing authority;  
602 provided further, that not less than \$250,000 shall be expended to the affordable housing trust

603 fund in Dunstable to improve and renovate site conditions in Dunstable; provided further, that  
604 not less than \$1,000,000 shall be expended for elevator replacement at Chestnut Manor in the  
605 town of Arlington; provided further, that not less than \$500,000 shall be expended for fire alarm  
606 upgrades at the Arlington housing authority; provided further, that not less than \$350,000 shall  
607 be expended for the Worcester housing authority to renovate and preserve affordable units on  
608 Oberlin street; provided further, that not less than \$10,000,000 shall be expended for the  
609 Springfield housing authority; provided further, that not less than \$500,000 shall be expended for  
610 Meryl's Safe Haven Inc. to complete and operate supportive housing for youth aging out of the  
611 foster care system; provided further, that not less than \$500,000 shall be expended for the design  
612 of the Belmont housing authority's expansion project; provided further, that not less than  
613 \$1,000,000 shall be expended in 5 equal amounts over a consecutive 5 year period to the  
614 Merrimack Valley Housing Partnership, Inc. to support an affordable home ownership pilot  
615 program to bring down mortgage rates and to increase affordability for qualifying first time  
616 home buyers purchasing a home in the city of Lowell; provided further, that not less than  
617 \$1,000,000 shall be expended for Inquilinos Boricuas en Acción, Inc. for redevelopment of 2 San  
618 Juan street in the city of Boson for the conversion from office space to 44 units of affordable  
619 housing; provided further, that not less than \$1,000,000 shall be expended for the Sudbury  
620 housing trust to develop affordable housing; provided further, that not less than \$500,000 shall  
621 be expended for the Lincoln affordable housing trust to acquire and maintain affordable housing;  
622 provided further, that not less than \$1,000,000 shall be expended for Inquilinos Boricuas en  
623 Acción, Inc. to redevelop 403 Shawmut avenue in the city of Boston; provided further, that not  
624 less than \$50,000 shall be expended to the Norwell housing authority to improve and renovate  
625 site conditions in Norwell; provided further, that not less than \$2,000,000 shall be expended for

626 the expansion of the Massachusetts water resources authority services to municipalities  
627 bordering the Wachusett reservoir; provided further, that not less than \$50,000 shall be expended  
628 to the Hanson housing authority to improve and renovate site conditions in Hanson; provided  
629 further, that not less than \$50,000 shall be expended for capital improvements to the Charlton  
630 housing authority; provided further, that not less than \$50,000 shall be expended for capital  
631 improvements at the Dudley housing authority; provided further, that not less than \$75,000 shall  
632 be expended for capital improvements at the Webster housing authority; provided further, that  
633 not less than \$100,000 shall be expended for building upgrades and improvements at the West  
634 Brookfield housing authority; provided further, that not less than \$75,000 shall be expended for  
635 capital improvements at the Douglas housing authority; provided further, that not less than  
636 \$75,000 shall be expended for improvements at the Sutton housing authority; provided further,  
637 that not less than \$75,000 shall be expended for capital improvements at the Oxford housing  
638 authority; provided further, that not less than \$1,000,000 shall be expended to the North Shore  
639 Community Development Corporation for costs associated with the el centro project; provided  
640 further, that not less than \$1,500,000 shall be expended to the city of Worcester to create safe  
641 and supportive housing programming; provided further, that not less than \$500,000 shall be  
642 expended to the city of Worcester's elder housing repair program to address deferred  
643 maintenance concerns and housing code violations at elder-owner occupied residential  
644 properties; provided further, that not less than \$1,500,000 shall be expended for the Watertown  
645 housing authority for the willow park family public housing development; provided further, that  
646 not less than \$1,000,000 shall be expended to the Norwood housing authority; provided further,  
647 that not less than \$200,000 shall be expended for improvements and other costs for safe,  
648 affordable housing and supportive services at the Merrimack Valley YMCA; provided further,

649 that not less than \$100,000 shall be expended to the town of Marshfield for site evaluation,  
650 assessment and preliminary design of the 25 acre Oak street parcel for multi-family housing;  
651 provided further, that not less than \$200,000 shall be expended for the housing assistance  
652 program at the Greater Lawrence Community Action Council, Inc.; provided further, that not  
653 less than \$30,000 shall be expended to the town of Marshfield for updates to the existing  
654 Marshfield housing production plan; provided further, that not less than \$2,000,000 shall be  
655 expended for a joint housing development by the Gardner housing authority, Templeton housing  
656 authority and Winchendon housing authority that focuses on senior citizen housing; provided  
657 further, that not less than \$500,000 shall be expended to the town of Scituate to convert the old  
658 Gates middle school into senior housing; provided further, that not less than \$5,000,000 shall be  
659 expended to the city of Boston for the affordable housing component of the redevelopment of the  
660 Boston water and sewer commission parking lots in Roxbury; provided further, that not less than  
661 \$500,000 shall be expended for the Grafton housing authority for building upgrades and general  
662 improvements; provided further, that not less than \$500,000 shall be expended to the  
663 Northbridge housing authority for building upgrades and improvements; provided further, that  
664 not less than \$25,900 shall be expended for Scituate to update its affordable housing plan;  
665 provided further, that not less than \$1,000,000 shall be expended for the Melrose housing  
666 authority to make repairs to CJ McCarthy and Julian Steele facilities; provided further, that not  
667 less than \$500,000 shall be expended for the Southborough housing authority for the purchase,  
668 acquisition, development and site preparation of new affordable housing projects; provided  
669 further, that not less than \$500,000 shall be expended for the Northborough housing authority for  
670 capital improvement projects and other projects; provided further, that not less than \$500,000  
671 shall be expended for the Westborough affordable housing trust for capital improvements and

672 new housing production; provided further, that not less than \$1,000,000 shall be expended to  
673 Hearth Inc. for vital capital repairs across their various properties in the city of Boston; provided  
674 further, that not less than \$1,500,000 shall be expended to and disbursed equally among the local  
675 housing authorities of the towns of Canton, Stoughton and Avon for capital improvements to  
676 public housing properties; provided further, that not less than \$500,000 shall be expended to the  
677 Upton housing authority for building upgrades and general improvements; provided further, that  
678 not less than \$500,000 shall be expended for veteran preference housing in the city of Fall River;  
679 provided further, that not less than \$400,000 shall be expended for supportive housing for  
680 homeless in the city of Fall River; provided further, that not less than \$500,000 shall be  
681 expended to the Winchester housing authority for the planning, design, renovation, maintenance  
682 or construction of housing; provided further, that not less than \$500,000 shall be expended for  
683 the replacement of shingles and new siding for the Nashmont development of the New Bedford  
684 housing authority; provided further, that not less than \$1,000,000 shall be expended for the  
685 Wakefield housing authority for the development of the Hurd school into affordable housing for  
686 persons with disabilities; provided further, that not less than \$500,000 shall be expended for  
687 required utility upgrades at the New Bedford housing authority; provided further, that not less  
688 than \$500,000 shall be expended for the demolition of the existing building and construction of a  
689 parking deck at 1204 Purchase street in New Bedford; provided further, that not less than  
690 \$50,000 shall be expended for the Topsfield housing authority for power washing and  
691 renovations at Little Brook Village in Topsfield; provided further, that not less than \$6,100,000  
692 shall be expended for the Brockton yards project in the city of Brockton; provided further, that  
693 not less than \$500,000 shall be expended for the Stoneham housing authority for the planning,  
694 design, renovation, maintenance or construction of housing; provided further, that not less than



695 \$500,000 shall be expended for the Amherst municipal affordable housing trust for planning the  
696 development of affordable housing projects; provided further, that not less than \$2,000,000 shall  
697 be expended for modernization and retrofitting at the West Broadway apartments in the South  
698 Boston section of Boston; provided further, that not less than \$1,000,000 shall be expended for  
699 the Amherst housing authority for maintenance or capital improvements; provided further, that  
700 not less than \$25,000 shall be expended to the town of Wayland to assist the town with Chapter  
701 40B monitoring costs; provided further, that not less than \$1,000,000 shall be expended for  
702 improvements to properties under the control of the Wayland housing authority; provided  
703 further, that not less than \$1,000,000 shall be expended for modernization and retrofitting of the  
704 state-assisted South street apartments in the Jamaica Plain section of the Boston; provided  
705 further, that not less than \$2,000,000 shall be expended for the deep energy retrofit of the  
706 federally-assisted Mildred C. Hailey apartments in the Jamaica Plain neighborhood in Boston;  
707 provided further, that not less than \$500,000 shall be expended for maintenance or capital  
708 improvements at Granby housing authority; provided further, that not less than \$1,000,000 shall  
709 be expended for the Natick housing authority; provided further, that not less than \$1,000,000  
710 shall be expended for the Amherst housing authority to implement clean energy modifications on  
711 properties in Amherst; provided further, that not less than \$2,000,000 shall be expended for the  
712 modernization of the Mary Ellen McCormack development; provided further, that not less than  
713 \$6,000 shall be expended for security cameras at St. Joseph Community, Inc.; provided further,  
714 that not less than \$250,000 shall be expended for the North Reading housing authority; provided  
715 further, that not less than \$3,000,000 shall be expended for the Needham housing authority  
716 construction costs of affordable housing units at Linden street in Needham; provided further, that  
717 not less than \$250,000 shall be expended for the Lynnfield housing authority; provided further,

718 that not less than \$3,000,000 shall be expended for the Franklin bridge senior housing project in  
719 Franklin; provided further, that not less than \$1,000,000 shall be expended for the Chelmsford  
720 housing authority for the redevelopment of the Chelmsford Arms senior housing complex;  
721 provided further, that not less than \$2,000,000 shall be expended for the comprehensive  
722 modernization and redevelopment of the federally-assisted heritage apartments in Boston;  
723 provided further, that not less than \$500,000 shall be expended for a grant program for  
724 municipalities that endeavor to establish local offices of housing stability to help tenants in  
725 housing crises including, but not limited to, unaffordability, fire, natural disaster, eviction or  
726 condemnation; provided further, that not less than \$2,000,000 shall be expended for the  
727 construction of the transit-oriented development connector parkway in Mansfield from north  
728 main street to Chauncy street; provided further, that not less than \$1,000,000 shall be expended  
729 for the Resilience Hub in Northampton; provided further, that not less than \$2,000,000 shall be  
730 expended for modernizing the special needs and state-assisted scattered site public housing in  
731 Boston; provided further, that not less than \$50,000 shall be expended for capital improvements  
732 to the Westfield housing authority; provided further, that not less than \$5,000,000 shall be  
733 expended for the Brooke house, treehouse, and Harvard house projects at the Boston state  
734 hospital in Boston; provided further, that not less than \$2,000,000 shall be expended for the  
735 state-assisted Gallivan apartments; provided further, that not less than \$1,000,000 shall be  
736 expended for the Brookline housing authority to upgrade kitchens to all-electric appliances;  
737 provided further, that not less than \$200,000 shall be expended for the Brookline Community  
738 Development Corporation for the development of at least 8 units of affordable housing; provided  
739 further, that not less than \$50,000 shall be expended for an initial survey to develop land for  
740 affordable housing in Southampton; provided further, that not less than \$2,000,000 shall be

741 expended for the redevelopment of the federally-assisted Bunker hill apartments in Charlestown;  
742 provided further, that not less than \$100,000 shall be expended to the Abington housing authority  
743 for building upgrades; provided further, that not less than \$500,000 shall be expended to Pioneer  
744 Valley Habitat for Humanity, Inc. for the construction of a warehouse for the purpose of  
745 expanding affordable housing in the Connecticut river valley; provided further, that not less than  
746 \$100,000 shall be expended to the Whitman housing authority for building for building  
747 upgrades; provided further, that not less than \$100,000 shall be expended to the East Bridgewater  
748 housing authority for building upgrades and general improvements; provided further, that not  
749 less than \$3,000,000 shall be expended for the redevelopment of the federally-assisted Patricia  
750 White apartments in the Brighton section of the city of Boston; provided further, that not less  
751 than \$100,000 shall be expended for improvements to the Auburn housing authority; provided  
752 further, that not less than \$100,000 shall be expended for improvements to the Millbury housing  
753 authority; provided further, that not less than \$100,000 shall be expended for improvements to  
754 the Leicester housing authority; provided further, that not less than \$500,000 shall be expended  
755 to the Springfield housing authority for security camera improvements at the riverview complex;  
756 provided further, that not less than \$10,000,000 shall be expended for grants and loans to  
757 developers with not more than \$2,000,000 in assets under management to facilitate affordable  
758 housing production in gateway municipalities; provided further, that not less than \$1,500,000  
759 shall be expended for the Thatcher street project in the city of Brockton; provided further, that  
760 not less than \$500,000 shall be expended to the town of Shutesbury for testing and filtration  
761 equipment associated with residential wells contaminated by per- and polyfluoroalkyl  
762 substances; provided further, that not less than \$1,000,000 shall be expended to the town of  
763 Ludlow for the purpose of planning, pre-development, and site preparation for certain buildings

764 located at 63 Chestnut street and 54 Windsor street to be used for affordable, senior, or mixed-  
765 use housing; provided further, that not less than \$2,500,000 shall be expended for the affordable  
766 housing project of the Austin street parking lots in the Charlestown neighborhood in the city of  
767 Boston; provided further, that not less than \$500,000 shall be expended for veteran preference  
768 housing in the city of Lowell; provided further, that not less than \$4,000,000 shall be expended  
769 for affordable housing production for seniors, veterans and persons with disabilities in the town  
770 of Braintree; provided further, that not less than \$2,500,000 shall be expended for housing  
771 modernization, water and sewage improvements and retrofit of the Fairmount apartments in the  
772 Hyde Park neighborhood of the city of Boston; provided further, that not less than \$500,000 shall  
773 be expended to the Springfield Tower Square, LLC for a net-zero clean energy mixed-use  
774 residential development at 1500 Main street in the city of Springfield; provided further, that not  
775 less than \$500,000 shall be expended to HLRE Development, LLC for the conversion of the  
776 board of trade block building into affordable and mixed-use housing in the city of Springfield;  
777 provided further, that not less than \$3,000,000 shall be expended for the creation of supportive  
778 housing for those with mental health and substance abuse disorders in the city of Boston;  
779 provided further, that not less than \$2,000,000 shall be expended to the town of Middleton for  
780 infrastructure improvements on route 114; provided further, that not less than \$10,000,000 shall  
781 be expended for the Lawrence housing authority for infrastructure and maintenance repairs;  
782 provided further, that not less than \$1,000,000 shall be expended for the city of Haverhill as  
783 bridge funding for shovel ready housing projects; provided further, that not less than \$500,000  
784 shall be expended to the Haverhill housing authority 335 Groveland supportive housing project;  
785 provided further, that not less than \$5,000,000 shall be expended to the city of Boston to support  
786 the acquisition of tenanted housing for the purposes of stabilization tenancies and converting

787 such property into permanent affordable housing; provided further, that not less than \$1,000,000  
788 shall be expended to provide permanent supportive housing for formerly homeless individuals at  
789 the 41 LaGrange street project in the city of Boston; provided further, that not less than  
790 \$1,500,000 shall be expended for the New Bedford small developer go fund; provided further,  
791 that not less than \$1,000,000 shall be expended for the International Veterans Care Services Inc  
792 for the veterans safe haven project; provided further, that not less than \$1,500,000 shall be  
793 expended for the New Bedford office of housing and community development to provide  
794 financial assistance for development costs of converting commercial to residential housing;  
795 provided further, that not less than \$2,000,000 shall be expended for roadway improvements to  
796 increase access to new housing units in the town of Rowley; provided further, that not less than  
797 \$500,000 shall be expended for the Brockton housing authority for the planning, design,  
798 renovation, maintenance or construction of housing; provided further, that not less than \$500,000  
799 shall be expended for the Salem affordable housing trust fund; provided further, that not less than  
800 \$1,000,000 shall be expended for the West Springfield housing authority for capital  
801 improvement projects and upgrades; provided further, that not less than \$100,000 shall be  
802 expended for a site identification feasibility study for artist housing for the Barrington Stage  
803 Company, Inc. and Berkshire Theatre Group, Inc. in the city of Pittsfield; provided further, that  
804 not less than \$500,000 shall be expended to the city of Greenfield for affordable, senior or  
805 mixed-use housing; provided further, that not less than \$500,000 shall be expended to Rural  
806 Development, Inc. for technical assistance; provided further, that not less than \$1,000,000 shall  
807 be expended to Revitalization Effort Toward New Urbanism, Inc for the production of more than  
808 100 affordable housing units at Merrimack street corridor in the city of Lowell; provided further,  
809 that not less than \$5,000,000 shall be expended for the Suffolk Downs project in the city of

810 Boston and the city of Revere; provided further, that not less than \$1,000,000 shall be expended  
811 to the city of Everett for 4 to 8 affordable housing units; provided further, that not less than  
812 \$5,000,000 shall be expended for the transit-orientated development mixed-use housing project  
813 at Riverside station; provided further, that not less than \$2,000,000 shall be expended for the  
814 comprehensive modernization of the state-assisted Franklin field apartments in the Dorchester  
815 section of the city of Boston; provided further, that not less than \$700,000 shall be expended for  
816 East Boston Community Development Corporation for repairs and maintenance of income-  
817 restricted and subsidized rental properties; provided further, that not less than \$1,000,000 shall  
818 be expended to the Belmont Housing Authority for capital improvements to the Sherman  
819 Gardens public housing development in the town of Belmont; provided further, that not less than  
820 \$500,000 shall be expended to the Watertown Housing Authority for construction of a group  
821 home at 103 Nichols avenue in the city of Watertown; provided further, that not less than  
822 \$6,500,000 shall be allocated to the comprehensive modernization and redevelopment of the  
823 federally-assisted Patricia White apartments in the Brighton section of the city of Boston;  
824 provided further, that not less than \$25,000 shall be expended to the town of Hubbardston for the  
825 redevelopment of the sand pit sites in the town of Hubbardston; provided further, that not less  
826 than \$100,000 shall be expended for improvements to the Holden Housing Authority; provided  
827 further, that not less than \$100,000 shall be expended for improvements to the Leicester Housing  
828 Authority; provided further, that not less than \$500,000 shall be expended to the West Brookfield  
829 Housing Authority for building upgrades and general improvements; provided further, that not  
830 less than \$1,000,000 shall be expended to the Spencer Housing Authority for facility upgrades;  
831 provided further, that not less than \$2,000,000 shall be expended to the Barre Housing Authority  
832 for building expansions; provided further, that not less than \$5,000,000 shall be expended to the

833 Fitchburg Redevelopment Authority for downtown housing development; provided further, that  
834 not less than \$500,000 shall be expended to the Bellingham Housing Authority; provided further,  
835 that not less than \$250,000 shall be expended to the Dover Housing Partnership Committee;  
836 provided further, that not less than \$1,000,000 shall be expended to the Franklin Housing  
837 Authority; provided further, that not less than \$500,000 shall be expended to the Medfield  
838 Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the  
839 Milford Housing Authority; provided further, than not less than \$500,000 shall be expended to the  
840 Millis Housing Authority; provided further, that not less than \$1,000,000 shall be expended to  
841 the Needham Housing Authority; provided further, than not less than \$500,000 shall be  
842 expended to the Norfolk Housing Authority; provided further, than not less than \$500,000 shall  
843 be expended to the Plainville Housing Authority; provided further, than not less than \$250,000  
844 shall be expended to the Sherborn Housing Trust; provided further, than not less than \$500,000  
845 shall be expended to the Wrentham Housing Authority; provided further, that not less than  
846 \$2,500,000 shall be expended to the Boston Housing Authority for housing modernization, water  
847 and sewer improvements and retrofitting the Fairmount public housing projects in the Hyde Park  
848 section of the city of Boston; provided further, that not less than \$8,000,000 shall be expended to  
849 the Lowell Housing Authority for the development of new affordable housing units and new  
850 veterans supportive housing units; provided further, that not less than \$1,000,000 shall be  
851 expended to the Brockton Housing Authority for the planning, design, renovation, maintenance  
852 or construction of housing; provided further, that not less than \$4,500,000 shall be expended to  
853 Westmass Area Development Corporation to support the predevelopment, demolition and  
854 stabilization of properties and expenses associated with the preparation of affordable housing at  
855 the Ludlow Mills in the town of Ludlow; provided further, that not less than \$15,000,000 shall

856 be expended to the Disabled American Veterans Department of Massachusetts Service Fund, Inc.  
857 for the renovation, rehabilitation, construction and establishment of housing for veterans and  
858 their families; provided further, that not less than \$1,000,000 shall be expended to Double Edge  
859 Theatre Productions Incorporated in the town of Ashfield for the development of affordable  
860 housing and workforce housing with a community space on a currently underutilized property;  
861 provided further, that not less than \$1,000,000 shall be expended to Berkshire Natural Resources  
862 Council, Inc. for the construction of new workforce housing and conservation of land and natural  
863 resources in the town of Egremont on the 225-acre former Egremont Golf Club property;  
864 provided further, that not less than \$1,000,000 shall be expended to the Community  
865 Development Corporation of South Berkshire, Inc. for the redevelopment and remediation costs  
866 of new housing projects at the former ThorneWood Inn and 100 Bridge street in the town of  
867 Great Barrington; provided further, that not less than \$500,000 shall be expended to Central  
868 Berkshire Habitat for Humanity, Inc. for the creation of affordable housing projects in Berkshire  
869 county in collaboration with local communities; provided further, that not less than \$1,000,000  
870 shall be expended to Hilltown Community Development Corporation for the creation of new  
871 housing and redevelopment of vacant properties in the rural hill towns of Berkshire, Hampden  
872 and Hampshire counties; provided further, that not less than \$500,000 shall be expended to the  
873 North Adams Housing Authority; provided further, that not less than \$500,000 shall be expended  
874 to Westside Legends, Inc. in the city of Pittsfield for the construction of new affordable  
875 homeownership units in 5 multifamily residential buildings constructed on a currently vacant lot;  
876 provided further, that not less than \$500,000 shall be expended to the Southwick Housing  
877 Authority; provided further, that not less than \$1,000,000 shall be expended to the Massachusetts  
878 Housing Finance Agency to be administered as grants to certified sober homes for sprinklers



879 installed in accordance with the state building code; provided further, that not less than  
880 \$1,000,000 shall be expended for the town of Harvard to purchase, rehabilitate and make  
881 improvements to the Bromfield House located at 39 Massachusetts avenue in the town of  
882 Harvard to provide public housing to immigrant families; provided further, that not less than  
883 \$1,000,000 shall be expended for the Marlborough Housing Authority; provided further, that not  
884 less than \$500,000 shall be expended for the Haverhill Housing Authority for construction of a  
885 34-unit affordable rental multi-family development at 230 Hilldale avenue in the city of  
886 Haverhill; provided further, that not less than \$500,000 shall be expended for the Hudson  
887 Housing Authority; provided further, that not less than \$1,500,000 shall be expended to the  
888 Methuen Housing Authority for capital improvements; provided further, that not less than  
889 \$1,500,000 shall be expended to Way Finders, Inc. for a multi-phase housing development on  
890 South High street in the city of Holyoke; provided further, that not less than \$500,000 shall be  
891 expended for the Acton Housing Authority; provided further, that not less than \$500,000 shall be  
892 expended to the Easthampton Housing Authority for capital improvement projects and upgrades;  
893 provided further, that not less than \$500,000 shall be expended for the Ayer Housing Authority;  
894 provided further, that not less than \$1,500,000 shall be expended to the Melrose Housing  
895 Authority for critical infrastructure repairs to the CJ McCarthy and Julian Steele elderly-disabled  
896 public housing facilities; provided further, that not less than \$5,000,000 shall be expended for the  
897 Arlington Housing Authority for envelope repairs and improvements at Menotomy Manor in the  
898 town of Arlington; provided further, that not less than \$1,200,000 shall be expended to the  
899 Holyoke Housing Authority for capital improvement projects and upgrades; provided further,  
900 that not less than \$1,550,000 shall be expended to the Chicopee Housing Authority for capital  
901 improvement projects and upgrades; provided further, that not less than \$5,000,000 shall be

902 expended to the Springfield Housing Authority for capital improvements; provided further, that  
903 not less than \$2,250,000 shall be expended to New North Citizens Council, Inc. for pre-  
904 development and construction activities related to the redevelopment of the former Brightwood  
905 School at 471 Plainfield street in the city of Springfield; provided further, that not less than  
906 \$275,000 shall be expended to Way Finders, Inc. for capital improvement projects and upgrades  
907 to the Southampton Meadows apartments; provided further, that not less than \$1,000,000 shall be  
908 expended to the Wakefield Housing Authority for the development of the former Hurd school  
909 into affordable housing for individuals with disabilities; provided further, that not less than  
910 \$500,000 shall be expended to the Westfield Housing Authority for capital improvement projects  
911 and upgrades; provided further, that not less than \$1,000,000 shall be expended to the Agawam  
912 Housing Authority for capital improvement projects and upgrades; provided further, that not less  
913 than \$500,000 shall be expended to the Valley Community Development Corporation for design  
914 and construction of solar energy systems and development at the Amherst Community Homes  
915 project in the city known as the town of Amherst; provided further, that not less than \$1,000,000  
916 shall be expended to the West Springfield Housing Authority for capital improvement projects  
917 and upgrades; provided further, that not less than \$500,000 shall be expended for the Littleton  
918 Housing Authority; provided further, that not less than \$2,000,000 shall be expended to Way  
919 Finders, Inc. for the East Street and the Belchertown Road affordable housing projects in the city  
920 known as the town of Amherst; provided further, that not less than \$1,000,000 shall be expended  
921 to the Avon Housing Authority to make necessary capital and accessibility improvements to the  
922 resident community center; provided further, that not less than \$1,000,000 shall be expended for  
923 the town of Leverett for housing development or redevelopment efforts in accordance with the  
924 town's comprehensive plan, existing town needs and coordination with neighboring

925 municipalities on housing developments that impact both municipalities; provided further, that  
926 not less than \$500,000 shall be expended for the Maynard Housing Authority; provided further,  
927 that not less than \$50,000 shall be expended to the Dedham Housing Authority for maintenance  
928 and improvements; provided further, that not less than \$50,000 shall be expended to the  
929 Norwood Housing Authority for maintenance and improvements; provided further, that not less  
930 than \$50,000 shall be expended to the Walpole Housing Authority for maintenance and  
931 improvements; provided further, that not less than \$50,000 shall be expended to the Westwood  
932 Housing Authority for maintenance and improvements; provided further, that not less than  
933 \$2,000,000 shall be expended to the city of Worcester for a lead abatement program; provided  
934 further, that not less than \$500,000 shall be expended to Worcester Common Ground Inc., to  
935 renovate 9 May street, a nonprofit affordable housing property; provided further, that not less  
936 than \$2,000,000 shall be expended to the city of Worcester for an affordable housing  
937 preservation program; provided further, that not less than \$2,500,000 shall be expended to the  
938 Main South Community Development Corporation for the development of 100 new affordable  
939 housing units; provided further, that not less than \$500,000 shall be expended for the  
940 Southborough Housing Authority; provided further, that not less than \$2,500,000 shall be  
941 expended to the Newton Housing Authority for window replacement, energy efficiency upgrades  
942 to deteriorating existing units and the addition of new affordable units; provided further, that not  
943 less than \$1,000,000 shall be expended to the Wellesley Housing Authority for infrastructure  
944 updates, maintenance and accessibility projects; provided further, that not less than \$500,000  
945 shall be expended for the Sudbury Housing Authority; provided further, that not less than  
946 \$5,000,000 shall be expended for the development of affordable housing in the city of Lawrence  
947 for unhoused families, families impacted by domestic violence, veterans and victims of human

948 trafficking; provided further, that not less than \$500,000 shall be expended for the Wayland  
949 Housing Authority; provided further, that not less than \$500,000 shall be expended to the Dalton  
950 Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the  
951 Quincy Housing Authority for purposes including, but not limited to, planning, design,  
952 engineering and construction of public housing units, site and building infrastructure repairs and  
953 property acquisition; provided further, that not less than \$500,000 shall be expended to the  
954 Abington Housing Authority for purposes including, but not limited to, planning, design,  
955 engineering and construction of public housing units, site and building infrastructure repairs and  
956 property acquisition; provided further, that not less than \$500,000 shall be expended to the  
957 Hanover Housing Authority for purposes including, but not limited to, planning, design,  
958 engineering and construction of public housing units, site and building infrastructure repairs and  
959 property acquisition; provided further, that not less than \$500,000 shall be expended to the  
960 Holbrook Housing Authority for purposes including, but not limited to, planning, design,  
961 engineering and construction of public housing units, site and building infrastructure repairs and  
962 property acquisition; provided further, that not less than \$500,000 shall be expended to the  
963 Rockland Housing Authority for purposes including, but not limited to, planning, design,  
964 engineering and construction of public housing units, site and building infrastructure repairs and  
965 property acquisition; provided further, that not less than \$600,000 shall be expended for People  
966 Acting in Community Endeavors, Inc. in the city of New Bedford for the rehabilitation of  
967 residential units into affordable housing for renters and first-time homebuyers; provided further,  
968 that not less than \$1,000,000 shall be expended for the demolition of the existing building and  
969 construction of a parking deck at 1204 Purchase street in the city of New Bedford to enable local  
970 housing development; provided further, that not less than \$5,000,000 shall be expended to the

971 New Bedford Housing Authority for renovations, repairs and remodeling projects to preserve  
972 housing stock and improve tenant quality of living; provided further, that not less than \$500,000  
973 shall be expended for Partners in Housing, Inc. for affordable senior housing at the Mendes-  
974 Monteiro House in the town of Dartmouth; provided further, that not less than \$2,000,000 shall  
975 be expended for the Brookline Housing Authority; provided further, that not less than \$2,500,000  
976 shall be expended to the city of Salem for the redevelopment of the former historic Salem  
977 superior court and county commissioner's building for mixed; provided further, that not less than  
978 \$1,000,000 shall be expended to the Salem Housing Authority for purposes, including, but not  
979 limited to, housing-related infrastructure improvements, unit modernization and maintenance;  
980 provided further, that not less than \$1,000,000 shall be expended to the Danvers Housing  
981 Authority for purposes, including, but not limited to, housing-related infrastructure  
982 improvements, unit modernization and maintenance; provided further, that not less than  
983 \$1,000,000 shall be expended to the Peabody Housing Authority for purposes, including, but not  
984 limited to, housing-related infrastructure improvements, unit modernization and maintenance;  
985 provided further, that not less than \$1,000,000 shall be expended to the Beverly Housing  
986 Authority for purposes, including, but not limited to, housing-related infrastructure  
987 improvements, unit modernization and maintenance; provided further, that not less than  
988 \$4,500,000 shall be expended to the Malden Housing Authority for critical infrastructure repairs  
989 to public housing units for seniors and individuals with disabilities; provided further, that not less  
990 than \$500,000 shall be expended to the Braintree Housing Authority; provided further, that not  
991 less than \$500,000 shall be expended to the Bridgewater Housing Authority; provided further,  
992 that not less than \$500,000 shall be expended to the Easton Housing Authority; provided further,  
993 that not less than \$500,000 shall be expended to the Milton Housing Authority; provided further,

994 that not less than \$500,000 shall be expended to the Randolph Housing Authority; provided  
995 further, that not less than \$500,000 shall be expended to the Stoughton Housing Authority;  
996 provided further, that not less than \$500,000 shall be expended to the West Bridgewater Housing  
997 Authority; provided further, that not less than \$1,000,000 shall be expended to the Bridgewater  
998 Housing Authority to support a sewer line replacement project; provided further, that not less  
999 than \$1,470,000 shall be expended to Valley Community Land Trust, Incorporated for land  
1000 acquisition and construction and development of affordable housing in Franklin county; provided  
1001 further, that not less than \$1,000,000 shall be expended to the city of Gloucester for workforce  
1002 development and affordable housing purposes; provided further, that not less than \$250,000 shall  
1003 be expended for public housing redevelopment at the Monson Developmental Center in the town  
1004 of Monson; provided further, that not less than \$1,000,000 shall be expended for the creation of  
1005 affordable housing units in the Stevens Linen Mill public housing development project in the  
1006 town of Dudley; provided further, that not less than \$500,000 shall be expended to the town of  
1007 Northbridge for housing redevelopment projects; provided further, that not less than \$500,000  
1008 shall be expended to the town of Upton for housing infrastructure improvements; provided  
1009 further, that not less than \$1,000,000 shall be expended for sewer, septic, water, storm water  
1010 management, roads, sidewalks, traffic controls and public safety infrastructure upgrades and  
1011 expansions that advance projects that support housing development, preservation or  
1012 rehabilitation in the town of Auburn; provided further, that not less than \$1,000,000 shall be  
1013 expended for sewer, septic, water, storm water management, roads, sidewalks, traffic controls  
1014 and public safety infrastructure upgrades and expansions that advance projects that support  
1015 housing development, preservation or rehabilitation in the town of Grafton; provided further, that  
1016 not less than \$1,000,000 shall be expended for sewer, septic, water, storm water management,

1017 roads, sidewalks, traffic controls and public safety infrastructure upgrades and expansions that  
1018 advance projects that support housing development, preservation or rehabilitation in the town of  
1019 Millbury; provided further, that not less than \$1,000,000 shall be expended for sewer, septic,  
1020 water, storm water management, roads, sidewalks, traffic controls and public safety  
1021 infrastructure upgrades and expansions that advance projects that support housing development,  
1022 preservation or rehabilitation in the town of Shrewsbury; provided further, that not less than  
1023 \$1,000,000 shall be expended for sewer, septic, water, storm water management, roads,  
1024 sidewalks, traffic controls and public safety infrastructure upgrades and expansions that advance  
1025 projects that support housing development, preservation or rehabilitation in the town of  
1026 Westborough; provided further, that not less than \$2,000,000 shall be expended for sewer, septic,  
1027 water, storm water management, roads, sidewalks, traffic controls and public safety  
1028 infrastructure upgrades and expansions that advance projects that support housing development,  
1029 preservation or rehabilitation in the city of Worcester; provided further, that not less than  
1030 \$500,000 shall be expended to the town of Middleton for infrastructure improvements to support  
1031 housing and public safety; provided further, that not less than \$2,000,000 shall be expended for  
1032 infrastructure improvement to facilitate housing production along the United States highway  
1033 route 1 corridor between the town of Topsfield and the town of Salisbury; provided further, that  
1034 not less than \$500,000 shall be expended to the city of Newburyport for the development of  
1035 housing at the former Brown school located at 40 Milk street in the city of Newburyport;  
1036 provided further, that not less than \$250,000 shall be expended to the town of North Reading for  
1037 infrastructure improvements to support housing production; provided further, that not less than  
1038 \$250,000 shall be expended to the Rockport Affordable Housing Trust for the production of  
1039 affordable housing; provided further, that not less than \$500,000 shall be expended to Housing

1040 Support Inc. in the city of Newburyport for the creation of housing to support populations, which  
1041 may include, but shall not be limited to, low-income individuals, homeless individuals, people  
1042 with disabilities, veterans and individuals in recovery in the Merrimack valley; provided further,  
1043 that not less than \$1,000,000 shall be expended to the Greater Boston Community Land Trust for  
1044 the acquisition, development and rehabilitation of property to be preserved for long-term  
1045 affordable housing; provided further, that not less than \$7,000,000 shall be expended to  
1046 Children’s Services of Roxbury, Inc. to develop affordable, supportive housing for transition-  
1047 aged youth facing homelessness or aging out of systems and for homeless families coping with  
1048 trauma and mental health needs; provided further, that not less than \$500,000 shall be expended  
1049 to the Winchester Housing Authority; provided further, that not less than \$500,000 shall be  
1050 expended to the Cape Cod Chamber of Commerce for the construction of new accessory  
1051 dwelling units to increase affordable workforce housing through an employer housing  
1052 partnership program; provided further, that not less than \$1,000,000 shall be expended to the  
1053 Housing Assistance Corporation for the construction and build-out of a regional housing  
1054 resource center; provided further, that not less than \$500,000 shall be expended to the Stoneham  
1055 Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the  
1056 Canton Housing Authority; provided further, that not less than \$1,000,000 shall be expended to  
1057 the Foxborough Housing Authority; provided further, that not less than \$1,000,000 shall be  
1058 expended to the Sharon Housing Authority; provided further, that not less than \$1,000,000 shall  
1059 be expended to the Norton Housing Authority; provided further, that not less than \$1,000,000  
1060 shall be expended to the North Attleboro Housing Authority; provided further, that not less than  
1061 \$3,000,000 shall be expended to Northern Bristol County Assistance Collaborative, Inc. for  
1062 development costs for the Attleboro affordable senior housing project; provided further, that not



1063 less than \$500,000 shall be expended to the Rehoboth Housing Authority for the design and  
1064 construction of new senior housing units; provided further, that not less than \$500,000 shall be  
1065 expended to the Carver Housing Authority for housing improvements, including, but not limited  
1066 to, modernization, energy efficiencies and sustainability; provided further, that not less than  
1067 \$500,000 shall be expended to the Dighton Housing Authority for housing improvements,  
1068 including, but not limited to, modernization, energy efficiencies and sustainability; provided  
1069 further, that not less than \$1,000,000 shall be expended to the Middleborough Housing Authority  
1070 for housing improvements, including, but not limited to, modernization, energy efficiencies and  
1071 sustainability; provided further, that not less than \$500,000 shall be expended to the Raynham  
1072 Housing Authority for housing improvements, including, but not limited to, modernization,  
1073 energy efficiencies and sustainability; provided further, that not less than \$3,500,000 shall be  
1074 expended to the Taunton Housing Authority for housing improvements, including, but not  
1075 limited to, modernization, energy efficiencies and sustainability; provided further, that not less  
1076 than \$500,000 shall be expended to the Wareham Housing Authority for new senior housing  
1077 construction and housing improvements, including, but not limited to, modernization, energy  
1078 efficiencies and sustainability; provided further, that not less than \$3,000,000 shall be expended  
1079 for planning and design of water infrastructure interconnections between municipalities and  
1080 other public water suppliers affected by the Ipswich river watershed to support current and future  
1081 housing stock; provided further, that not less than \$750,000 shall be expended for the Simonelli  
1082 Innovation Center at the Hamilton Mills building for an affordable housing development project  
1083 in the town of Southbridge; provided further, that not less than \$1,000,000 shall be expended for  
1084 the modernization of elevators at the Ruth Lillian Barkley development in the South End section  
1085 of the city of Boston; provided further, that not less than \$1,000,000 shall be expended to the

1086 Boston Housing Authority for the modernization of the St. Botolph apartments in the city of  
1087 Boston; provided further, that not less than \$1,000,000 shall be expended to Codman Square  
1088 Neighborhood Development Corporation for design, construction and maintenance of affordable  
1089 housing; provided further, that not less than \$1,000,000 shall be expended to South Boston  
1090 Neighborhood Development Corporation for design, construction and maintenance of affordable  
1091 housing; provided further, that not less than \$1,000,000 shall be expended to Caribbean  
1092 Integration Community Development, Inc. for design, construction and maintenance of  
1093 affordable housing; provided further, that not less \$1,000,000 shall be expended to St. Mary's  
1094 Center for Women and Children, Inc. for renovation and construction of supportive housing  
1095 units; provided further, that not less than \$2,000,000 shall be expended to the Boston Housing  
1096 Authority for the modernization and maintenance of the Monsignor Powers apartments, West  
1097 Ninth Street apartments and Foley apartments in the South Boston section of the city of Boston;  
1098 provided further, that not less than \$15,000,000 shall be expended to the Boston Housing  
1099 Authority for the creation of federally-assisted housing in the city of Boston pursuant to the  
1100 United States Department of Housing and Urban Development's Rental Assistance  
1101 Demonstration program or related federal housing programs; provided further, that not less than  
1102 \$5,000,000 shall be expended to the town of Truro to complete water main extension and road  
1103 work improvements related to the construction of housing at the Walsh Property project;  
1104 provided further, that not less than \$1,000,000 shall be expended to the Somerset Housing  
1105 Authority for critical infrastructure repairs, maintenance and capital improvement projects;  
1106 provided further, that not less than \$1,000,000 shall be expended to the Swansea Housing  
1107 Authority for critical infrastructure repairs, maintenance and capital improvement projects;  
1108 provided further, that not less than \$1,000,000 shall be expended to the Westport Housing

1109 Authority for critical infrastructure repairs, maintenance and capital improvement projects;  
 1110 provided further, that not less than \$5,000,000 shall be expended to the Fall River Housing  
 1111 Authority for facility renovations and security improvements; provided further, that not less than  
 1112 \$5,000,000 shall be expended to the city of Boston to automate the ground water monitoring  
 1113 system; provided further, that not less than \$2,000,000 shall be expended to the city known as  
 1114 the town of Winthrop for infrastructure and demolition of the former middle school located at  
 1115 141 Pauline street; and provided further, that not less than \$1,000,000 shall be expended to the  
 1116 city of Revere for senior housing upgrades and improvements to Revere Housing Authority  
 1117 properties.....\$425,756,900

1118 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

1119 *Office of the Secretary*

1120 7004-0077 For a local capital projects grant program to support and encourage  
 1121 implementation of the housing choice designation for communities that have demonstrated  
 1122 housing production and adoption of housing best practices, including a grant program to assist  
 1123 MBTA communities in complying with the multi-family zoning requirement in section 3A of  
 1124 chapter 40A of the General Laws.....\$50,000,000

1125 7004-0079 For the Smart Growth Housing Trust Fund established in section 35AA of  
 1126 chapter 10 of the General Laws.....\$20,000,000

1127 7004-0081 For a reserve to support the production of for-sale, below market housing  
 1128 to expand homeownership opportunities for first-time homebuyers and socially and economically  
 1129 disadvantaged individuals; provided, that grants and loans to developers shall be used to  
 1130 facilitate production of affordable homeownership units for households earning not more than

1131 120 per cent of the area median income; provided further, that projects with units restricted to  
1132 households with incomes of not more than 80 per cent of the area median income shall receive  
1133 preference; provided further, that funds expended from this item shall, to the maximum extent  
1134 feasible, be prioritized for projects that comply with decarbonization and sustainability  
1135 standards; provided further, that prioritization shall be determined through objective scoring  
1136 criteria in the Qualified Allocation Plan developed by the executive office of housing and livable  
1137 communities; provided further, that for new construction projects, the standards set forth in the  
1138 commonwealth's Opt-in Specialized Energy Code under 225 CMR 22.00 and 23.00 and the  
1139 Enterprise Green Communities standards shall be the applicable standards for prioritization;  
1140 provided further, that any project proposing less than full compliance with said standards shall  
1141 provide detailed analysis demonstrating why full compliance would render the project infeasible  
1142 notwithstanding utilization of all available federal and state incentives, including rebates and tax  
1143 credits; provided further, that for retrofits of existing units, prioritization shall be given to  
1144 projects that include energy efficiency and electrification decarbonization measures, including,  
1145 but not limited to, electric or ground source heat pumps, net-zero developments, Passive House  
1146 Institute certification or an equivalent energy efficiency certification, and all-electric buildings  
1147 and projects that incorporate green, sustainable and climate-resilient elements; provided further,  
1148 that projects that include lower embodied carbon construction materials and methods shall be  
1149 further prioritized; provided further, that the minimum number of units for qualifying projects  
1150 under the program shall be 10 units unless otherwise approved by the secretary of housing and  
1151 livable communities; provided further, that funds in this item shall be distributed in a manner that  
1152 promotes geographic equity; provided further, that grants may include a requirement for  
1153 matching funds; provided further, that the executive office of housing and livable communities

1154 may enter into such contracts and agreements with the Massachusetts Housing Finance Agency,  
1155 or such other public agencies and instrumentalities as it may determine, for the administration of  
1156 such program; and provided further, that not more than 5 per cent of this item shall be used for  
1157 the reasonable costs of administering the program.....\$100,000,000

1158           7004-0082     For grants and technical assistance for municipalities and regional  
1159 applicants to support planning and locally-driven initiatives related to community development,  
1160 housing production, workforce training and economic opportunity, childcare and early education  
1161 initiatives and climate resilience initiatives, including nature-based solutions projects, that  
1162 incorporate these elements, across the commonwealth within individual communities, regions or  
1163 a defined subset of communities therein; provided, that funds may be expended for culturally  
1164 competent and multi-lingual technical assistance and training to small businesses; provided  
1165 further, that preference for such funds shall be given to businesses located in low- or moderate-  
1166 income areas and owned by socially and economically disadvantaged individuals; and provided  
1167 further, that grants shall be awarded in a manner that promotes geographic equity.....\$25,000,000

1168           7004-0083     For the HousingWorks infrastructure program established in section 27½  
1169 of chapter 23B of the General Laws; provided, that the executive office shall consider  
1170 geographic equity in awarding funds from this item .....\$175,000,000

1171           7004-0085     For state financial assistance to cities and towns or agencies, boards,  
1172 commissions, authorities, departments or instrumentalities thereof or community development  
1173 corporations or nonprofit organizations to assist in the revitalization of neighborhoods and  
1174 communities with properties in blighted or substandard conditions by subsidizing the purchase  
1175 price, borrowing costs or costs of demolition or renovation projects of not more than 50 units of

1176 residential rental housing or 1 to 4 units, inclusive, of home ownership residential housing that  
1177 have been cited for building or sanitary code violations or that are subject to cancellation of  
1178 commercial property insurance due to substandard property conditions or are otherwise blighted  
1179 or substandard; provided, that contracts entered into by the executive office of housing and  
1180 livable communities for those projects may include, but shall not be limited to, projects  
1181 providing for demolition, renovation, remodeling, reconstruction, redevelopment and hazardous  
1182 material abatement, including asbestos and lead paint, and for compliance with state codes and  
1183 laws and for adaptations necessary for compliance with the Americans with Disabilities Act of  
1184 1990; provided further, that preference shall be given to community development corporations  
1185 and local non-profit organizations, organizations sponsoring projects that secure private funds  
1186 and projects with the greatest impact on community stabilization in weak markets, including, but  
1187 not limited to, rural communities and communities that have been disproportionately affected by  
1188 disinvestment, foreclosure and abandonment; provided further, that financial assistance shall be  
1189 awarded in a manner that promotes geographic, social, racial and economic equity; provided  
1190 further, that funds expended from this item shall, to the maximum extent feasible, be prioritized  
1191 for projects that comply with decarbonization and sustainability standards; provided further, that  
1192 prioritization shall be determined through objective scoring criteria in the Qualified Allocation  
1193 Plan developed by the executive office of housing and livable communities; provided further,  
1194 that for new construction projects, the standards set forth in the commonwealth's Opt-in  
1195 Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green  
1196 Communities standards shall be the applicable standards for prioritization; provided further, that  
1197 any project proposing less than full compliance with said standards shall provide detailed  
1198 analysis demonstrating why full compliance would render the project infeasible notwithstanding

1199 utilization of all available federal and state incentives, including rebates and tax credits; provided  
1200 further, that for retrofits of existing units, prioritization shall be given to projects that include  
1201 energy efficiency and electrification decarbonization measures, including, but not limited to,  
1202 electric or ground source heat pumps, net-zero developments, Passive House Institute  
1203 compliance or an equivalent energy efficiency certification, and all-electric buildings and  
1204 projects that incorporate green, sustainable and climate-resilient elements; provided further, that  
1205 projects that include lower embodied carbon construction materials and methods shall be further  
1206 prioritized; provided further, that such rehabilitated housing shall remain affordable for such  
1207 period as shall be established by the executive office through guidance taking into account  
1208 differences in market conditions and the type of restrictions best suited to promoting community  
1209 stabilization in different markets; and provided further, that an amount not to exceed 2 per cent  
1210 of the amount expended may be used for administrative costs directly attributable to the purposes  
1211 of this program, including costs of support personnel.....\$50,000,000

1212 SECTION 2B.

1213 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

1214 *Office of the Secretary*

1215 7004-4784 For the Massachusetts Housing Finance Agency established in section 3 of  
1216 chapter 708 of the acts of 1966, to capitalize a permanent, revolving Residential Production  
1217 Momentum Fund for the purpose of accelerating the development of mixed-income and  
1218 workforce multifamily housing production projects by providing financial assistance in the form  
1219 of innovative, low-cost, and flexible capital funding, which may be in the form of debt, equity, or  
1220 other instruments, depending on individual underwriting needs of the project; provided, that not

1221 less than 20 per cent of the units in a project that receives financial assistance under this item  
1222 shall be restricted to households with incomes between 60 per cent and 120 per cent, inclusive,  
1223 of the area median income; provided further, that, notwithstanding paragraph (f) of section 5 of  
1224 said chapter 708, the Agency may in its discretion set the term and prepayment options for any  
1225 mortgage or other loan or instrument issued to any project receiving such financial assistance  
1226 based on the individual underwriting needs of the project; provided further, that such financial  
1227 assistance shall be awarded in a manner that promotes geographic equity; provided further, that  
1228 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects  
1229 that comply with decarbonization and sustainability standards; provided further, that  
1230 prioritization shall be determined through objective scoring criteria in the Qualified Allocation  
1231 Plan developed by the executive office of housing and livable communities; provided further,  
1232 that for new construction projects, the standards set forth in the commonwealth's Opt-in  
1233 Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green  
1234 Communities standards shall be the applicable standards for prioritization; provided further, that  
1235 any project proposing less than full compliance with said standards shall provide detailed  
1236 analysis demonstrating why full compliance would render the project infeasible notwithstanding  
1237 utilization of all available federal and state incentives, including rebates and tax credits; provided  
1238 further, that for retrofits of existing units, prioritization shall be given to projects that include  
1239 energy efficiency and electrification decarbonization measures, including, but not limited to,  
1240 electric or ground source heat pumps, net-zero developments, Passive House Institute  
1241 certification or an equivalent energy efficiency certification, and all-electric buildings and  
1242 projects that incorporate green, sustainable and climate-resilient elements; provided further, that  
1243 projects that include lower embodied carbon construction materials and methods shall be further



1244 prioritized; and provided further, that not more than \$13,000,000 shall be expended for new  
1245 affordable housing units at the 1234-1240 Soldiers Field Road Project approved by the Boston  
1246 Redevelopment Authority pursuant to document number 8044 in the city of  
1247 Boston.....\$50,000,000

1248 SECTION 3. The first paragraph of subsection (b) of section 1 of chapter 23B of the  
1249 General Laws, as appearing in section 102 of chapter 7 of the acts of 2023, is hereby amended by  
1250 inserting after clause (xvii) the following clause:-

1251 (xviii) Develop and implement, not less than once every 5 years, a written comprehensive  
1252 housing plan for the commonwealth, which shall include, but not be limited to, housing supply  
1253 and demand data, affordability and affordability gaps, identification of housing affordability  
1254 challenges and needs by region, an analysis of local zoning and strategies to address such  
1255 housing needs.

1256 SECTION 4. Section 27½ of said chapter 23B, inserted by section 117 of said chapter 7,  
1257 is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the  
1258 following 2 subsections:-

1259 (a) There shall be in the executive office of housing and livable communities a  
1260 HousingWorks infrastructure program to: (i) issue infrastructure grants that support housing to  
1261 municipalities and other public entities for design, construction, building, rehabilitation, repair  
1262 and other improvements to infrastructure that support the objectives of the secretariat, including,  
1263 but not limited to, sewers, utility extensions, streets, roads, curb-cuts, parking, water treatment  
1264 systems, telecommunications systems, transit improvements, public parks and spaces that  
1265 support planned or proposed housing improvements and pedestrian and bicycle ways; or (ii)

1266 assist municipalities to advance projects that support housing development, preservation or  
1267 rehabilitation. Preference for grants or assistance under this section shall be given to: (A)  
1268 infrastructure serving locations within 0.5 miles of a transit station or transit route; (B) other  
1269 eligible locations as defined in section 1A of chapter 40A; (C) multi-family zoning districts that  
1270 comply with section 3A of said chapter 40A; and (D) projects that support housing in rural and  
1271 small towns, as defined by the executive office.

1272 (b) A project that uses grants to municipalities for public infrastructure provided by this  
1273 section shall be procured by a municipality in accordance with chapter 7, section 39M of chapter  
1274 30, chapter 30B and chapter 149.

1275 SECTION 5. Said chapter 23B is hereby further amended by adding the following 6  
1276 sections:-

1277 Section 31. (a) There shall be within the executive office of housing and livable  
1278 communities an office of fair housing. The secretary of housing and livable communities shall  
1279 appoint a director of the office who shall serve at the pleasure of the secretary.

1280 (b) The office shall:

1281 (i) collaborate with state agencies on policies and strategies to: (A) advance the  
1282 elimination of housing discrimination and increase access to fair housing; (B) overcome patterns  
1283 of segregation; (C) foster inclusive communities without barriers that restrict access for  
1284 individuals or groups protected from unlawful practices pursuant to chapter 151B; and (D)  
1285 support enforcement of and compliance with all fair housing laws, including, but not limited to,  
1286 said chapter 151B and the federal Fair Housing Act, 42 U.S.C. 3601 et seq.;

1287 (ii) facilitate communication and partnership among state agencies and municipalities to  
1288 identify the intersections between activities of state agencies, activities of municipalities and fair  
1289 housing;

1290 (iii) facilitate the development of interagency initiatives to examine and address the social  
1291 and economic determinants of housing disparities, including, but not limited to: (A) equal access  
1292 to quality housing; (B) housing affordability; (C) access and proximity to multimodal  
1293 transportation options, including cost of such transportation; (D) air, water and land usage and  
1294 quality, including, but not limited to, consideration of environmental justice principles as defined  
1295 in section 62 of chapter 30; (E) employment and workforce development; (F) access to  
1296 healthcare; (G) access to and quality of education; and (H) language access; and

1297 (iv) administer the Fair Housing Fund established in section 2FFFFFFF of chapter 29.

1298 (c)(1) Not less than every 5 years, the office shall prepare a report evaluating the progress  
1299 of the commonwealth toward eliminating housing discrimination and increasing access to fair  
1300 housing. The report shall comply with applicable federal requirements for analysis and reporting.  
1301 Where possible, the report shall include quantifiable measures and comparative benchmarks and  
1302 shall detail progress on a regional basis. The office shall hold public hearings in geographically  
1303 diverse regions of the commonwealth to gather public information on the topics of the report.

1304 (2) Annually, the office shall prepare a supplemental report describing the activities and  
1305 outcomes of the Fair Housing Fund established in section 2FFFFFFF of chapter 29.

1306 (3) Reports pursuant to this subsection shall be filed with the clerks of the house of  
1307 representatives and senate and the chairs of the joint committee on housing not later than July 1

1308 in the year in which each such report is due. Each report shall be posted publicly on the office’s  
1309 website.

1310 Section 32. (a) For the purposes of this section “year-round housing”, shall mean housing  
1311 for occupancy by persons or families who occupy either rental or other housing as their principal  
1312 residence for not less than 10 months a year and “attainable housing” shall mean housing that is  
1313 affordable for year-round residents with incomes under a level set by the undersecretary in  
1314 consultation with the seasonal communities advisory council.

1315 (b) The secretary may designate a municipality as a seasonal community; provided,  
1316 however, that all municipalities in the counties of Dukes and Nantucket and all municipalities  
1317 with over 35 per cent seasonal housing units in the county of Barnstable, as determined by the  
1318 executive office in consultation with the Cape Cod commission established in chapter 716 of the  
1319 acts of 1989 and all municipalities with more than 40 per cent seasonal housing units in the  
1320 county of Berkshire, as determined by the executive office in consultation with the Berkshire  
1321 regional planning commission, shall receive such designation. The executive office may  
1322 designate additional municipalities as seasonal communities based on consideration of the  
1323 following factors: (i) a high rate of short-term rentals in relation to the overall housing inventory;  
1324 (ii) a significant population increase in seasonal visitors; (iii) an excessive disparity between the  
1325 area median income and the income required to purchase the municipality’s median home price;  
1326 (iv) the percentage of housing stock that is used for seasonal, occasional or recreational use or is  
1327 otherwise not used as a primary residence by the property’s owner; and (v) high variations in the  
1328 average monthly variation of employment in the sector over the full year, in relation to the  
1329 municipality’s minimum employment threshold. A municipality designated by the executive  
1330 office as a seasonal community pursuant to this section shall accept or deny the designation by

1331 vote of its legislative body. The secretary shall consult with the advisory council established in  
1332 subsection (c) to review additional municipalities under consideration to receive the seasonal  
1333 community designation.

1334 (c) The executive office shall convene an advisory council to offer expertise in issues  
1335 pertaining to municipal government, the hospitality industry, the tourism industry, housing law  
1336 and housing development and finance in seasonal communities. The council shall consist of: the  
1337 secretary or a designee, who shall serve as chair; 1 member of the senate appointed by the senate  
1338 president, who represents a district in which at least 1 municipality is designated as a seasonal  
1339 community; 1 member of the house of representatives appointed by the speaker of the house of  
1340 representatives, who represents a district in which at least 1 municipality is designated as a  
1341 seasonal community; 1 person appointed by the Massachusetts Municipal Association, Inc.; and  
1342 the following persons to be appointed by the secretary: 1 person who shall be a representative of  
1343 the developer community and is a resident of a municipality designated as a seasonal  
1344 community; 1 person who shall be a licensed real estate agent with the board of registration of  
1345 real estate brokers and salespersons and is a resident of a municipality designated as a seasonal  
1346 community; 1 person to represent each regional planning agency whose jurisdiction encompasses  
1347 at least 1 municipality designated as a seasonal community; 1 licensed attorney who practices in  
1348 the area of land use and who is a resident of a municipality designated as a seasonal community;  
1349 and 1 person who shall be a representative of the lending and banking community and who is a  
1350 resident of a municipality designated as a seasonal community. The secretary may appoint  
1351 additional members with knowledge and with expertise in land use law, fair housing law,  
1352 municipal law and operations or the housing needs of seasonal communities. The council shall  
1353 adopt by-laws to govern its affairs. The council shall provide advice and recommendations to the

1354 executive office regarding policies or programs necessary to serve the distinct needs of seasonal  
1355 communities, including, but not limited to, accessing specialized or general application grant  
1356 programs and best practices on incentivizing the production of attainable year-round housing in  
1357 seasonal communities. Annually, not later than December 31, the council shall submit a report of  
1358 any recommendations to the executive office, the clerks of the house of representatives and the  
1359 senate and the joint committee on housing.

1360           The executive office shall review, on an as-needed basis, the ongoing needs of  
1361 municipalities designated as seasonal communities and may deny a municipality's continued  
1362 seasonal community designation based on the municipality's ongoing needs and eligibility.

1363           (d) A seasonal community may: (i) acquire year-round housing occupancy restrictions for  
1364 rental or other housing; provided, however, that any such year-round housing occupancy  
1365 restriction held by a city or town shall be construed as a restriction held by a governmental body  
1366 with the benefit of section 26 of chapter 184; (ii) acquire and develop housing units with  
1367 preference for housing seasonal community public employees that are necessary to the health  
1368 and safety of maintaining a year-round community, including teachers, public works employees,  
1369 public safety employees, first responders, town administrators and other employees essential for  
1370 municipal operations as described under section 42(g)(9)(B) of the Internal Revenue Code; (iii)  
1371 expend funds to develop, on a biannual basis, a comprehensive housing needs assessment; (iv)  
1372 establish a Year-Round Housing Trust Fund, individually or with other seasonal communities, to  
1373 provide for the creation and preservation of affordable and attainable housing in seasonal  
1374 communities for the benefit of year-round residents; provided, however, that the executive office  
1375 of housing and livable communities, in consultation with the seasonal communities advisory  
1376 council established in subsection (c), shall promulgate regulations pertaining to the membership,

1377 powers and duties of the trust; and (v) expend funds designated for the creation and preservation  
1378 of year-round affordable and attainable housing for individuals who, by vocation, produce or  
1379 support artistic and literary activities.

1380 (e) For the purposes of this section, “tiny house” shall mean a detached structure  
1381 containing a dwelling unit containing 400 square feet or less in floor area, excluding lofts. A  
1382 seasonal community shall: (i) adopt by-laws or zoning ordinances to permit undersized lots to be  
1383 used for the creation of attainable year-round housing; provided, however, that the lot, at the time  
1384 of recording or endorsement, shall be located in a zoning district that allows for single-family  
1385 residential use; provided further, that any single-family residential structure constructed on said  
1386 lot shall adhere to the municipality’s floor area ratio by-laws and shall comply with all laws  
1387 governing wastewater and sewer systems; and provided further, that any residential housing built  
1388 upon undersized lots shall not be used as a seasonal home or short-term rental of less than 6  
1389 months and shall be used as year-round housing; and (ii) adopt by-laws to permit the  
1390 construction of tiny houses provided that such tiny houses are designated for use as year-round  
1391 housing units and meet all requirements of the state building code and local building code. A  
1392 movable tiny house shall be registered with the registry of motor vehicles, as applicable.

1393 (f) A seasonal community may increase the exemption established in section 5C of  
1394 chapter 59, at the option of the board of selectmen in a town or the mayor, with the approval of  
1395 the city council, in a city 50 per cent of the average assessed value of all Class One, residential  
1396 parcels within such city or town; provided, however, that the exemption shall be applied only to  
1397 the principal residence of the taxpayer as used by the taxpayer for income tax purposes.

1398 (g) A seasonal community designated pursuant to this section may apply to the executive  
1399 office of housing and livable communities for a waiver from any of the requirements of this  
1400 section. In deciding whether to grant the municipality’s request for a waiver, the executive office  
1401 may consider whether the requirements of this section can reasonably be carried out by existing  
1402 town staff or a regional staff person performing equivalent duties.

1403 (h) The executive office shall promulgate regulations or guidance to carry out this  
1404 section.

1405 Section 33. (a) As used in this section and section 34, the following words shall, unless  
1406 the context clearly requires otherwise, have the following meanings:

1407 “Eligible applicant”, an owner of residential property in the commonwealth who, as  
1408 determined by the executive office of housing and livable communities: (i) is an owner-occupant,  
1409 small landlord or larger landlord; (ii) meets any income eligibility and other requirements of the  
1410 program established by the executive office; and (iii) owns a property with habitability concerns.

1411 “Existing home repair programs”, financial assistance administered by governmental,  
1412 quasi-governmental and nonprofit organizations, or the contractors and assignees of such  
1413 entities, that provide services to repair residential housing, including, but not limited to, mixed-  
1414 use projects that include residential housing.

1415 “Habitability concerns”, home repairs that are required to ensure residential units are: (i)  
1416 fit for human habitation; (ii) free from defective conditions and health and safety hazards,  
1417 including, but not limited to, asbestos, mold, pests and lead; and (iii) free of conditions  
1418 preventing installation of measures to improve energy or water efficiency, utilize renewable  
1419 energy or lower utility costs.



1420 “Larger landlord”, an individual who has title to more than 1 residential unit and who  
1421 does not meet the definition of owner-occupant or small landlord.

1422 “Low-income owner-occupant”, an owner-occupant with a household income of not  
1423 more than 80 per cent of the area median income.

1424 “Moderate-income owner-occupant”, an owner-occupant with a household income of at  
1425 least 80 per cent but not more than 135 per cent of the area median income.

1426 “Other eligible owner-occupant”, an owner-occupant who does not meet the definition of  
1427 a low-income owner-occupant or moderate-income owner-occupant and leases at least 1 other  
1428 residential unit in the building.

1429 “Owner-occupant”, an individual who has title to a residential building with at least 1 and  
1430 not more than 3 units and who resides in at least 1 of the units as their principal residence.

1431 “Small landlord”, an individual who has title to a building with no more than 3 residential  
1432 units and does not live in the building for at least 6 months of any year, or who has title to a  
1433 building with 4 or more residential units; provided that, such an individual shall have financial  
1434 interest in neither more than 3 buildings nor more than 15 residential units.

1435 (b) The executive office shall establish a Massachusetts healthy homes program and  
1436 make reasonable efforts to coordinate with other governmental, quasi-governmental and  
1437 nonprofit organizations administering programs that create a healthier environment for residents,  
1438 including, but not limited to, rehabilitating existing housing or making homes lead-safe. The  
1439 executive office may contract with other governmental, quasi-governmental and nonprofit  
1440 organizations to administer 1 or more of these programs to address habitability concerns.

1441 (c)(1) The executive office may make grants or loans available to eligible applicants to  
1442 ensure owner-occupied and rental units are free of habitability concerns.

1443 (2) Assistance in the form of grants and loans shall be provided to eligible applicants  
1444 consistent with the following requirements to ensure owner-occupied and rental units are free of  
1445 habitability concerns:

1446 (i) For low-income owner-occupants, the assistance shall be provided as a grant.

1447 (ii) For moderate-income owner-occupants, the assistance shall be provided as a 0 per  
1448 cent interest deferred payment loan with no repayment due until sale or refinancing of the  
1449 property. If the moderate-income owner-occupant continues to own the property for 3 years after  
1450 receiving the loan, the loan shall be forgiven.

1451 (iii) For small landlords and other eligible owner-occupants, but not including larger  
1452 landlords, the assistance shall be provided as a 0 per cent interest deferred payment loan with no  
1453 repayment due until sale or refinancing of the property. Small landlords or other eligible owner-  
1454 occupants, but not including larger landlords, may apply for loan forgiveness after 3 years  
1455 following receipt of the loan. The executive office shall forgive the loan if the executive office  
1456 determines that the small landlord or other eligible owner-occupant, but not including larger  
1457 landlords, has: (A) owned the property without interruption after having received the loan; (B)  
1458 addressed all habitability concerns in a timely fashion; (C) not evicted tenants, other than for  
1459 cause; and (D) kept rent increases to not more than 5 per cent per year in each of the past 3 years.

1460 (iv) For larger landlords, the assistance shall be provided as a below-market-rate loan  
1461 with an interest rate and repayment terms determined by the executive office. The executive  
1462 office shall provide the below-market-rate loan only to a larger landlord who executes an

1463 agreement with the executive office that, for a term of 3 years, requires the landlord who owns  
1464 such property to: (A) maintain ownership of the property without interruption after having  
1465 received the loan; (B) address all habitability concerns in a timely fashion; (C) not evict tenants,  
1466 other than for cause; and (D) keep rent increases to not more than 5 per cent per year for each of  
1467 the 3 years. If a larger landlord does not comply with the requirements of the loan, the executive  
1468 office may require immediate repayment of the assistance.

1469 (d) The executive office, and any entity administering the Massachusetts healthy homes  
1470 program on the executive office's behalf, shall administer the Massachusetts healthy homes  
1471 program consistent with guidelines and forms established by the executive office. The executive  
1472 office, and any other administering entity, shall strive to, in its administration of the program,  
1473 provide grants and loans to address habitability concerns and shall: (i) augment funds from other  
1474 home repair programs; (ii) increase retention in workforce development programs associated  
1475 with home repairs; (iii) provide technical assistance to address habitability concerns; and (iv)  
1476 support outreach, including, but not limited to, minimizing cultural, linguistic or other barriers  
1477 and maximizing access to program resources.

1478 (e)(1) Grants or loans from the Massachusetts healthy homes program shall not exceed  
1479 \$50,000 per unit, unless the executive office waives this limit upon a determination of the  
1480 necessity of such waiver; provided, that the average amount of assistance shall not exceed  
1481 \$50,000 per unit.

1482 (2) Not less than 50 per cent of any funds from the Massachusetts healthy homes program  
1483 shall be made to owners of buildings located in a gateway municipality as defined in section 3A  
1484 of chapter 23A.

1485 (f) Annually, not later than June 30, the executive office shall report on the Massachusetts  
1486 healthy homes program to the clerks of the house of representatives and the senate, the joint  
1487 committee on housing and the house and senate committees on ways and means. The report shall  
1488 include: (i) the number of projects completed through the Massachusetts healthy homes program  
1489 addressing habitability concerns; (ii) the locations of projects completed through the  
1490 Massachusetts healthy homes program throughout the commonwealth; (iii) the total amount of  
1491 grants or loans authorized; (iv) the number of projects using existing home repair programs; and  
1492 (v) the breakdown of landlord owned properties and owner-occupied properties with habitability  
1493 concerns addressed through the Massachusetts healthy homes program. The executive office  
1494 shall make the report publicly available on its website.

1495 (g) The executive office shall promulgate guidance or regulations necessary to carry out  
1496 this section.

1497 Section 34. (a) There shall be within the executive office of housing and livable  
1498 communities a Massachusetts healthy homes program fund. The fund shall be credited with: (i)  
1499 revenue from appropriations or other money authorized by the general court and specifically  
1500 designated to be credited to the fund; (ii) interest earned on such revenue; and (iii) funds from  
1501 public and private sources and other gifts, grants and donations to support the habitability  
1502 concerns, including, but not limited to, funds from governmental, quasi-governmental, nonprofit  
1503 organizations, for-profit organizations and individuals; provided, that any funds received from  
1504 private organizations and individuals shall be made without conditions and without recourse.  
1505 Amounts credited to the fund shall not be subject to further appropriation and any money  
1506 remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

1507 (b) The executive office shall administer the fund consistent with the requirements of the  
1508 Massachusetts healthy homes program established in section 33.

1509 (c) Annually, not later than June 30, the executive office shall report on all expenditures  
1510 from the Massachusetts healthy homes program fund to the clerks of the house of representatives  
1511 and the senate, the joint committee on housing and the house and senate committees on ways and  
1512 means. The executive office shall make the report publicly available on its website.

1513 Section 35. (a) As used in this section, the following words shall, unless the context  
1514 clearly requires otherwise, have the following meanings:

1515 “Homeless”, a veteran: (i) who is undomiciled and unable to secure permanent and stable  
1516 housing without special assistance, including, but not limited to, a veteran who is inappropriately  
1517 housed in an institutional facility and can safely live in the community where services are  
1518 provided; (ii) in a transitional housing facility without permanent domicile; (iii) in the  
1519 community, released or discharged after incarceration and who is without permanent and stable  
1520 housing; or (iv) who is in danger of becoming homeless due to circumstances and criteria  
1521 established by the secretary, in consultation with the secretary of veterans’ services.

1522 “Qualified nonprofit organization”, a private nonprofit organization: (i) with  
1523 demonstrated success in developing or operating transitional and permanent housing programs  
1524 for veterans; and (ii) that is committed to ending veteran homelessness.

1525 (b) The secretary of housing and livable communities, in consultation with the secretary  
1526 of veterans’ services, shall establish a veterans supportive housing program to assist qualified  
1527 nonprofit organizations to develop and preserve supportive housing for eligible veterans. The

1528 qualified nonprofit organization shall provide wrap around services to meet the needs of eligible  
1529 veterans.

1530 (c) Eligibility for supportive housing shall include:

1531 (i) veterans and their families, or individual veterans, who are homeless and have an  
1532 unmet housing need as determined by the secretary; and

1533 (ii) veterans who have 1 or more disabilities or other life challenges, including, but not  
1534 limited to: (A) serious mental illness; (B) substance use disorder; (C) living with HIV or AIDS,  
1535 or another chronic condition or affliction; (D) being a victim or survivor of domestic violence;  
1536 and (E) post-traumatic stress disorder.

1537 (d)(1) The secretary may contract with a qualified nonprofit organization to establish  
1538 veterans supportive housing pursuant to subsection (b) for a term of not more than 5 years and  
1539 may renew a contract with a qualified nonprofit organization for like terms in accordance with  
1540 the procedures established by the secretary, in consultation with the secretary of veterans'  
1541 services, for the development and preservation of supportive housing for veterans.

1542 (2) The secretary may award up to \$20,000 per eligible veteran pursuant to subsection (c)  
1543 in a calendar year to a qualified nonprofit organization that enters into a contract pursuant to  
1544 paragraph (1).

1545 (3) The qualified nonprofit organization shall secure funding for the development and  
1546 preservation of any supportive housing project within 2 years from the date of the award. The  
1547 secretary shall establish procedures for the repayment of funds by qualified nonprofit  
1548 organizations that fail to secure funding within the 2-year period.

1549 (e) The secretary, in consultation with the secretary of veterans' services, shall  
1550 promulgate rules or regulations for the administration of the veterans supportive housing  
1551 program.

1552 Section 36. (a) As used in this section, the following words shall, unless the context  
1553 clearly requires otherwise, have the following meanings:

1554 "Development cost", an expenditure directly related to the construction or substantial  
1555 rehabilitation of a qualified conversion project, including, but not limited to, the cost of site  
1556 assessment and remediation of hazardous materials; provided, however, that development cost  
1557 shall not include the purchase of the property.

1558 "Executive office", the executive office of housing and livable communities.

1559 "Market rate residential unit", a residential unit priced consistently with prevailing rents  
1560 or sale prices in the municipality as determined by the executive office.

1561 "Qualified conversion project", the rehabilitation of a commercial property, including,  
1562 but not limited to, commercial centers, office parks and commercial buildings located on main  
1563 streets or downtown municipal areas, for primary multi-unit residential use or mixed-use, which  
1564 may include retail or other commercial uses, that: (i) contains not less than 2 residential units;  
1565 provided, however, that the project may be a mixed-use development that includes commercial  
1566 uses in addition to residential units if the building is primarily residential; (ii) contains at least 80  
1567 per cent market rate residential units upon completion of the rehabilitation, to be sold or leased;  
1568 (iii) prior to conversion, such building was nonresidential real property, as defined in section 168  
1569 of the Internal Revenue Code, all or a portion of which was leased, or available for lease, to

1570 office tenants; and (iv) such building was initially placed in service at least 5 years before the  
1571 beginning of the conversion.

1572 “Sponsors”, as defined in section 25 of chapter 23B.

1573 “Substantial rehabilitation” or “substantially rehabilitated”, the necessary major  
1574 redevelopment, repair and renovation of a property, including, but not limited to, site assessment  
1575 and remediation of hazardous materials, but excluding the purchase of the property, as  
1576 determined by the executive office.

1577 (b) The executive office shall establish a program for qualified conversion projects,  
1578 which shall be administered by the executive office. The purpose of the program shall be to  
1579 assist in the conversion of commercial properties into residential properties.

1580 (c)(1) The executive office may certify 1 or more housing development projects as a  
1581 qualified conversion project: (i) upon timely receipt of a project proposal requesting the  
1582 designation as a qualified conversion project from a sponsor; provided, that a project proposal  
1583 shall be submitted in a form and with information as determined by the executive office, and  
1584 shall be supported by independently verifiable information and signed under the penalties of  
1585 perjury; and (ii) if the executive office determines that the project, together with any municipal  
1586 resources committed to the project, shall have a reasonable chance of increasing residential  
1587 growth, diversity of housing supply, supporting economic development and promoting  
1588 neighborhood stabilization as advanced in the proposal as a qualified conversion project.

1589 (2) Prior to construction, the executive office shall certify that the proposed project meets  
1590 the definition of a qualified conversion project and the requirements pursuant to paragraph (1).



1591 (3) The executive office shall evaluate and either grant or deny certification of the  
1592 designation as a qualified conversion project to any project proposal not later than 90 days from  
1593 the date of its receipt of a complete project proposal. Approval of a project due to the executive  
1594 office's failure to act within 90 days shall not constitute approval by the executive office of any  
1595 tax incentives provided under chapters 62 or 63.

1596 (4) The executive office may impose a fee for the processing of applications for the  
1597 certification of any project under this section.

1598 (5) Prior to construction, the executive office shall certify that all or a portion of the  
1599 qualified conversion project costs are for construction or substantial rehabilitation and shall  
1600 identify the development costs.

1601 (d) The executive office shall review each pending certified qualified conversion project,  
1602 not yet completed, not less than once every 2 years.

1603 (e) The executive office shall review each certified qualified conversion project upon  
1604 completion and certify that the project is consistent with the requirements of this section,  
1605 including the development cost and qualified conversion project requirements.

1606 (f)(1) The executive office may revoke certification of a project if the executive office  
1607 determines, after an independent investigation, that: (i) representations made by the sponsor in its  
1608 project proposal are materially different from the conduct of the sponsor subsequent to the  
1609 certification and such difference frustrates the public purposes that the certification was intended  
1610 to advance; or (ii) the project no longer meets the criteria of this section.

1611 (2) Upon revocation, the commonwealth may bring a cause of action against the sponsor  
1612 for the value of any economic benefit received by the sponsor prior to or subsequent to such  
1613 revocation.

1614 (3) A revocation shall take effect on the first day of the tax year in which the executive  
1615 office determines that a material breach commenced.

1616 (g) There shall be established a tax incentive program for certified qualified conversion  
1617 projects. After certification by the executive office upon the completion of the project, pursuant  
1618 to subsection (e), the executive office, in consultation with the commissioner of revenue, may  
1619 award a tax credit available under subsection (ee) of section 6 of chapter 62 or section 3800 of  
1620 chapter 63 of not more than 10 per cent of the development cost allocable to total units in a  
1621 project, as determined by the executive office, to the sponsor of a qualified conversion project.  
1622 The amount of the credit awarded shall be based on the following factors: (i) the need for  
1623 residential development and diversity of housing supply in the municipality; (ii) the extent to  
1624 which the certified qualified conversion project will encourage residential development,  
1625 expansion of diversity of housing supply, support neighborhood stabilization and promote  
1626 economic development in the zone; and (iii) the percentage of market rate residential units  
1627 contained in the certified qualified conversion project. The executive office may limit a credit  
1628 available to a certified qualified conversion project under subsection (ee) of section 6 of chapter  
1629 62 and section 3800 of chapter 63 to a dollar amount or in any other manner deemed  
1630 appropriate by the executive office.

1631 (h) Annually, not later than December 1, the executive office shall file a report detailing  
1632 its findings of the review of all certified qualified conversion projects evaluated in the prior fiscal

1633 year, including projects evaluated prior to construction, while the project is pending and upon  
1634 completion, to the commissioner of revenue, the joint committee on revenue and the joint  
1635 committee on housing. The report shall include, but shall not be limited to: (i) a list of qualified  
1636 conversion projects that received certification; (ii) information about each qualified conversion  
1637 project, including the site address, project sponsor, range of rents of the residential units, type of  
1638 residential units, number of each type of residential unit, number of affordable rental units for  
1639 persons whose income is not more than 60 per cent of the area median income and the number of  
1640 affordable owner-occupied units for persons whose income is not more than 80 per cent of the  
1641 area median income; and (iii) the total amount of development costs for which a tax credit was  
1642 issued or reserved pursuant to subsection (ee) of section 6 of chapter 62 or section 3800 of  
1643 chapter 63 for each certified qualified conversion project the year the credit was issued and the  
1644 completion or estimated completion year of the certified qualified conversion projects.

1645 (i) The executive office shall promulgate guidance or regulations for the administration of  
1646 this section.

1647 SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after  
1648 section 2EEEEEEE, inserted by section 3 of chapter 139 of the acts of 2024, the following  
1649 section:-

1650 Section 2FFFFFFF. (a) There shall be established and set up on the books of the  
1651 commonwealth a separate fund known as the Fair Housing Fund. There shall be credited to the  
1652 fund: (i) revenue from appropriations or other funds authorized by the general court and  
1653 specifically designated for the fund; (ii) any gifts, grants or private contributions; (iii) any  
1654 interest on the fund's assets; and (iv) any other sources. Amounts credited to the fund shall be

1655 expended without further appropriation. Any balance in the fund at the close of a fiscal year shall  
1656 be available for expenditure in subsequent fiscal years and shall not be transferred to any other  
1657 fund or revert to the General Fund; provided, that the comptroller shall report the amount  
1658 remaining in the fund at the end of each fiscal year to the house and senate committees on ways  
1659 and means.

1660 (b) The fund shall be administered by the office of fair housing established in section 31  
1661 of chapter 23B and funds shall be expended for the purpose of eliminating housing  
1662 discrimination. Activities eligible for assistance from the fund shall include, but shall not be  
1663 limited to: (i) private enforcement initiatives; (ii) education and outreach initiatives; (iii) fair  
1664 housing testing; (iv) lending discrimination; (v) affirmatively furthering fair housing; and (vi)  
1665 special projects.

1666 (c) Grantees eligible for assistance shall include, but shall not be limited to, fair housing  
1667 assistance programs and fair housing initiative programs, as defined by the United States  
1668 Department of Housing and Urban Development, any private, non-profit agency or any state-  
1669 funded public housing authority.

1670 SECTION 7. Section 1A of chapter 40A of the General Laws, as appearing in the 2022  
1671 Official Edition, is hereby amended by striking out the definition “Accessory dwelling unit” and  
1672 inserting in place thereof the following definition:-

1673 “Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking  
1674 and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable  
1675 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly  
1676 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient

1677 to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor  
1678 area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is  
1679 smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality,  
1680 including, but not limited to, additional size restrictions and restrictions or prohibitions on short-  
1681 term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall  
1682 unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term  
1683 rental.

1684 SECTION 8. Section 3 of said chapter 40A, as so appearing, is hereby amended by  
1685 adding the following paragraph:-

1686 No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special  
1687 permit or other discretionary zoning approval for the use of land or structures for a single  
1688 accessory dwelling unit, or the rental thereof, in a single-family residential zoning district;  
1689 provided, that the use of land or structures for such accessory dwelling unit under this paragraph  
1690 may be subject to reasonable regulations, including, but not limited to, 310 CMR 15.000 et seq.,  
1691 if applicable, site plan review, regulations concerning dimensional setbacks and the bulk and  
1692 height of structures and may be subject to restrictions and prohibitions on short-term rental, as  
1693 defined in section 1 of chapter 64G. The use of land or structures for an accessory dwelling unit  
1694 under this paragraph shall not require owner occupancy of either the accessory dwelling unit or  
1695 the principal dwelling; provided, that not more than 1 additional parking space shall be required  
1696 for an accessory dwelling unit; and provided further, that no additional parking space shall be  
1697 required for an accessory dwelling located not more than 0.5 miles from a commuter rail station,  
1698 subway station, ferry terminal or bus station. For more than 1 accessory dwelling unit, or rental  
1699 thereof, in a single-family residential zoning district there shall be a special permit for the use of

1700 land or structures for an accessory dwelling unit. The executive office of housing and livable  
1701 communities may issue guidelines or promulgate regulations to administer this paragraph.

1702 SECTION 9. Section 3A of said chapter 40A is hereby amended by striking out the  
1703 words “section 27”, as appearing in section 152 of chapter 7 of the acts of 2023, and inserting in  
1704 place thereof the following words:- section 27½.

1705 SECTION 10. Section 6 of said chapter 40A, as appearing in the 2022 Official Edition, is  
1706 hereby amended by inserting after the fourth paragraph the following paragraph:-

1707 Adjacent lots under common ownership shall not be treated as a single lot for local  
1708 zoning purposes if, at the time of recording or endorsement, the lots: (i) conformed to then  
1709 existing requirements of area, frontage, width, yard or depth, where each such lot has not less  
1710 than 10,000 square feet of area and 75 feet of frontage; and (ii) are located in a zoning district  
1711 that allows for single-family residential use. Any single-family residential structure constructed  
1712 on said lot shall not exceed 1,850 square feet of heated living area, shall contain not less than 3  
1713 bedrooms and shall not be used as a seasonal home or short-term rental.

1714 SECTION 11. The first paragraph of section 17 of said chapter 40A, as so appearing, is  
1715 hereby amended by inserting after the fourth sentence the following sentence:- If the complaint is  
1716 filed by someone other than the original applicant, appellant or petitioner, then each plaintiff,  
1717 whether or not previously constituting parties in interest for notice purposes, shall also  
1718 sufficiently allege and must plausibly demonstrate that measurable injury, which is special and  
1719 different to such plaintiff, to a private legal interest that will likely flow from the decision  
1720 through credible evidence.

1721 SECTION 12. Said section 17 of said chapter 40A, as so appearing, is hereby further  
1722 amended by striking out the third paragraph and inserting in place thereof the following  
1723 paragraph:-

1724 The court, in its discretion, may require a plaintiff in an action under this section  
1725 appealing a decision to approve a special permit, variance or site plan to post a surety or cash  
1726 bond in an amount of not more than \$250,000 to secure the payment of and to indemnify and  
1727 reimburse damages and costs and expenses incurred in such an action if the court finds that the  
1728 harm to the defendant or to the public interest resulting from delays caused by the appeal  
1729 outweighs the financial burden of the surety or cash bond on the plaintiffs. The court shall  
1730 consider the relative merits of the appeal and the relative financial means of the plaintiff and the  
1731 defendant. Nothing in this section shall require bad faith or malice of a plaintiff for the court to  
1732 issue a bond under this section.

1733 SECTION 13. Said section 17 of said chapter 40A, as so appearing, is hereby further  
1734 amended by striking out the sixth paragraph and inserting in place thereof the following  
1735 paragraph:-

1736 Costs, including reasonable attorneys' fees, in an amount to be fixed by the court may be  
1737 allowed against the party appealing from the decision of the board or special permit granting  
1738 authority if the court finds that the appellant or appellants acted in bad faith or with malice in  
1739 making the appeal to court.

1740 SECTION 14. Said chapter 40A is hereby further amended by adding the following  
1741 section:-

1742           Section 18. (a) Notwithstanding any general or special law to the contrary, a city or town  
1743 that permits or adopts inclusionary zoning, incentive zoning, a density bonus ordinance or by-  
1744 law pursuant to this chapter or a housing production plan submitted to the executive office of  
1745 housing and livable communities may enter into an agreement with a housing developer or  
1746 residential development owner to provide a preference for affordable housing to low- or  
1747 moderate-income veterans, as defined in clause Forty-third of section 7 of chapter 4. The  
1748 preference shall be for up to 10 per cent of the affordable units in a particular development.

1749           (b) The preference under this section shall be established in the applicant selection  
1750 process for available affordable units. Applicants who are veterans and who apply within 90 days  
1751 of the initial marketing period of the development shall receive preference for the rental of up to  
1752 10 per cent of the affordable units. After the first 90 days of the initial marketing period, if any of  
1753 the units subject to the preference remain available, applicants from the general public shall be  
1754 considered for occupancy. Following the initial marketing period, qualified applicants who are  
1755 veterans shall be placed on a waiting list for the preference-occupied units for veterans and on  
1756 any general waiting list. The veterans on the preference-occupied waiting list shall be given  
1757 preference for affordable units, as the units become available, whenever the percentage of  
1758 preference-occupied units falls below 10 per cent.

1759           (c) Any agreement to provide affordable housing preferences for veterans pursuant to this  
1760 section shall not affect a municipality's ability to receive credit for the unit for affordable  
1761 housing pursuant to chapter 40B or any other law. The agreement may be monitored by a third  
1762 party assigned by the municipality.



1763 (d) This section shall not require an increase in the existing amount of affordable units set  
1764 by the city or town.

1765 (e) The city or town may require proof of veteran status and income eligibility as the city  
1766 or town deems necessary.

1767 SECTION 15. Section 22 of chapter 40B of the General Laws, as appearing in the 2022  
1768 Official Edition, is hereby amended by inserting after the word “ applicant”, in line 20, the  
1769 following words:- ; provided, however, that the committee shall provide notice to the secretary of  
1770 any such extension or other failure to perform action by the deadlines set forth in this section and  
1771 the reason for such delay; provided further, that the secretary shall annually, not later than  
1772 November 1, submit to the governor and the joint committee on housing a summary of such  
1773 delays including, but not limited to: (i) any deadlines missed pursuant to this section for each  
1774 applicable appeal; (ii) the reason for any such delay; (iii) the total number of days, from the date  
1775 of the committee’s receipt of the applicant’s statement of the prior proceedings, in which the  
1776 committee ultimately issued a written decision or, if such appeal is in progress at the time the  
1777 report is submitted, the projected number of days beyond the deadlines listed herein as may be  
1778 necessary for the committee to issue a decision; and (iv) the board that issued the denial or  
1779 conditions and requirements being appealed by the applicant.

1780 SECTION 16. Chapter 40H of the General Laws is hereby amended by striking out  
1781 section 9, as so appearing, and inserting in place thereof the following section:-

1782 Section 9. CEDAC shall be subject to section 16G½ of chapter 6A.

1783 SECTION 17. Section 6 of chapter 62 of the General Laws, as most recently amended by  
1784 section 5 of chapter 88 of the acts of 2024, is hereby further amended by adding the following  
1785 subsection:-

1786 (ee)(1) As used in this subsection, the following words shall, unless the context clearly  
1787 requires otherwise, have the following meanings:

1788 “Development cost”, as defined in section 36 of chapter 23B.

1789 “Executive office”, the executive office of housing and livable communities, established  
1790 pursuant to chapter 23B.

1791 “Qualified conversion project”, as defined in section 36 of chapter 23B.

1792 “Sponsors”, as defined in section 25 of chapter 23B.

1793 (2) A credit shall be allowed against the tax liability imposed by this chapter, to the  
1794 extent authorized by the executive office, in consultation with the commissioner, for a qualified  
1795 conversion project that has been completed and certified by the executive office pursuant to  
1796 section 36 of chapter 23B. The credit shall be equal to an amount not more than 10 per cent of  
1797 the qualified conversion project development costs. The credit shall be allowed for the taxable  
1798 year in which the executive office provides the commissioner written notification of completion  
1799 of the certified qualified conversion project. For any certified qualified conversion project,  
1800 development costs applicable to this credit shall be treated for purposes of this subsection as  
1801 made on the date that the executive office provides the commissioner written notification of  
1802 completion of the certified qualified conversion project and any data related to the development  
1803 costs.

1804           (3) A taxpayer eligible for the credit may, with prior notice to the commissioner, transfer  
1805 the credit, in whole or in part, to any individual or entity with tax liabilities under this chapter or  
1806 chapter 63, and the transferee shall be entitled to apply the credit against the tax liability with the  
1807 same effect as if the transferee had incurred the development costs itself. Any amount of the tax  
1808 credit that exceeds the tax due for a taxable year may be carried forward by the transferee, buyer  
1809 or assignee in subsequent taxable years from which a certificate is initially issued by the  
1810 executive office; provided, however, that in no event shall the transferee apply the credit to the  
1811 tax due for any taxable year beginning more than 10 years after the taxable year in which the  
1812 executive office provides the commissioner written notification of completion of the certified  
1813 qualified conversion project.

1814           (4) If the credit allowable for any taxable year exceeds the taxpayer's tax liability for that  
1815 tax year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion,  
1816 as reduced from year to year, of the credit which exceed the tax for the taxable year; provided,  
1817 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year  
1818 beginning more than 10 years after the taxable year in which the executive office provides the  
1819 commissioner written notification of completion of the certified qualified conversion project.

1820           (5) The commissioner may, as of the effective date of a revocation pursuant to subsection  
1821 (f) of section 36 of chapter 23B, disallow any credits allowed under this section.

1822           (6) The commissioner, in consultation with the executive office, may adopt regulations  
1823 necessary to carry out this subsection, including regulations to recapture the value of any tax  
1824 credits allowed under this subsection.

1825 SECTION 18. Section 6J of said chapter 62, as appearing in the 2022 Official Edition, is  
1826 hereby amended by striking out, in line 39, the figure “2027” and inserting in place thereof the  
1827 following figure:- 2030.

1828 SECTION 19. Said section 6J of said chapter 62, as so appearing, is hereby further  
1829 amended by striking out, in line 41, the figure “\$55,000,000” and inserting in place thereof the  
1830 following figure:- \$110,000,000.

1831 SECTION 20. Section 6M of said chapter 62, as so appearing, is hereby amended by  
1832 striking out, in lines 226 and 227, the words “\$12,000,000 in each of taxable years 2023 to 2025,  
1833 inclusive” and inserting in place thereof the following words:- \$15,000,000 in taxable years  
1834 beginning on or after January 1, 2025.

1835 SECTION 21. Said chapter 62 is hereby further amended by inserting after section 6N  
1836 the following section:-

1837 Section 6O. (a) For the purposes of this section, unless the context clearly requires  
1838 otherwise, the following words shall have the following meanings:

1839 “Affordability period”, the 10-year period that commences on the date of the initial sale  
1840 of a single-family dwelling constructed as part of a qualified homeownership development  
1841 project.

1842 “Affordability restriction”, a restriction in form and substance approved by the director  
1843 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of  
1844 a qualified homeownership development project during the affordability period.

1845 “Commissioner”, the commissioner of revenue.

1846 “Credit amount”, the amount computed by the director pursuant to subsection (d) before  
1847 issuing an eligibility certificate.

1848 “Credit award amount”, the amount determined by the director and stipulated in the  
1849 notice sent pursuant to paragraph (2) of subsection (c).

1850 “Director”, the executive director of the Massachusetts Housing Finance Agency,  
1851 established pursuant to chapter 708 of the acts of 1966.

1852 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

1853 “Eligible location”, a geographic area in which a qualified homeownership development  
1854 project may be located, based on criteria established in the qualified homeownership allocation  
1855 plan.

1856 “Maximum credit amount”, the amount equal to 35 per cent of the lesser of: (i) the total  
1857 qualified project expenditures calculated on a per single-family dwelling basis; or (ii) 80 per cent  
1858 of the area median new single-family dwelling sales price, subject to such further limitations as  
1859 may be established under the qualified homeownership credit allocation plan.

1860 “Project development team”, the group of entities that develops, constructs, reports,  
1861 appraises, finances and services the associated properties of a qualified homeownership  
1862 development project in partnership with the project development owner.

1863 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not  
1864 exceeding 120 per cent of the area median income, as determined by the United States  
1865 Department of Housing and Urban Development, for the location in which the single-family

1866 dwelling being purchased is located, and who satisfies any additional qualifications established  
1867 by the director under the qualified homeownership credit allocation plan.

1868 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the  
1869 approval of the secretary establishing: (i) criteria and metrics under which homeownership  
1870 development projects shall be assessed for qualification and the geographic areas in which  
1871 qualified homeownership development projects may be located; (ii) criteria for approving and  
1872 ranking applications for credits; (iii) a methodology to determine applicable median new single-  
1873 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to  
1874 maintain affordability of each single-family dwelling that is created as part of a qualified  
1875 homeownership development project and restricted for sale to qualified buyers, throughout the  
1876 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)  
1877 criteria governing the purchase, ownership and sale of completed qualified homeownership  
1878 development project single-family dwellings; and (vii) the manner of determining qualified  
1879 project expenditures.

1880 “Qualified homeownership development project”, a project to develop for sale single-  
1881 family dwellings in the commonwealth that satisfies any qualifications established by the  
1882 director with the approval of the secretary in the qualified homeownership credit allocation plan;  
1883 provided, that the proposed project shall: (i) involve the new construction of not less than 10  
1884 single-family dwellings; (ii) be located in an eligible location; and (iii) result in not less than 20  
1885 per cent of the single-family dwellings being sold to qualified buyers, subject to an affordability  
1886 restriction in accordance with the qualified homeownership credit allocation plan.

1887 “Qualified project expenditure”, an expenditure directly related to the construction of a  
1888 qualified homeownership development project, including, but not limited to, the cost of  
1889 acquiring land, site assessment and remediation of hazardous materials and as further provided in  
1890 the qualified homeownership credit allocation plan; provided, however, that: (i) the director has  
1891 certified that the proposed project meets the definition of a qualified homeownership  
1892 development project; (ii) prior to construction, the director has certified that all or a portion of  
1893 the project costs are for new construction; and (iii) after the construction of the project has been  
1894 completed, the director has certified that the project has been completed in compliance with this  
1895 section and the requirements and conditions of any prior certifications.

1896 “Secretary”, the secretary of housing and livable communities.

1897 “Single-family dwelling”, (i) a residential property containing not more than 4 residential  
1898 units; provided, that all units shall comprise a single property, to be sold to and owned by a  
1899 single homeowner; or (ii) a condominium unit in a professionally managed condominium  
1900 development.

1901 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified  
1902 homeownership development project or owner of a qualified homeownership development  
1903 project.

1904 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

1905 (b)(1) There shall be a Massachusetts homeownership tax credit. The director, in  
1906 consultation with the secretary, may authorize annually under this section and section 38PP of  
1907 chapter 63 a total sum not exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in

1908 the preceding taxable year; and (iii) any Massachusetts homeownership tax credits returned to  
1909 the director by a sponsor.

1910 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified  
1911 homeownership development project under this section equal to the credit amount listed on the  
1912 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is  
1913 unused by the taxpayer or exceeds the taxpayer's tax liability under this chapter for the taxable  
1914 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as  
1915 reduced from year to year, of the credit which exceeds the tax for the taxable year; provided,  
1916 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year  
1917 beginning after the affordability period.

1918 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an  
1919 application to the director on a form and in a manner prescribed by the director, in consultation  
1920 with the secretary; provided, that said application shall include, but shall not be limited to: (i) the  
1921 name and address of the sponsor; (ii) the names and addresses of all members of the project  
1922 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other  
1923 information as the director, in consultation with the secretary, may require pursuant to the  
1924 qualified homeownership credit allocation plan.

1925 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and  
1926 approve applications and award tax credits under this section for a qualified homeownership  
1927 development project in accordance with the qualified homeownership credit allocation plan. The  
1928 director, in consultation with the secretary, shall determine the credit amount awarded for each



1929 qualified homeownership development project, which shall not exceed the maximum credit  
1930 amount.

1931 (2) The director shall send written notice of the tax credit award to the sponsor of a  
1932 qualified homeownership development project. The notice shall stipulate that receipt of the tax  
1933 credit is contingent upon the sale of all single-family dwellings that are required to be sold to  
1934 qualified buyers and issuance of an eligibility certificate.

1935 (d)(1) Upon completion of a qualified homeownership development project for which a  
1936 tax credit was awarded under this section and the sale of all single-family dwellings that are  
1937 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified  
1938 project expenditures certification for approval. Immediately after approving the final cost  
1939 certification, the director shall compute the credit amount and issue an eligibility certificate to  
1940 the project development owner. The credit amount, which shall be stated on the certificate, shall  
1941 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),  
1942 subject to any reduction or increase as the result of the approval of the final qualified project  
1943 expenditures certification; provided, that such amount shall not exceed the maximum credit  
1944 amount.

1945 (2) Each eligibility certificate shall state the credit amount, the years that comprise the  
1946 affordability period, the name, address and taxpayer identification number of the sponsor and all  
1947 members of the project development team, the date the certificate is issued, a unique identifying  
1948 number and any additional information the director, in consultation with the secretary and the  
1949 commissioner, may require. The director shall certify a copy of each eligibility certificate to the  
1950 secretary and the commissioner.

1951           (e)(1) The sponsor shall maintain ownership of a qualified homeownership development  
1952 project and all single-family dwellings that are required to be sold to qualified buyers until such  
1953 dwellings are sold to qualified buyers.

1954           (2) The qualified buyer of a single-family dwelling constructed as part of a qualified  
1955 homeownership development project for which a tax credit was issued under this section shall  
1956 occupy such single-family dwelling as the qualified buyer's primary residence during the  
1957 affordability period; provided, that a qualified buyer of a single-family dwelling that includes  
1958 more than 1 residential unit need only occupy a single residential unit within the single-family  
1959 dwelling as the qualified buyer's primary residence during the affordability period and may lease  
1960 any additional units to third-party lessees.

1961           (3) If a single-family dwelling constructed as part of a qualified homeownership  
1962 development project is sold during the affordability period, the seller shall transfer to the director  
1963 an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year  
1964 of the affordability period which ends before the date of such sale, subject to such additional  
1965 criteria as may be established under the qualified homeownership credit allocation plan. The  
1966 director shall use any amount received pursuant to a repayment under this paragraph for the  
1967 purpose of providing financial assistance to first-time homebuyers and offsetting the costs of  
1968 administering this section. The director may place a lien on each single-family dwelling  
1969 constructed as part of a qualified homeownership development project for an amount it deems  
1970 necessary to ensure potential repayment pursuant to this paragraph.

1971 (4) During the affordability period, a qualified buyer of a single-family dwelling that  
1972 includes more than 1 residential unit shall not separate the ownership of individual residential  
1973 units within the single-family dwelling.

1974 (f)(1) All or any portion of a tax credit issued in accordance with this section may be  
1975 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to  
1976 claim the credit pursuant to paragraph (2) of subsection (b) with the same effect as if the  
1977 transferee had incurred the qualified project expenditures itself.

1978 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in  
1979 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax  
1980 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall  
1981 provide to the commissioner appropriate information for proper allocation of the tax credit.

1982 (3) If the recapture of a tax credit is required pursuant to subsection (g), any statement  
1983 submitted to the commissioner pursuant to paragraph (2) shall include the proportion of the tax  
1984 credit required to be recaptured, the identity of each transferee subject to recapture and the  
1985 amount of the tax credit previously transferred to such transferee.

1986 (g) The director, in consultation with the secretary, shall determine whether a sponsor or  
1987 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to  
1988 qualify for the credit; or (iii) did not qualify for the credit at the time the credit was claimed.  
1989 Notwithstanding the time limitations on assessments pursuant to chapter 62C, the commissioner  
1990 shall determine the taxpayer or taxpayers that claimed the credit, the tax against which the credit  
1991 was claimed and the amount to be recaptured and shall make an assessment against the taxpayer  
1992 or taxpayers for the amount to be recaptured under this section.

1993 (h) The director may assess application, processing and reporting fees to cover the cost of  
1994 administering this section.

1995 (i) The credit under this section shall be attributed on a pro rata basis to the owners,  
1996 partners or members of the legal entity entitled to the credit under this section and shall be  
1997 allowed as a credit against the tax due under this chapter from such owners, partners or members  
1998 in a manner determined by the commissioner.

1999 (j) The secretary, in consultation with the commissioner and director, shall adopt any  
2000 rules and promulgate any regulations necessary to administer this section.

2001 SECTION 22. Subsection (b) of section 6O of said chapter 62, inserted by section 21, is  
2002 hereby amended by striking out paragraph (1) and inserting in place thereof the following  
2003 paragraph:-

2004 (1) There shall be a Massachusetts homeownership tax credit. The director, in  
2005 consultation with the secretary, may authorize annually under this section and section 38PP of  
2006 chapter 63 a total sum not exceeding: (i) the amount, if any, not authorized in the preceding  
2007 taxable year; and (ii) any Massachusetts homeownership tax credits returned to the director by a  
2008 sponsor.

2009 SECTION 23. Section 38R of chapter 63 of the General Laws, as appearing in the 2022  
2010 Official Edition, is hereby amended by striking out, in line 38, the figure “2027” and inserting in  
2011 place thereof the following figure:- 2030.

2012 SECTION 24. Said section 38R of said chapter 63, as so appearing, is hereby further  
2013 amended by striking out, in line 40, the figure “\$55,000,000” and inserting in place thereof the  
2014 following figure:- \$110,000,000.

2015 SECTION 25. Section 38EE of said chapter 63, as amended by section 233 of chapter 7  
2016 of the acts of 2023, is hereby amended by striking out, in lines 213 and 214, the words  
2017 “\$12,000,000 in each of taxable years 2023 to 2025, inclusive” and inserting in place thereof the  
2018 following words:- \$15,000,000 in taxable years beginning on or after January 1, 2025.

2019 SECTION 26. Said chapter 63 is hereby further amended by inserting after section  
2020 38NN, inserted by section 7 of chapter 88 of the acts of 2024, the following 2 sections:-

2021 Section 38OO. (a) As used in this section, the following words shall, unless the context  
2022 clearly requires otherwise, have the following meanings:

2023 “Development cost”, as defined in section 36 of chapter 23B.

2024 “Executive office”, the executive office of housing and livable communities, established  
2025 pursuant to chapter 23B.

2026 “Qualified conversion project”, as defined in section 36 of chapter 23B.

2027 “Sponsors”, as defined in section 25 of chapter 23B.

2028 (b) A credit shall be allowed against the tax liability imposed by this chapter, to the  
2029 extent authorized by the executive office, in consultation with the commissioner, for a qualified  
2030 conversion project that has been completed and certified by the executive office pursuant to  
2031 section 36 of chapter 23B. The credit shall be equal to an amount not more than 10 per cent of  
2032 the qualified conversion project development costs. The credit shall be allowed for the taxable

2033 year in which the executive office provides the commissioner written notification of completion  
2034 of the certified qualified conversion project. For any certified qualified conversion project,  
2035 development costs applicable to this credit shall be treated for purposes of this section as made  
2036 on the date that the executive office provides the commissioner written notification of  
2037 completion of the certified qualified conversion project and any data related to the development  
2038 costs.

2039 (c) A taxpayer eligible for the credit may, with prior notice to the commissioner, transfer  
2040 the credit, in whole or in part, to any individual or entity with tax liabilities under this chapter or  
2041 chapter 62, and the transferee shall be entitled to apply the credit against the tax with the same  
2042 effect as if the transferee had incurred the development costs itself. If the sponsor of the certified  
2043 housing development qualified conversion project is a partnership or a limited liability company  
2044 taxed as a partnership, the credit, if transferred, must be transferred by the partnership or the  
2045 limited liability company. If the credit allowed to a partnership, a limited liability company taxed  
2046 as a partnership or multiple owners of property are not transferred they shall be passed through to  
2047 the persons designated as partners, members or owners, respectively, pro rata or pursuant to an  
2048 executed agreement among the persons designated as partners, members or owners documenting  
2049 an alternative distribution method without regard to their sharing of other tax or economic  
2050 attributes of the entity. Credits passed through to individual partners and members shall not be  
2051 transferable. Any amount of the tax credit that exceeds the tax due for a taxable year may be  
2052 carried forward by the transferee, buyer or assignee subsequent taxable years from which a  
2053 certificate is initially issued by the executive office; provided, however, that in no event shall the  
2054 transferee apply the credit to the tax due for any taxable year beginning more than 10 years after

2055 the taxable year in which the executive office provides the commissioner written notification of  
2056 completion of the certified qualified conversion project.

2057 (d) If the credit allowable for any taxable year exceeds the taxpayer's tax liability for that  
2058 tax year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion,  
2059 as reduced from year to year, of the credit which exceed the tax for the taxable year; provided,  
2060 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year  
2061 beginning more than 10 years after the taxable year in which the executive office provides the  
2062 commissioner written notification of completion of the certified qualified conversion project.

2063 (e) The commissioner of revenue may, as of the effective date of a revocation pursuant to  
2064 subsection (f) of section 36 of chapter 23B, disallow any credits allowed under this section.

2065 (f) The commissioner, in consultation with the executive office, may adopt regulations  
2066 necessary to carry out this section, including regulations to recapture the value of any tax credits  
2067 allowed under this section.

2068 Section 38PP. (a) For the purposes of this section, unless the context clearly requires  
2069 otherwise, the following words shall have the following meanings:

2070 "Affordability period", the 10-year period that commences on the date of the initial sale  
2071 of a single-family dwelling constructed as part of a qualified homeownership development  
2072 project.

2073 "Affordability restriction", a restriction in form and substance approved by the director  
2074 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of  
2075 a qualified homeownership development project during the affordability period.

2076 “Commissioner”, the commissioner of revenue.

2077 “Credit amount”, the amount computed by the director pursuant to subsection (d) before  
2078 issuing an eligibility certificate.

2079 “Credit award amount”, the amount determined by the director and stipulated in the  
2080 notice sent pursuant to paragraph (2) of subsection (c).

2081 “Director”, the executive director of the Massachusetts Housing Finance Agency,  
2082 established pursuant to chapter 708 of the acts of 1966.

2083 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

2084 “Eligible location”, a geographic area in which a qualified homeownership development  
2085 project may be located, based on criteria established in the qualified homeownership allocation  
2086 plan.

2087 “Maximum credit amount”, the amount equal to 35 per cent of the lesser of: (i) the total  
2088 qualified project expenditures calculated on a per single-family dwelling basis; or (ii) 80 per cent  
2089 of the area median new single-family dwelling sales price, subject to such further limitations as  
2090 may be established under the qualified homeownership credit allocation plan.

2091 “Project development team”, the group of entities that develops, constructs, reports,  
2092 appraises, finances and services the associated properties of a qualified homeownership  
2093 development project in partnership with the project development owner.

2094 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not  
2095 exceeding 120 per cent of the area median income, as determined by the United States  
2096 Department of Housing and Urban Development, for the location in which the single-family



2097 dwelling being purchased is located, and who satisfies any additional qualifications established  
2098 by the director under the qualified homeownership credit allocation plan.

2099 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the  
2100 approval of the secretary, establishing: (i) criteria and metrics under which homeownership  
2101 development projects shall be assessed for qualification and the geographic areas in which  
2102 qualified homeownership development projects may be located; (ii) criteria for approving and  
2103 ranking applications for credits; (iii) a methodology to determine applicable median new single-  
2104 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to  
2105 maintain affordability of each single-family dwelling that is created as part of a qualified  
2106 homeownership development project and restricted for sale to qualified buyers, throughout the  
2107 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)  
2108 criteria governing the purchase, ownership and sale of completed qualified homeownership  
2109 development project single-family dwellings; and (vii) the manner of determining qualified  
2110 project expenditures.

2111 “Qualified homeownership development project”, a project to develop for sale single-  
2112 family dwellings in the commonwealth that satisfies any qualifications established by the  
2113 director with the approval of the secretary in the qualified homeownership credit allocation plan;  
2114 provided, that the proposed project shall: (i) involve the new construction of not less than 10  
2115 single-family dwellings; (ii) be located in an eligible location; and (iii) result in not less than 20  
2116 per cent of the single-family dwellings being sold to qualified buyers, subject to an affordability  
2117 restriction in accordance with the qualified homeownership credit allocation plan.

2118 “Qualified project expenditure”, an expenditure directly related to the construction of a  
2119 qualified homeownership development project, including, but not limited to, the cost of  
2120 acquiring land, site assessment and remediation of hazardous materials and as further provided in  
2121 the qualified homeownership credit allocation plan; provided, however, that: (i) the director has  
2122 certified that the proposed project meets the definition of a qualified homeownership  
2123 development project; (ii) prior to construction, the director has certified that all or a portion of  
2124 the project costs are for new construction; and (iii) after the construction of the project has been  
2125 completed, the director has certified that the project has been completed in compliance with this  
2126 section and the requirements and conditions of any prior certifications.

2127 “Secretary”, the secretary of housing and livable communities.

2128 “Single-family dwelling”, (i) a residential property containing not more than 4 residential  
2129 units; provided, that all units shall comprise a single property, to be sold to and owned by a  
2130 single homeowner; or (ii) a condominium unit in a professionally managed condominium  
2131 development.

2132 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified  
2133 homeownership development project or owner of a qualified homeownership development  
2134 project.

2135 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

2136 (b)(1) There shall be a Massachusetts homeownership tax credit. The director, in  
2137 consultation with the secretary, may authorize annually under this section and section 6O of  
2138 chapter 62 a total sum not exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in

2139 the preceding taxable year; and (iii) any Massachusetts homeownership tax credits returned to  
2140 the director by a sponsor.

2141 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified  
2142 homeownership development project under this section equal to the credit amount listed on the  
2143 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is  
2144 unused by the taxpayer or exceeds the taxpayer's tax liability under this chapter for the taxable  
2145 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as  
2146 reduced from year to year, of the credit which exceeds the tax for the taxable year; provided,  
2147 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year  
2148 beginning after the affordability period.

2149 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an  
2150 application to the director on a form and in a manner prescribed by the director, in consultation  
2151 with the secretary; provided, that said application shall include, but shall not be limited to: (i) the  
2152 name and address of the sponsor; (ii) the names and addresses of all members of the project  
2153 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other  
2154 information as the director, in consultation with the secretary, may require pursuant to the  
2155 qualified homeownership credit allocation plan.

2156 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and  
2157 approve applications and award tax credits under this section for a qualified homeownership  
2158 development project in accordance with the qualified homeownership credit allocation plan. The  
2159 director, in consultation with the secretary, shall determine the credit amount awarded for each

2160 qualified homeownership development project, which shall not exceed the maximum credit  
2161 amount.

2162 (2) The director shall send written notice of the tax credit award to the sponsor of a  
2163 qualified homeownership development project. The notice shall stipulate that receipt of the tax  
2164 credit is contingent upon the sale of all single-family dwellings that are required to be sold to  
2165 qualified buyers and issuance of an eligibility certificate.

2166 (d)(1) Upon completion of a qualified homeownership development project for which a  
2167 tax credit was awarded under this section and the sale of all single-family dwellings that are  
2168 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified  
2169 project expenditures certification for approval. Immediately after approving the final cost  
2170 certification, the director shall compute the credit amount and issue an eligibility certificate to  
2171 the project development owner. The credit amount, which shall be stated on the certificate, shall  
2172 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),  
2173 subject to any reduction or increase as the result of the approval of the final qualified project  
2174 expenditures certification; provided, that such amount shall not exceed the maximum credit  
2175 amount.

2176 (2) Each eligibility certificate shall state the credit amount, the years that comprise the  
2177 affordability period, the name, address and taxpayer identification number of the sponsor and all  
2178 members of the project development team, the date the certificate is issued, a unique identifying  
2179 number and any additional information the director, in consultation with the secretary and the  
2180 commissioner, may require. The director shall certify a copy of each eligibility certificate to the  
2181 secretary and the commissioner.

2182 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development  
2183 project and all single-family dwellings that are required to be sold to qualified buyers until such  
2184 dwellings are sold to qualified buyers.

2185 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified  
2186 homeownership development project for which a tax credit was issued under this section shall  
2187 occupy such single-family dwelling as the qualified buyer's primary residence during the  
2188 affordability period; provided, that a qualified buyer of a single-family dwelling that includes  
2189 more than 1 residential unit need only occupy a single residential unit within the single-family  
2190 dwelling as the qualified buyer's primary residence during the affordability period and may lease  
2191 any additional units to third-party lessees.

2192 (3) If a single-family dwelling constructed as part of a qualified homeownership  
2193 development project is sold during the affordability period, the seller shall transfer to the director  
2194 an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year  
2195 of the affordability period which ends before the date of such sale, subject to such additional  
2196 criteria as may be established under the qualified homeownership credit allocation plan. The  
2197 director shall use any amount received pursuant to a repayment under this paragraph for the  
2198 purpose of providing financial assistance to first-time homebuyers and offsetting the costs of  
2199 administering this section. The director may place a lien on each single-family dwelling  
2200 constructed as part of a qualified homeownership development project for an amount it deems  
2201 necessary to ensure potential repayment pursuant to this paragraph.

2202 (4) During the affordability period, a qualified buyer of a single-family dwelling that  
2203 includes more than 1 residential unit shall not separate the ownership of individual residential  
2204 units within the single-family dwelling.

2205 (f)(1) All or any portion of a tax credit issued in accordance with this section may be  
2206 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to  
2207 claim the credit pursuant to paragraph (2) of subsection (b) with the same effect as if the  
2208 transferee had incurred the qualified project expenditures itself.

2209 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in  
2210 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax  
2211 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall  
2212 provide to the commissioner appropriate information for proper allocation of the tax credit.

2213 (3) If the recapture of a tax credit is required pursuant to subsection (g), any statement  
2214 submitted to the commissioner pursuant to paragraph (2) shall include the proportion of the tax  
2215 credit required to be recaptured, the identity of each transferee subject to recapture and the  
2216 amount of the tax credit previously transferred to such transferee.

2217 (g) The director, in consultation with the secretary, shall determine whether a sponsor or  
2218 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to  
2219 qualify for the credit; or (iii) did not qualify for the credit at the time the credit was claimed.

2220 Notwithstanding the time limitations on assessments pursuant to chapter 62C, the commissioner  
2221 shall determine the taxpayer or taxpayers that claimed the credit, the tax against which the credit  
2222 was claimed and the amount to be recaptured and shall make an assessment against the taxpayer  
2223 or taxpayers for the amount to be recaptured under this section.

2224 (h) The director may assess application, processing and reporting fees to cover the cost of  
2225 administering this section.

2226 (i) The credit under this section shall be attributed on a pro rata basis to the owners,  
2227 partners or members of the legal entity entitled to the credit under this section and shall be  
2228 allowed as a credit against the tax due under this chapter from such owners, partners or members  
2229 in a manner determined by the commissioner.

2230 (j) The secretary, in consultation with the commissioner and director, shall adopt any  
2231 rules and promulgate any regulations necessary to administer this section.

2232 SECTION 27. Subsection (b) of section 38PP of said chapter 63, as inserted by section  
2233 26, is hereby amended by striking out paragraph (1) and inserting in place thereof the following  
2234 paragraph:-

2235 (1) There shall be a Massachusetts homeownership tax credit. The director, in  
2236 consultation with the secretary, may authorize annually under this section and section 6O of  
2237 chapter 62 a total sum not exceeding: (i) the amount, if any, not authorized in the preceding  
2238 taxable year; and (ii) any Massachusetts homeownership tax credits returned to the director by a  
2239 sponsor.

2240 SECTION 28. Subsection (a) of section 52 of chapter 93 of the General Laws, as  
2241 appearing in the 2022 Official Edition, is hereby amended by adding the following clause:-

2242 (7) Eviction records sealed pursuant to section 16 of chapter 239.

2243 SECTION 29. Section 127I of chapter 111 of the General Laws, as so appearing, is  
2244 hereby amended by adding the following paragraph:-

2245 Notwithstanding the fourth paragraph, following the appointment of a receiver for a  
2246 vacant residential property, the court, upon motion by the receiver with notice to the owner,  
2247 mortgagee and all interested parties, may allow the sale of the property to a nonprofit entity for  
2248 fair market value in its then current condition. Any such sale shall be conditioned upon the court  
2249 finding that the nonprofit agrees to correct all outstanding state sanitary code violations and  
2250 rehabilitate the property for sale to a first-time homebuyer whose income is not more than 120  
2251 per cent of the area median income as determined by the United States Department of Housing  
2252 and Urban Development; provided, that a nonprofit entity shall demonstrate to the court adequate  
2253 expertise and resources necessary to rehabilitate the property and correct outstanding state  
2254 sanitary code violations. Any such motion filed by a receiver pursuant to this paragraph shall be  
2255 heard by the court not less than 30 days following the filing date, during which period the owner,  
2256 mortgagee and any other interested parties may join a motion for leave to correct all outstanding  
2257 state sanitary code violations at the property. Upon a finding by the court that the owner,  
2258 mortgagee or other interested party has the intention and ability to correct all outstanding state  
2259 sanitary code violations, the court shall stay the hearing on the receiver's motion for a reasonable  
2260 period of time to allow the owner, mortgagee or other interested party to correct such outstanding  
2261 sanitary code violations.

2262 SECTION 30. Section 11 of chapter 121B of the General Laws, as so appearing, is  
2263 hereby amended by striking out paragraphs (n) and (o) and inserting in place thereof the  
2264 following 3 paragraphs:-

2265 (n) To join or cooperate with 1 or more other operating agencies in the exercise, either  
2266 jointly or otherwise, of any of their powers for the purpose of financing, including the issuance  
2267 of bonds, notes or other obligations and the giving of security therefor, planning, undertaking,



2268 owning, constructing, operating or contracting with respect to any project or projects authorized  
2269 by this chapter located within the area within which 1 or more of such authorities are authorized  
2270 to exercise their powers; and for such purpose to prescribe and authorize, by resolution, any  
2271 operating agency so joining and cooperating with it to act in its behalf in the exercise of any of  
2272 such powers;

2273 (o) To lease energy saving systems that replace non-renewable fuels with renewable  
2274 energy such as solar powered systems; and

2275 (p) To secure, with the approval of the department, in consultation with the executive  
2276 office for administration and finance, indebtedness incurred for the preservation, modernization  
2277 and maintenance of 1 or more of its low rent housing developments assisted under section 32 or  
2278 34 by a pledge of a portion of capital funds awarded to it for improvements to be carried out  
2279 pursuant to a capital improvement plan, approved by the department and in accordance with  
2280 department regulations governing capital projects. The department, in consultation with the  
2281 executive office for administration and finance, shall promulgate regulations to establish  
2282 limitations on the percentage of awarded capital funds that may be pledged to secure  
2283 indebtedness, describe permitted terms for borrowing and repayment and establish criteria for  
2284 operating agencies permitted to incur indebtedness secured by a pledge of capital funds. Any  
2285 pledge of future year capital funds pursuant to this section shall be subject to the availability of  
2286 funds under the department's capital spending plan. All financing documents related to future  
2287 year capital fund amounts shall include a statement that the credit of the commonwealth is not  
2288 pledged and that the pledging of funds shall be subject to the availability of funds under the  
2289 department's capital spending plan.

2290 SECTION 31. Section 26C of said chapter 121B, as amended by section 256 of chapter 7  
2291 of the acts of 2023, is hereby amended by striking out the words “provided, however, that the  
2292 capital assistance team shall provide services to the housing authority without requiring payment  
2293 for the services by the housing authority” and inserting in place thereof the following words:-  
2294 provided, however, that the capital assistance team shall provide services to a housing authority  
2295 with 500 or fewer state-aided units without requiring payment for services by the housing  
2296 authority; and provided further, that the capital assistance team may require payment for services  
2297 provided to a housing authority with more than 500 state-aided units and for additional services  
2298 not covered by this section and approved by the department.

2299 SECTION 32. Said section 26C of said chapter 121B, as so amended, is hereby further  
2300 amended by striking out subsection (e) and inserting in place thereof the following subsection:-

2301 (e) There shall be a capital assistance advisory board consisting of 7 members. Each  
2302 capital assistance team shall appoint 2 members to the advisory board and the department shall  
2303 appoint 1 member, who shall have at least 5 years of experience as the manager of not less than  
2304 200 units of privately owned housing. Only members of participating housing authorities in the  
2305 region shall be eligible for appointment to the advisory board. The advisory board shall meet on  
2306 an annual basis with the capital assistance team directors, host housing authority directors and  
2307 the secretary of housing and livable communities, or a designee, and shall discuss issues of  
2308 program performance and coordination.

2309 SECTION 33. The first paragraph of section 29 of said chapter 121B, as appearing in the  
2310 2022 Official Edition, is hereby amended by striking out the first sentence and inserting in place  
2311 thereof the following sentence:- The members of a housing authority shall biennially, or more

2312 frequently as required by the department, and at a time to be determined by the department, file  
2313 with the department a written report for its preceding fiscal years since its last previously filed  
2314 written report.

2315 SECTION 34. Said first paragraph of said section 29 of said chapter 121B, as so  
2316 appearing, is hereby further amended by adding the following sentence:- Notwithstanding the  
2317 foregoing, nothing in this section shall exempt a housing authority from submitting an annual  
2318 plan pursuant to section 28A and this section.

2319 SECTION 35. Section 34 of said chapter 121B, as so appearing, is hereby amended by  
2320 adding the following paragraph:-

2321 Notwithstanding any general or special law to the contrary, the tenants of a state-aided or  
2322 federally-aided public housing project transferred or conveyed pursuant to the fourteenth  
2323 paragraph shall maintain all rights pursuant to federal, state and local subsidy programs  
2324 originally applicable to the project, including tenant contribution, lease terms, eviction, right to  
2325 return, grievance, resident participation, preference in hiring and privacy rights, except as may be  
2326 required to secure financing necessary for the feasibility of the project or to meet associated  
2327 programmatic eligibility requirements after notice to affected tenants with an opportunity to  
2328 comment. The redevelopment of such public housing project shall not be the basis for: (i)  
2329 termination of assistance or eviction of any tenant; (ii) reduction of assistance or eviction of any  
2330 tenant; or (iii) re-screening any existing tenant; provided, that no existing tenant shall be  
2331 considered a new admission for any purpose, including, but not limited to, compliance with any  
2332 income targeting requirements. Any such project shall have at least the same number of low rent  
2333 housing units as the number of low rent housing units in the existing project. The requirements

2334 of this paragraph shall be implemented through contracts, use agreements, regulations or other  
2335 means, as determined by the department. Any contracts, use agreements, regulations or other  
2336 means shall be in compliance with all applicable local, state and federal subsidy programs and  
2337 shall delineate: (i) the roles of the housing authority and other agencies in monitoring and  
2338 enforcing compliance, including tracking temporary and permanent displacement; (ii) how the  
2339 housing authority shall rehouse tenants so there shall be no displacement from affordable  
2340 housing programs operated by the housing authority; and (iii) how tenants shall be provided with  
2341 technical assistance to facilitate meaningful input related to the redevelopment of the proposed  
2342 project. The benefits of any contracts, use agreements, regulations or other means shall inure to  
2343 any tenant who occupied a unit within the project at the time of the transfer or conveyance of the  
2344 project. Protections relating to tenant contribution, lease terms, eviction, grievance, resident  
2345 participation, preference in hiring and privacy rights, except as may be required to secure  
2346 financing necessary for the feasibility of the project or to meet associated programmatic  
2347 eligibility requirements, shall inure to both present or future tenants or applicants of the project,  
2348 who shall have the right to enforce the same as third-party beneficiaries. Nothing in this section  
2349 shall create a separate or new administrative process of appeal or review for any grievance  
2350 governed by the lease of any tenant. Tenants shall have an opportunity for comment on a project  
2351 proposed under the fourteenth paragraph and an opportunity for public comment to be organized  
2352 by the owners, controlled entities, designated private entities or public housing authorities  
2353 responsible for such projects with adequate notice.

2354 SECTION 36. The third sentence of subsection (b) of section 3 of chapter 121E of the  
2355 General Laws, as so appearing, is hereby amended by striking out clause (3) and inserting in  
2356 place thereof the following clause:

2357 (3) issued only if a contract or agreement for the use of the property for housing purposes  
2358 provides for the recording of a restriction in the registry of deeds or the registry district of the  
2359 land court in the county in which the affected real property is located, for the benefit of the  
2360 department, running with the land, that the land be used for providing alternative forms of rental  
2361 and ownership housing; provided, that the property shall not be released from the restriction  
2362 until: (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a  
2363 mortgage foreclosure deed has been recorded; or (iii) there has been a disposition of the  
2364 property; provided, that the department determines that relevant clients will be better served at an  
2365 alternative property and the proceeds from the disposition of the property will be used, to the  
2366 extent necessary for replacement of the housing at the property, for 1 or both of the following  
2367 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative  
2368 property;.

2369 SECTION 37. Said section 3 of said chapter 121E, as so appearing, is hereby further  
2370 amended by striking out, in lines 41 to 44, inclusive, the words “, provided that the project  
2371 continues to remain affordable housing as set forth in the contract or agreement entered into for  
2372 the duration of the project by the department” and inserting in place thereof the following  
2373 words:- ; provided, that the project, whether at the original property, or at an alternative property  
2374 pursuant to clause (3), continues to remain affordable housing as set forth in the contract or  
2375 agreement entered into for the duration of the project by the department.

2376 SECTION 38. Section 2 of chapter 121F of the General Laws, as so appearing, is hereby  
2377 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

2378 (a) There shall be within the department a separate fund to be known as the Housing  
2379 Stabilization and Investment Trust Fund. The department shall administer the fund and shall  
2380 ensure that funds are distributed among urban, suburban and rural areas with a particular  
2381 emphasis on the development of alternative forms of housing and local and regional needs. Such  
2382 funds shall be used for the purpose of undertaking projects to develop and support affordable  
2383 housing developments and homeownership affordability through the acquisition, preservation,  
2384 new construction and rehabilitation of affordable housing, including, but not limited to, the  
2385 preservation and improvement of existing privately-owned and state or federally-assisted  
2386 housing. Uses of the fund may include: (i) assistance for projects to stabilize and promote  
2387 reinvestment in cities and towns, including, but not limited to, preserving and improving existing  
2388 privately-owned and state or federally-assisted housing and any other techniques necessary to  
2389 achieve reinvestment; provided, that funds may be expended for energy audits and housing  
2390 modifications to achieve energy efficiency and conservation; and (ii) assistance for housing  
2391 where the expiration of federal or state low-income housing tax credits or other federal or state  
2392 subsidies would lead or has led to the termination of a use agreement for low-income housing or  
2393 in which a project-based rental assistance contract is expiring or has expired. The fund shall be  
2394 an expendable trust fund and shall not be subject to appropriation.

2395 SECTION 39. Said section 2 of said chapter 121F, as so appearing, is hereby further  
2396 amended by striking out, in line 28, the words “nonprofit or for-profit organizations” and  
2397 inserting in place thereof the following words:- eligible entities pursuant to subsection (a) of  
2398 section 3.

2399 SECTION 40. Said section 2 of said chapter 121F, as so appearing, is hereby further  
2400 amended by striking out, in lines 35 to 38, inclusive, the words “or the Community Economic

2401 Development Assistance Corporation established in chapter 40H to provide assistance from the  
2402 fund for projects owned or sponsored by nonprofit organizations” and inserting in place thereof  
2403 the following words:- to provide assistance from the fund.

2404 SECTION 41. Section 3 of said chapter 121F, as so appearing, is hereby amended by  
2405 striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

2406 (a) The fund shall finance low and no-interest loans, grants, subsidies, credit  
2407 enhancements and other financial assistance for rental and ownership housing; provided, that any  
2408 assistance provided shall be the minimum amount necessary to make a project feasible; provided  
2409 further, that loans, grants, subsidies, credit enhancements and other financial assistance pursuant  
2410 to this chapter may be provided to qualified for-profit or non-profit developers, community  
2411 development corporations, local housing authorities, community action agencies, community-  
2412 based or neighborhood-based non-profit housing organizations, other non-profit organizations  
2413 and for-profit entities and governmental bodies; provided further, that recipients may enter into  
2414 subcontracts to administer the contracts with other for-profit or nonprofit organizations; provided  
2415 further, that loans, grants, subsidies, credit enhancements and other financial assistance pursuant  
2416 to this chapter may be provided for the acquisition of property to provide or preserve affordable  
2417 housing; provided further, that the loan program may be administered by the department through  
2418 contracts with the Massachusetts Housing Partnership Fund established in section 35 of chapter  
2419 405 of the acts of 1985; provided further, that the program may include acquisition, financing  
2420 and other holding costs, interim management costs and operating costs and may be used by the  
2421 Massachusetts Housing Partnership Fund to secure, collateralize or reserve against other  
2422 financing obtained by the Massachusetts Housing Partnership Fund to support such costs; and  
2423 provided further, that not less than 75 per cent of the beneficiaries of the housing shall be persons

2424 whose income is not more than 60 per cent of the area median income and not less than 13 per  
2425 cent of the beneficiaries of the housing shall be persons whose income is not more than 30 per  
2426 cent of the area median income.

2427 (b)(1) Activities eligible for assistance from the fund shall include, but shall not be  
2428 limited to: (i) projects to develop and support affordable housing developments and  
2429 homeownership affordability through the acquisition, preservation, new construction and  
2430 rehabilitation of affordable housing; and (ii) the preservation of affordable housing developments  
2431 that: (A) are currently, or were previously, subject to prepayment or payment of a state or  
2432 federally-assisted mortgage; (B) are receiving project-based rental assistance under section 8 of  
2433 the United States Housing Act of 1937, 42 U.S.C. 1437f, and the rental assistance is expiring; or  
2434 (C) have received other project-based federal or state subsidies which are terminating or have  
2435 terminated.

2436 (2) Property eligible for assistance shall include, but shall not be limited to, housing  
2437 where the prepayment or payment of a state or federally-assisted mortgage or the expiration of  
2438 federal low income housing tax credits or other federal or state subsidies would lead or has led to  
2439 the termination of a use agreement for low income housing or in which a project-based rental  
2440 assistance contract is expiring or has expired; provided, that a property eligible for assistance that  
2441 has been acquired for the purpose of preserving or improving the property shall not lose  
2442 eligibility due to actions by the purchaser to renew or extend state or federal contracts or  
2443 subsidies.

2444 (3) The department, in consultation with nonprofit organizations, the Community  
2445 Economic Development Assistance Corporation, the Massachusetts Housing Finance Agency



2446 and the Massachusetts Housing Partnership Fund, shall identify projects at greatest risk of  
2447 prepayment, payment, termination of subsidies and use restrictions or nonrenewal of rental  
2448 assistance. Funding priority shall be based on at-risk criteria to be determined by the department  
2449 and set forth in regulations promulgated by the department.

2450 SECTION 42. Said section 3 of said chapter 121F, as so appearing, is hereby further  
2451 amended by striking out subsection (d) and inserting in place thereof the following subsection:-

2452 (d) Prior to providing assistance, the department shall determine that: (i) the housing  
2453 would not, by private enterprise alone and without government assistance, be available to lower  
2454 income families and individuals; and (ii) the amount of assistance is the minimum amount  
2455 necessary to make the housing development feasible. The department shall require, as a  
2456 condition of receiving assistance, that: (A) the housing remain affordable for its useful life as  
2457 determined by the department; and (B) with respect to rental housing, the operations of the  
2458 owner and its articles of organization and by-laws, and any changes to the articles of  
2459 organization and by-laws, shall be subject to regulation by the department.

2460 SECTION 43. Section 5 of said chapter 121F, as so appearing, is hereby amended by  
2461 striking out, in lines 2 to 5, inclusive, the words “including, but not limited to, regulations  
2462 relative to grants to cities and towns for the demolition of certain vacant and abandoned  
2463 buildings and procedures for neighborhood revitalization plans”.

2464 SECTION 44. The General Laws are hereby amended by inserting after chapter 121G the  
2465 following chapter:-

2466 CHAPTER 121H

2467

SUPPORTIVE HOUSING POOL FUND

2468

Section 1. As used in this chapter, the following words shall, unless the context clearly

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requires otherwise, have the following meanings:

2470

“Chronically homeless”, a person who has been homeless for at least 1 year or has been

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repeatedly homeless.

2472

“Executive office”, the executive office of housing and livable communities.

2473

“Fund”, the Supportive Housing Pool Fund established in section 2.

2474

“Permanent supportive housing”, rental housing that includes supportive services for

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individuals and families who may be homeless or chronically homeless, individuals and families

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with behavioral health needs or substance addiction needs, survivors of domestic violence,

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survivors of human trafficking, survivors of sexual violence, individuals and families at risk of

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entering or transitioning out of the foster care system, youth and young adults, seniors and

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veterans or other individuals with similar needs, as determined by the executive office.

2480

Section 2. (a) There shall be a Supportive Housing Pool Fund to support the production

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of permanent supportive housing. The fund shall be administered by the executive office directly

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or through contracts with 1 or more of the following administering agencies: (i) the Community

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Economic Development Assistance Corporation, established in chapter 40H; (ii) the

2484

Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts of

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1985; or (iii) the Massachusetts Housing Finance Agency, established in chapter 708 of the acts

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of 1966; provided, that an administering agency may directly offer financial assistance for the

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purposes pursuant to this section or may enter into subcontracts with non-profit organizations

2488 established pursuant to chapter 180 for those purposes; and provided further, that the  
2489 administering agency may establish additional program requirements through regulations or  
2490 policy guidelines.

2491 (b) There shall be credited to the fund: (i) revenue from appropriations or other money  
2492 authorized by the general court and specifically designated for the fund; (ii) any gifts, grants,  
2493 private contributions, repayment of loans, fees and charges imposed relative to the making of  
2494 loans, grants, subsidies, credit enhancements and other financial assistance; (iii) any investment  
2495 income earned on the fund's assets; and (iv) any other sources. Money remaining in the fund at  
2496 the end of a fiscal year shall not revert to the General Fund.

2497 Section 3. Funds expended pursuant to this chapter shall be in the form of grants, loans or  
2498 other financial assistance to projects and organizations that shall provide stable housing options  
2499 and supportive services to residents of permanent supportive housing, which may include, but  
2500 shall not be limited to, staffing, case management, service coordination or other tenancy-related  
2501 services provided by a project sponsor or through a third party, or other services or activities that  
2502 the executive office has determined are essential to the day-to-day operation of permanent  
2503 supportive housing.

2504 Section 4. The executive office may promulgate regulations for the implementation,  
2505 administration and enforcement of this chapter and may, in consultation with the executive office  
2506 of health and human services, the executive office of elder affairs, the department of children and  
2507 families and the Massachusetts office for victim assistance, issue guidelines for the fund.

2508 SECTION 45. Chapter 143 of the General Laws is hereby amended by adding the  
2509 following section:-

2510           Section 101. The executive office of housing and livable communities shall promulgate  
2511 regulations to ensure that no seller of a residential structure or a residential condominium unit, or  
2512 an agent thereof, shall: (i) condition the acceptance of an offer to purchase on the prospective  
2513 purchaser's agreement to waive, limit, restrict or otherwise forego any prospective purchaser's  
2514 right to have the structure or unit inspected, except when the sale of the structure or unit is to  
2515 occur at an auction conducted by an auctioneer licensed under chapter 100; or (ii) accept an offer  
2516 to purchase from a prospective purchaser, or an agent thereof who, in advance of the seller's  
2517 acceptance of an offer, informs the seller, either directly or indirectly, that the prospective  
2518 purchaser intends to waive, in whole or in part, the prospective purchaser's right to inspection;  
2519 provided, however, that the seller may accept such an offer without violating this section if the  
2520 prospective purchaser is: (A) the spouse, sibling, child, parent, grandparent, grandchild, great-  
2521 grandchild or great-grandparent of the seller; or (B) the former spouse of the seller and the sale  
2522 of the structure or unit is being made pursuant to a judgment or order under chapter 208;  
2523 provided further, that other limited exceptions may be provided for by regulation.

2524           SECTION 46. Chapter 183A of the General Laws is hereby amended by striking out  
2525 section 16, as so appearing, and inserting in place thereof the following section:-

2526           Section 16. The owners of any land may submit the land under this chapter by the  
2527 recording in the registry of deeds of a master deed or, if the title to the land is registered under  
2528 chapter 185, by filing the master deed under said chapter 185.

2529           SECTION 47. Said chapter 183A is hereby further amended by adding the following  
2530 section:-

2531 Section 24. (a) Notwithstanding any provisions in a master deed, declaration of trust or  
2532 by-laws of a condominium submitted pursuant to this chapter to the contrary, the governing body  
2533 of the organization of unit owners may conduct regularly scheduled or special meetings by  
2534 telephonic or video conference call or other interactive electronic communication process;  
2535 provided, however, that all participants shall be able to simultaneously communicate with each  
2536 other during the meeting. Presence by such electronic means shall satisfy any quorum  
2537 requirements. The governing body may vote on any action properly before the body and approve  
2538 meeting minutes by electronic means including, but not limited to, email and video conferencing.

2539 (b) The governing body may conduct annual or special meetings of the unit owners where  
2540 physical presence is not required. Such meetings may be held by telephonic or video conference  
2541 call or other interactive electronic communication process as determined by the governing body.  
2542 The governing body shall notify all unit owners of such meetings and provide access information  
2543 for participation in such meetings. Participation by electronic means shall satisfy quorum  
2544 requirements. The governing body shall take reasonable measures to ensure that unit owners can  
2545 participate fully, including by reading or hearing the proceedings and posing questions or  
2546 comments.

2547 (c) The governing body may allow unit owners to vote on any matter by mail-in ballot or  
2548 electronic means; provided, however, that a quorum of unit owners shall be present for the vote.  
2549 The governing body may promulgate and amend policies related to electronic meetings and  
2550 voting, pursuant to its rule-making authority as set forth in the governing documents of the  
2551 organization of unit owners. If a master deed, declaration of trust, by-law or other document of  
2552 the organization of unit owners requires the signature or written consent of unit owners, unit

2553 owners may electronically submit their signatures or written consent as determined by the  
2554 governing body.

2555 SECTION 48. Chapter 185 of the General Laws is hereby amended by striking out  
2556 section 52 and inserting in place thereof the following section:-

2557 Section 52. (a) As used in this section, “notice of voluntary withdrawal” shall mean an  
2558 instrument in writing signed and acknowledged by all owners of the land to be voluntarily  
2559 withdrawn and that contains the following information: (i) names and addresses of all owners;  
2560 (ii) the certificate of title number with the registration book and page numbers; (iii) a description  
2561 of the land in the form contained in the certificate of title or a description incorporating by  
2562 reference the lot numbers, if numbered and the land court plan, together with a reference to the  
2563 certificate with which the plan is filed; and (iv) the street address of the land, if any. The notice  
2564 of voluntary withdrawal shall include warning to all interest holders entitled to notice that any  
2565 objection to the requested withdrawal shall be filed with the court not later than 30 days  
2566 following the service of the notice or shall be waived.

2567 (b) A judgment of registration and the entry of a certificate of title shall be  
2568 regarded as an agreement running with the land and binding upon the plaintiff and the  
2569 plaintiff’s successors in title that the land shall be and forever remain registered land and subject  
2570 to this chapter unless withdrawn under this section and except as provided in section 26.

2571 (c) If all of a parcel of land, the title to which is registered under this chapter, is acquired  
2572 by the commonwealth, any agency, department, board, commission or authority of the  
2573 commonwealth, any political subdivision of the commonwealth or any agency, department,  
2574 board, commission or authority of any political subdivision of the commonwealth, the

2575 acquisition shall be a sufficient ground for withdrawal of the registered land from this chapter.  
2576 The land so acquired shall be withdrawn upon the filing with the land court of a complaint for  
2577 voluntary withdrawal by the public entity and the endorsement by a justice of the land court of a  
2578 notice of withdrawal by the public entity, which shall be filed in the registry district where the  
2579 land is located.

2580 (d) The owners of the fee simple estate in a parcel of land, the title to which has been  
2581 registered under this chapter, may voluntarily withdraw the registered land from this chapter by  
2582 filing with the land court a complaint for voluntary withdrawal naming themselves as all of the  
2583 owners of the fee simple estate in the entire parcel of land, and identifying any mortgagees,  
2584 lessees or option holders of record having an interest in the registered land, together with a notice  
2585 of voluntary withdrawal. The plaintiff shall file with the complaint documentation sufficient to  
2586 establish conclusively their ownership of the fee simple estate in the entire parcel of land that is  
2587 the subject of the complaint, including, but not limited to, a last-prepared certificate of title,  
2588 deeds, conveyance records or other documents or instruments that demonstrate their ownership  
2589 interest. The plaintiff also may file with the court written and signed assents from any interest  
2590 holders entitled to notice who have agreed to the withdrawal. Upon the request of the plaintiff or  
2591 the court's determination of reasonable need, the court may appoint an examiner of title, whose  
2592 fees shall be paid by the plaintiff, to prepare a report sufficient to identify the current owners and  
2593 all current mortgagees, lessees, or option holders with interests in the land who are entitled to  
2594 notice. The court's order of appointment shall be made not later than 30 days after receipt of the  
2595 complaint or request for appointment, if later made, unless the court, for good cause, determines  
2596 that appointment at a later time is indicated, and shall direct such report to be prepared and filed  
2597 with the court not later than 14 days after the appointment is made, unless the court, for good

2598 cause, then or thereafter allows further time. All interest holders entitled to notice who have not  
2599 assented shall be served by certified mail with a file-stamped copy of the complaint and notice of  
2600 voluntary withdrawal. The court may order further notice to be given, including by additional  
2601 means, if the court determines it necessary or desirable to accomplish effective service. The  
2602 plaintiff shall file with the court an affidavit certifying that such notice by certified mail or other  
2603 means ordered by the court has been given, together with proof of service. Where the plaintiff is  
2604 represented by counsel, the affidavit shall be executed by counsel.

2605 (e) If no objection has been filed by any interest holder entitled to notice not later than 30  
2606 days following service, a justice of the court shall approve and endorse the notice of voluntary  
2607 withdrawal not later than 30 days following receipt of all required information and  
2608 documentation unless the court, for good cause, determines that further time is indicated.  
2609 Notwithstanding the filing of an objection not later than 30 days, the notice of voluntary  
2610 withdrawal shall be endorsed by a justice of the land court unless the court determines that there  
2611 is good cause for the objection. Upon endorsement by a justice of the land court, the notice of  
2612 voluntary withdrawal shall be filed for registration and noted on the memorandum of  
2613 encumbrances for the certificate of title and may be recorded with the registry of deeds for the  
2614 district within which the land lies, whereupon the land shall be withdrawn from this chapter and  
2615 shall become unregistered land. The owners shall hold title to the land free of all liens and  
2616 encumbrances, including adverse possession and prescriptive rights, existing as of the date the  
2617 judicially-endorsed notice of voluntary withdrawal is noted on the memorandum of  
2618 encumbrances, as though a judgment of confirmation without registration had been recorded  
2619 under section 56A; provided, however, that the owners shall not hold title free of the  
2620 encumbrances set forth or referred to in section 46 and those noted on the certificate of title or



2621 filed for registration before the date the endorsed notice of voluntary withdrawal is noted on the  
2622 memorandum of encumbrances.

2623 (f) The chief justice of the land court or a designee may promulgate or establish rules,  
2624 practices, guidelines, forms or procedures, including an appropriate filing fee for the complaint  
2625 and notice of voluntary withdrawal, as necessary to implement this section.

2626 SECTION 49. Said chapter 185 is hereby further amended by striking out section 114  
2627 and inserting in place thereof the following section:-

2628 Section 114. (a) No erasure, alteration or amendment shall be made upon the registration  
2629 book after the entry of a certificate of title or of a memorandum thereon and the attestation of the  
2630 same by the recorder or an assistant recorder without court order, except in an instance in which  
2631 the assistant recorder, upon approval of the chief title examiner of the land court or their  
2632 designee, determines that a clerical error or omission has been made in the entry of the certificate  
2633 of title or memorandum thereon.

2634 (b) A registered owner or other person in interest may apply by complaint to the court  
2635 upon the grounds that: (i) registered interests of any description, whether vested, contingent,  
2636 expectant or inchoate, have terminated and ceased; (ii) new interests not appearing upon the  
2637 certificate have arisen or been created; (iii) an error or omission was made in entering a  
2638 certificate or any memorandum thereon; (iv) the name of any person on the certificate has been  
2639 changed; (v) the registered owner has married, or if registered as married, that the marriage has  
2640 been terminated; (vi) a corporation which owned registered land and has been dissolved has not  
2641 conveyed the same within 3 years after its dissolution; or (vii) upon any other reasonable ground,  
2642 and the court may hear and determine the complaint after notice to all parties in interest, and may

2643 order the entry of a new certificate, the entry or cancellation of a memorandum upon a  
2644 certificate, or grant any other relief upon such terms, requiring security if necessary, as it may  
2645 consider proper; provided, however, that this section shall not authorize the court to open the  
2646 original judgment of registration; and provided further, that nothing shall be done by the assistant  
2647 recorder or ordered by the court that shall impair the title or other interest of a purchaser holding  
2648 a certificate for value and in good faith, or their heirs or assigns, without their written consent.

2649 SECTION 50. Section 15B of chapter 186 of the General Laws, as appearing in the 2022  
2650 Official Edition, is hereby amended by inserting after the figure “(2)”, in line 25, the following  
2651 words:- ; provided, however, that the executive office of housing and livable communities may  
2652 promulgate regulations to authorize a lessor and a tenant or prospective tenant to agree to the  
2653 payment of a fee in lieu of payment of a security deposit; provided further, that any such  
2654 regulations shall: (A) require the lessor to utilize a fee collected to waive a security deposit to  
2655 cover for unpaid rent or unit damage that applies to the tenant’s lease; (B) require that a fee so  
2656 collected be: (I) entirely or partially non-refundable; provided, however, that the lessor shall  
2657 disclose that the fee is non-refundable in the lease; provided further, that the tenant shall agree to  
2658 the fee and acknowledge that the tenant understand that it is entirely or partially non-refundable,  
2659 as the case may be, in writing; and (II) a recurring monthly fee, or payable upon any schedule  
2660 and in an amount that the lessor and tenant agree upon, as authorized by the executive office; (C)  
2661 limit the total sum of the fee or recurring payments, regardless of the duration of the lease and  
2662 any extensions thereto, to an amount not to exceed 1 month’s rent; (D) require that the fee be  
2663 made optional for both the tenant and the lessor and that the tenant be permitted to choose to pay  
2664 a full security deposit rather than the fee; (E) require a lessor who offers such a fee in lieu of  
2665 security deposit: (I) to offer the option of a fee in lieu of a security deposit to every prospective

2666 tenant whose application for occupancy has been approved, regardless of income, race, gender,  
2667 gender identity, disability, sexual orientation, immigration status, size of household or credit  
2668 score; and (II) not to consider such factors and categories when setting the amount of the fee; and  
2669 (F) allow a tenant who agrees to pay a fee to waive a security deposit to opt-out of the obligation  
2670 to pay such fee if such tenant pays the security deposit that would otherwise be in effect for the  
2671 tenant's apartment on the day the tenant chooses to opt-out of such fee; provided further, that the  
2672 sum of fees paid to waive a security deposit and the payment of the security deposit shall not  
2673 exceed, in total, the amount of 1 month's rent; and provided further, that the executive office  
2674 shall consult with the office of the attorney general prior to promulgating regulations authorizing  
2675 a fee in lieu of a security deposit under this section.

2676 SECTION 51. Section 1 of chapter 188 of the General Laws, as appearing in the 2022  
2677 Official Edition, is hereby amended by striking out, in lines 15, 21, 25, 41 and 47, each time it  
2678 appears, the figure "\$500,000" and inserting in place thereof, in each instance, the following  
2679 figure:- \$1,000,000.

2680 SECTION 52. Chapter 239 of the General Laws is hereby amended by adding the  
2681 following section:-

2682 Section 16. (a) For the purposes of this section, the following words shall have the  
2683 following meanings unless the context clearly requires otherwise:-

2684 "Consumer report", a written, oral or other communication of any information by a  
2685 consumer reporting agency bearing on a person's credit worthiness, credit standing or credit  
2686 capacity that is used or expected to be used or collected, in whole or in part, for the purpose of

2687 serving as a factor in establishing the person’s eligibility for rental housing or other purposes  
2688 authorized under section 51 of chapter 93.

2689 “Consumer reporting agency”, an individual, partnership, corporation, trust, estate,  
2690 cooperative, association, government or governmental subdivision or agency or other entity that,  
2691 for monetary fees, dues or on a cooperative nonprofit basis, regularly engages, in whole or in  
2692 part, in the practice of assembling or evaluating consumer credit information or other  
2693 information on consumers for the purpose of furnishing consumer reports to third parties.

2694 “Court”, the trial court of the commonwealth established pursuant to section 1 of chapter  
2695 211B and any departments or offices established within the trial court.

2696 “Court record”, any paper or electronic records or data in any communicable form  
2697 compiled by, on file with or in the care custody or control of, the court that concern a person and  
2698 relate to the nature or disposition of an eviction action or a lessor action.

2699 “Eviction action”, a summary process action under this chapter to recover possession of  
2700 residential premises.

2701 “Lessor action”, any civil action brought against the owner, manager or lessor of  
2702 residential premises by the tenant or occupant of such premises relating to or arising out of such  
2703 property, rental, tenancy or occupancy for breach of warranty, breach of any material provision  
2704 of the rental agreement or violation of any other law.

2705 “No-fault eviction”, an eviction action in which the notice to quit, notice of termination  
2706 or complaint does not include an allegation of nonpayment of rent or violation of any material  
2707 term of the tenancy by the tenant or occupant; provided, however, that a “no-fault eviction” shall

2708 include an action brought after termination of a tenancy for economic, business or other reasons  
2709 not constituting a violation of the terms of the tenancy.

2710 (b) A person having a court record of a no-fault eviction on file in a court may petition  
2711 the court to seal the court record at any time after the conclusion of the action, including  
2712 exhaustion of all rights of appeal. The petition shall be on a form furnished by the trial court of  
2713 the commonwealth, signed under the penalties of perjury and filed in the same court as the action  
2714 sought to be sealed. If an action was active in more than 1 court during its pendency, a petition  
2715 may be filed in each such court. Notice shall be given to parties to the original action. The court  
2716 shall comply with the petitioner's request to seal the court record pursuant to this subsection;  
2717 provided, however, that the record only pertains to a no-fault eviction and the action to which the  
2718 record relates has concluded with all rights of appeal exhausted. If no objection is filed by a party  
2719 within 7 days of filing the petition, such court may, in its discretion, process such petitions  
2720 administratively without a hearing.

2721 (c) A person having a court record in an eviction action for nonpayment of rent on file in  
2722 a court may, on a form furnished by the trial court and signed under the penalties of perjury,  
2723 petition the court to seal the court record. The petition shall be filed in the same court as the  
2724 action sought to be sealed. If an action was active in more than 1 court during its pendency, a  
2725 petition may be filed in each such court. Notice shall be given to parties to the original action.  
2726 The court shall comply with the petitioner's request to seal the court record pursuant to this  
2727 subsection; provided, however, that the action to which the record relates concluded, including  
2728 exhaustion of all rights of appeal, not less than 4 years before the request and no eviction action  
2729 for nonpayment or lessor action has been brought against the petitioner within the  
2730 commonwealth in the 4 years preceding the request; provided further, that the petitioner certifies

2731 on the petition that the nonpayment of rent was due to an economic hardship and such economic  
2732 hardship has rendered them unable to satisfy the judgment. If no objection is filed by a party, the  
2733 court may, in its discretion, process such petitions administratively without a hearing. If an  
2734 objection is filed by a party, within 7 days of filing the petition, the court shall conduct a hearing  
2735 to determine the petitioner's compliance with the foregoing conditions and may require the  
2736 petitioner to complete a financial statement on a form furnished by the trial court.

2737 (d) A person having a court record of a fault eviction on file in a court may, on a form  
2738 furnished by the trial court and signed under the penalties of perjury, petition the court to seal the  
2739 court record. The petition shall be filed in the same court as the action sought to be sealed. If an  
2740 action was active in more than 1 court during its pendency, a petition may be filed in each such  
2741 court. Notice shall be given to parties to the original action. The court shall comply with the  
2742 petitioner's request to seal the court record pursuant to this subsection; provided, however, that  
2743 the action to which the record relates concluded, including exhaustion of all rights of appeal, not  
2744 less than 7 years before the request and no eviction action for fault or lessor action has been  
2745 brought against the petitioner within the commonwealth in the 7 years preceding the request. If  
2746 no objection is filed by a party, within 7 days of filing the petition, the court may, in its  
2747 discretion, process such petitions administratively without a hearing.

2748 (e) A person having a court judgment against them in a civil action commenced pursuant  
2749 to section 19 of chapter 139 on file in a court may, on a form furnished by the trial court and  
2750 signed under the penalties of perjury, petition the court to seal the court record. The petition shall  
2751 be filed in the same court as the action sought to be sealed. If an action was active in more than 1  
2752 court during its pendency, a petition may be filed in each such court. Notice shall be given to  
2753 parties to the original action. The court shall schedule a hearing to determine whether: (i) the

2754 action to which the record relates concluded, including exhaustion of all rights of appeal, not less  
2755 than 7 years before the request and no eviction action for fault, or action pursuant to said section  
2756 19 of said chapter 139, has been brought against the petitioner within the commonwealth in the 7  
2757 years preceding the request, and such petitioner has not been convicted of any criminal offense  
2758 referenced in said section 19 of said chapter 139 during such 7-year period; and (ii) the sealing of  
2759 such record is in the interest of justice and public safety. Notwithstanding any provision to the  
2760 contrary, where the plaintiff did not obtain a judgment in its favor, the defendant may petition to  
2761 seal the court record at any time after the conclusion of the action, including exhaustion of all  
2762 rights of appeal.

2763 (e1/2) A person having a court record of an eviction action that resulted in a dismissal or  
2764 final judgment in favor of the defendant may petition the court to seal the court record at any  
2765 time after the conclusion of the action, which shall include exhaustion of all rights of appeal. The  
2766 petition shall be on a form furnished by the trial court, signed under the penalties of perjury and  
2767 filed in the same court as the action sought to be sealed was initially filed. If the action was  
2768 active in more than 1 court during its pendency, a petition may be filed in each such court.  
2769 Notice to parties of the original action shall not be required. The court may, in its discretion,  
2770 process the petition administratively without a hearing.

2771 (f) Upon motion and for good cause shown, or as otherwise authorized by this section,  
2772 court records sealed under this section may, at the discretion of the court and upon a balancing of  
2773 the interests of the litigants and the public in nondisclosure of the information with the interests  
2774 of the requesting party, be made available for public safety, scholarly, educational, journalistic or  
2775 governmental purposes only; provided, however, that the personal identifying information of the  
2776 parties involved in the action shall remain sealed unless the court determines that release of such

2777 information is appropriate under this subsection and necessary to fulfill the purpose of the  
2778 request. Nothing in this subsection shall permit the release of personal identifying information  
2779 for commercial purposes.

2780 (g) Nothing in this section shall prohibit the dissemination of information contained in a  
2781 record sealed pursuant to this section as the court deems necessary or appropriate: (i) for the  
2782 collection of a money judgment; (ii) to pursue a criminal investigation; (iii) to pursue a criminal  
2783 prosecution; or (iv) where information in the sealed record was entered into evidence in a  
2784 criminal prosecution that resulted in a criminal charge.

2785 (h) Nothing in this section shall prohibit a person or their representative from petitioning  
2786 the court to obtain access to sealed eviction records in which the person is a party.

2787 (i) A consumer reporting agency shall not disclose the existence of, or information  
2788 regarding, an eviction record sealed under this section or use information contained in a sealed  
2789 court record as a factor to determine any score or recommendation to be included in a consumer  
2790 report unless the court record was available for inspection with the court within 30 days of the  
2791 report date. A consumer reporting agency may include in a consumer report information found in  
2792 publicly available court records; provided, however, that the consumer report shall include a  
2793 person's full name, whether an eviction action was a fault eviction, a no-fault eviction or a lessor  
2794 action and the outcome of any eviction action if such information is contained in the publicly-  
2795 available court record. Information contained in a court record sealed under this section shall be  
2796 removed from the consumer report or from the calculation of any score or recommendation to be  
2797 included in a consumer report within 30 days of the sealing of the court record from which it is  
2798 derived. Any consumer reporting agency that violates this subsection shall be liable to the person



2799 who is the subject of the consumer report in an amount equal to the sum of any actual damages  
2800 sustained by the consumer as a result of the violation and the costs of the action, including  
2801 reasonable attorney’s fees. The attorney general shall enforce this subsection, and the remedies  
2802 provided hereunder shall not be exclusive. Nothing in this subsection shall waive the rights or  
2803 remedies of any person under any other law or regulation.

2804 (j) An application used to screen applicants for housing or credit that seeks information  
2805 concerning prior eviction actions of the applicant shall include the following statement: “An  
2806 applicant for housing or credit with a sealed record on file with the court pursuant to section 16  
2807 of chapter 239 of the General Laws may answer ‘no record’ to an inquiry relative to that sealed  
2808 court record.” No party shall be liable for any violation of the foregoing provision unless such  
2809 party has first been issued a written warning from the attorney general and has failed to address  
2810 the violation within 90 days of such notice.

2811 The petition provided by the court for the sealing of records as provided under this  
2812 section and any order granting such petition shall contain the following notice: “An applicant for  
2813 housing or credit with a sealed record on file with the court pursuant to section 16 of chapter 239  
2814 of the General Laws may answer ‘no record’ to an inquiry relative to that sealed court record.”

2815 (k) A party who obtains a judgment or enters into an agreement in an eviction action  
2816 solely for nonpayment of rent shall, not more than 14 days after satisfaction of the judgment or  
2817 agreement, file with the court in which the judgment or agreement was entered a notice of  
2818 satisfaction of the judgment or agreement. A party that has satisfied such judgment or agreement  
2819 may, upon noncompliance with this subsection by the other party, file a petition for the judgment  
2820 or agreement to be deemed satisfied, with notice to the parties to such action. The court shall

2821 comply with the petitioner’s request; provided, however, that the record only pertains to an  
2822 action for nonpayment of rent and the judgment or agreement has been satisfied. If no objection  
2823 is filed by a party within 7 days of filing the petition, the court may, in its discretion, process  
2824 such petition administratively without a hearing. Upon the filing of a notice of satisfaction of  
2825 judgment or an agreement, or court judgment deeming the judgment or agreement satisfied, a  
2826 party may petition the court to seal the court record pertaining to that action. The petition shall be  
2827 on a form furnished by the trial court, signed under the penalties of perjury and filed in the same  
2828 court as the action sought to be sealed. If an action was active in more than 1 court during its  
2829 pendency, a petition may be filed in each such court. Notice shall be given to the parties to the  
2830 original action. The court shall comply with the petitioner’s request and seal the court record if  
2831 the judgment or agreement has been satisfied and the action has concluded, with all rights of  
2832 appeal exhausted and with no objection filed by a party within 7 days of filing the petition. The  
2833 court may process such petitions administratively without a hearing.

2834 SECTION 53. Section 3 of chapter 708 of the acts of 1966, as amended by section 43 of  
2835 chapter 204 of the acts of 1996, is hereby further amended by striking out, in the first sentence,  
2836 the words “department of housing and community development” and inserting in place thereof  
2837 the following words:- executive office of housing and livable communities.

2838 SECTION 54. The first paragraph of said section 3 of said chapter 708, as most recently  
2839 amended by sections 43 and 44 of said chapter 204, is hereby further amended by striking out the  
2840 third sentence and inserting in place thereof the following sentence:- Any law to the contrary  
2841 notwithstanding the MHFA shall not be subject to the provisions of chapter 30A, sections 24  
2842 through 28, inclusive, of chapter 93, chapter 255E or chapter 255F of the General Laws.

2843 SECTION 55. The first sentence of the second paragraph of said section 3 of said chapter  
2844 708, as amended, is hereby further amended by striking out the words “director of housing and  
2845 community development” and inserting in place thereof the following words:- secretary of  
2846 housing and livable communities.

2847 SECTION 56. Paragraph (b) of section 8 of said chapter 708, is hereby amended by  
2848 striking out the sixth sentence, as most recently amended by chapter 34 of the acts of 2003, and  
2849 inserting in place thereof the following sentence:- The aggregate principal amount of notes and  
2850 bonds of the MHFA issued to make mortgage loans pursuant to section 5 and to make or  
2851 purchase loans pursuant to section 5A, outstanding at any 1 time, shall not exceed the sum of  
2852 \$10,800,000,000.

2853 SECTION 57. Clause (iii) of the definition of “Housing accommodation” in section 3 of  
2854 chapter 527 of the acts of 1983, as appearing in section 4 of chapter 709 of the acts of 1989, is  
2855 hereby amended by striking out, the first time it appears, the word “buildings” and inserting in  
2856 place thereof the following words:- owner-occupied buildings.

2857 SECTION 58. Paragraph (a) of section 35 of chapter 405 of the acts of 1985 is hereby  
2858 further amended by striking out the words “department of housing and community  
2859 development”, as appearing in section 47 of chapter 204 of the acts of 1996, and inserting in  
2860 place thereof the following words:- executive office of housing and livable communities.

2861 SECTION 59. Said paragraph (a) of said section 35 of said chapter 405 is hereby further  
2862 amended by striking out the words “communities and development”, as appearing in section 36  
2863 of chapter 102 of the acts of 1990, and inserting in place thereof the following words:- housing  
2864 and livable communities.

2865 SECTION 60. Section 2 of chapter 52 of the acts of 1993 is hereby amended by striking  
2866 out item 4000-8200, most recently amended by sections 15 to 18, inclusive, of chapter 244 of the  
2867 acts of 2002, and inserting in place thereof the following item:-

2868 4000-8200 For state financial assistance to implement the recommendations of the  
2869 special commission in the form of loans for the development of community-based housing for  
2870 individuals with mental health or intellectual or developmental disabilities; provided, that said  
2871 loan program shall be administered by the executive office of housing and livable communities  
2872 through contracts with authorities which shall be limited to housing authorities and  
2873 redevelopment authorities duly organized and existing in accordance with chapter 121B of the  
2874 General Laws, community development corporations duly organized and existing in accordance  
2875 with chapter 40F of the General Laws, the Massachusetts Housing Finance Agency, a body  
2876 politic and corporate entity established by chapter 708 of the acts of 1966, as amended, the  
2877 Massachusetts community economic development assistance corporation (CEDAC), a body  
2878 politic and corporate entity established by chapter 40H of the General Laws, and the  
2879 Massachusetts Government Land Bank, a body politic and corporate entity established by  
2880 chapter 212 of the acts of 1975; provided, that said loan issuing authorities may develop or  
2881 finance said community-based housing, or may enter into subcontracts with non-profit  
2882 organizations established pursuant to chapter 180 of the General Laws or organizations in which  
2883 such non-profit corporations have a controlling financial or managerial interest; provided,  
2884 however, that said department shall take due consideration of a balanced geographic plan for  
2885 such community-based housing when issuing said loans; provided further, that loans issued  
2886 pursuant to this item shall be subject to the following provisions: (1) said loans shall be limited  
2887 to not more than 50 per cent of the financing of the total development costs; (2) said loans shall

2888 only be issued for a community-based housing project contingent on the title to said real property  
2889 reverting to the commonwealth when said loan becomes due and payable except as provided by  
2890 section 3; (3) said loans shall only be issued when any contract or agreement for the use of said  
2891 property for the purposes of such community-based housing provides for the recording of a  
2892 restriction in the registry of deeds or the registry district of the land court of the county in which  
2893 the affected real property is located, for the benefit of the said departments, running with the  
2894 land, that the land be used for the purpose of providing community-based housing for eligible  
2895 individuals as determined by the departments of mental health; provided, that the property shall  
2896 not be released from such restrictions unless: (i) the balance of the principal and interest for the  
2897 loan has been repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has  
2898 been a disposition of the property; provided, that the executive office of housing and livable  
2899 communities, in consultation with the department of mental health and the department of  
2900 developmental services, determines that relevant clients will be better served at an alternative  
2901 property and the proceeds from the disposition of the property will be used, to the extent  
2902 necessary for replacement of the housing at the property, for 1 or both of the following purposes:  
2903 (A) to acquire such alternative property; or (B) to rehabilitate such alternative property; (4) said  
2904 loans shall be issued for a term of up to 30 years during which time repayment may be deferred  
2905 by the loan issuing authority unless at the end of any fiscal year, cash collections from all sources  
2906 in connection with a community-based housing project, except for contributions, donations, or  
2907 grant monies, exceed 105 per cent of cash expenditures on behalf of said project, including debt  
2908 service, operating expenses, and capital reserves, in which event such excess cash shall be paid  
2909 to the commonwealth within 45 days of the end of said fiscal year, payable first to interest due  
2910 hereunder and thereafter to principal advanced pursuant to said loan; provided, that if on the date

2911 said loans become due and payable to the commonwealth an outstanding balance exists and if, on  
2912 such date, the executive office of housing and livable communities in consultation with the  
2913 executive office of health and human services, determines that there still exists a need for such  
2914 housing and that there is continued funding available for the provision of services to such  
2915 development, said executive office may, by agreement with the owner of the development,  
2916 extend the loans for such periods, each period not to extend beyond 10 years, as the executive  
2917 office determines; provided, however, that the project, whether at the original property, or at an  
2918 alternative property pursuant to clause (3), shall remain affordable housing for the duration of the  
2919 loan term, as extended, as set forth in the contract or agreement entered into by the executive  
2920 office; and provided, further, that, in the event that the terms of repayment detailed in this item  
2921 would cause a project authorized by this item to become ineligible to receive federal funds which  
2922 would otherwise assist in the development of that project, the secretary may waive the terms of  
2923 repayment which would cause the project to become ineligible; (5) interest rates for said loans  
2924 shall be fixed at a rate, to be determined by the secretary for housing and livable communities in  
2925 consultation with the treasurer of the commonwealth, that shall be equal to the rate anticipated to  
2926 be that paid by the commonwealth for bonds issued pursuant to section 8 of this act; which  
2927 financing shall not exceed terms of 30 years; (6) said loans shall be provided only for projects  
2928 conforming to the provisions of this act; and (7) said loans shall be issued in accordance with a  
2929 facilities consolidation plan prepared by the secretary of health and human services, reviewed  
2930 and approved by the secretary of housing and livable communities and filed with the secretary  
2931 for administration and finance and the house and senate committees on ways and means;  
2932 provided, that no expenditures shall be made pursuant to this item without the prior approval of  
2933 the secretary for administration and finance; provided further, that not more than \$10,000,000

2934 shall be expended from this item for a pilot program of community-based housing loans to serve  
2935 mentally-ill homeless individuals in the current or former care of said department of mental  
2936 health; provided further, that in implementing said pilot program, said executive office shall take  
2937 due consideration of a balanced geographic plan when establishing community-based residences;  
2938 provided further, that said housing services made available pursuant to such loans shall not be  
2939 construed as a right or an entitlement for any individual or class of persons to the benefits of said  
2940 pilot program; and provided further, that eligibility for said pilot program shall be established by  
2941 regulations promulgated by said executive office. The executive office of housing and livable  
2942 communities shall promulgate emergency regulations pursuant to section 2 of chapter 30A of the  
2943 General Laws for the implementation of the community-based housing loan program and the  
2944 mentally ill homeless pilot loan program authorized by this item, consistent with the facilities  
2945 consolidation plan prepared by the secretary of health and human services and after consultation  
2946 with said secretary and the commissioner of the division of capital asset management and  
2947 maintenance.....\$50,000,000

2948 SECTION 61. Clause (2) of item 3722-8899 of section 2 of chapter 494 of the acts of  
2949 1993 is hereby amended by striking out the words “provided, that said property shall not be  
2950 released from such restriction unless and until the balance of the principal and interest for said  
2951 loan is repaid in full or unless and until a mortgage foreclosure deed is recorded” and inserting in  
2952 place thereof the following words:- provided, that said property shall not be released from such  
2953 restriction unless and until: (i) the balance of the principal and interest for said loan has been  
2954 repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has been a  
2955 disposition of the property; provided, further that the executive office of housing and livable  
2956 communities shall determine that relevant clients will be better served at an alternative property

2957 and the proceeds from the disposition of the property shall be used, to the extent necessary for  
2958 replacement of the housing at the property, for 1 or both of the following purposes: (A) to  
2959 acquire such alternative property; or (B) to rehabilitate such alternative property.

2960 SECTION 62. Clause (4) of said item 3722-8899 of said section 2 of said chapter 494 is  
2961 hereby amended by striking out the words “provided, that the project continues to remain  
2962 affordable housing as set forth in the contract or agreement entered into for the duration of the  
2963 project by the department” and inserting in place thereof the following words:- provided, that  
2964 that the project, whether at the original property, or at an alternative property pursuant to clause  
2965 (2), continues to remain affordable housing as set forth in the contract or agreement entered into  
2966 for the duration of the project by the executive office.

2967 SECTION 63. Said item 3722-8899 of said section 2 of said chapter 494 is hereby further  
2968 amended by striking out clauses (6) to (8), inclusive, and inserting in place thereof the following  
2969 clause:- and (6) the executive office shall take due consideration of a balanced geographic plan  
2970 for such alternative forms of housing when issuing said loans;.

2971 SECTION 64. The first paragraph of section 16 of chapter 179 of the acts of 1995 is  
2972 hereby amended by striking out the words “in the form of mobile vouchers” and inserting in  
2973 place thereof the following words:- in the form of either mobile vouchers or project-based  
2974 vouchers.

2975 SECTION 65. The second paragraph of section 12 of chapter 257 of the acts of 1998, as  
2976 amended by section 52 of chapter 235 of the acts of 2000, is hereby further amended by striking  
2977 out clause (2) and inserting in place thereof the following clause:-



2978           (2) such loans shall only be issued when a contract or agreement for the use of the  
2979 property for the purposes of such housing provides for the recording of a restriction in the  
2980 registry of deeds or the registry district of the land court in the county in which the affected real  
2981 property is located, for the benefit of the executive office of housing and livable communities,  
2982 running with the land, that the land be used for the purpose of providing alternative forms of  
2983 rental and ownership housing. Such property shall not be released from such restriction until: (i)  
2984 the balance of the principal and interest for any such loan has been repaid in full; (ii) a mortgage  
2985 foreclosure deed has been recorded; or (iii) there has been a disposition of the property;  
2986 provided, that the executive office shall determine that relevant clients will be better served at an  
2987 alternative property and the proceeds from the disposition of the property will be used, to the  
2988 extent necessary for replacement of the housing at the property, for 1 or both of the following  
2989 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative  
2990 property;.

2991           SECTION 66. Clause (3) of said section 12 of said chapter 257 , as so amended, is hereby  
2992 further amended by striking out the words “, provided that the project continues to remain  
2993 affordable housing as set forth in the contract or agreement entered into for the duration of the  
2994 project by the department” and inserting in place thereof the following words:- ; provided, that  
2995 the project, whether at the original property, or at an alternative property pursuant to clause (2),  
2996 continues to remain affordable housing as set forth in the contract or agreement entered into for  
2997 the duration of the project by the executive office.

2998           SECTION 67. Said section 12 of said chapter 257, as so amended, is hereby further  
2999 amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the following

3000 clause:- and (5) said executive office shall take due consideration of a balanced geographic plan  
3001 for such alternative forms of housing when issuing such loans.

3002 SECTION 68. The second paragraph of section 5 of chapter 244 of the acts of 2002 is  
3003 hereby amended by striking out clause (2) and inserting in place thereof the following clause:-

3004 (2) such loans shall only be issued when a contract or agreement for the use of the  
3005 property for the purposes of such housing provides for the recording of a restriction in the  
3006 registry of deeds or the registry district of the land court in the county in which the affected real  
3007 property is located, for the benefit of the executive office of housing and livable communities,  
3008 running with the land, that the land be used for the purpose of providing alternative forms of  
3009 rental and ownership housing. Such property shall not be released from such restriction until: (i)  
3010 the balance of the principal and interest for any such loan has been repaid in full; (ii) a mortgage  
3011 foreclosure deed has been recorded; or (iii) there has been a disposition of the property;  
3012 provided, that the executive office shall determine that relevant clients will be better served at an  
3013 alternative property and the proceeds from the disposition of the property will be used, to the  
3014 extent necessary for replacement of the housing at the property, for 1 or both of the following  
3015 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative  
3016 property;.

3017 SECTION 69. Said second paragraph of said section 5 of said chapter 244 is hereby  
3018 further amended by striking out, in clause (3), the words “provided that the project continues to  
3019 remain affordable housing as set forth in the contract or agreement entered into for the duration  
3020 of the project by the department” and inserting in place thereof the following words:- ; provided,  
3021 that the project, whether at the original property, or at an alternative property pursuant to clause

3022 (2), continues to remain affordable housing as set forth in the contract or agreement entered into  
3023 for the duration of the project by the executive office.

3024 SECTION 70. Said second paragraph of said section 5 of said chapter 244 is hereby  
3025 further amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the  
3026 following clause:- and (5) said executive office shall take due consideration of a balanced  
3027 geographic plan for such alternative forms of housing when issuing such loans.

3028 SECTION 71. Clause (3) of item 4000-8200 of section 2E of chapter 290 of the acts of  
3029 2004, as amended by section 20 of chapter 6 of the acts of 2005, is hereby amended by striking  
3030 out the words “provided, that the property shall not be released from such restrictions until the  
3031 balance of the principal and interest for the loan is repaid in full or until a mortgage foreclosure  
3032 deed is recorded” and inserting in place thereof the following words:- provided, that the property  
3033 shall not be released from such restrictions unless: (i) the balance of the principal and interest for  
3034 the loan has been repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) the  
3035 executive office of housing and livable communities has determined, pursuant to clause (2), that  
3036 repayment to the commonwealth is not required.

3037 SECTION 72. Clause (4) of said item 4000-8200 of said section 2E of said chapter 290,  
3038 as so amended, is hereby amended by striking out the words “provided, however, that the project  
3039 shall continue to remain affordable housing for the duration of the loan term, as extended, as set  
3040 forth in the contract or agreement entered into by the department” and inserting in place thereof  
3041 the following words:- provided, however, that the project, whether at the original property, or at  
3042 an alternative property pursuant to clause (3), shall continue to remain affordable housing for the

3043 duration of the loan term, as extended, as set forth in the contract or agreement entered into by  
3044 the executive office.

3045 SECTION 73. Said item 4000-8200 of said section 2E of said chapter 290, as so  
3046 amended, is hereby further amended by striking out clauses (6) and (7).

3047 SECTION 74. Said item 4000-8200 of said section 2E of said chapter 290, as so  
3048 amended, is hereby further amended by striking out the figure “(8)” and inserting in place thereof  
3049 the following figure:- (6).

3050 SECTION 75. Said item 4000-8200 of said section 2E of said chapter 290, as so  
3051 amended, is hereby further amended by striking out the figure “(9)” and inserting in place thereof  
3052 the following figure:- (7).

3053 SECTION 76. Said item 4000-8200 of said section 2E of said chapter 290, as so  
3054 amended, is hereby further amended by striking out the figure “(10)” and inserting in place  
3055 thereof the following figure:- (8).

3056 SECTION 77. Item 4000-8201 of said section 2E of said chapter 290 is hereby amended  
3057 by striking out clause (2) and inserting in place thereof the following clause:-

3058 (2) said loans shall be issued only when any contract or agreement for the use of said  
3059 property for the purposes of such housing provides for repayment to the commonwealth at the  
3060 time of disposition of the property if such property will no longer be subject to a recorded deed  
3061 restriction pursuant to clause (3); provided, however, that such repayment shall be an amount  
3062 equal to the commonwealth’s proportional contribution from this item to the cost of the  
3063 development through payments made by the state agency making the contract; provided, further,

3064 that such repayment shall not be required if the executive office of housing and livable  
3065 communities, in consultation with the Massachusetts rehabilitation commission, determines that  
3066 relevant clients will be better served at an alternative property and the proceeds from the  
3067 disposition of the property will be used, to the extent necessary for replacement of the housing at  
3068 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or  
3069 (B) to rehabilitate such alternative property.

3070 SECTION 78. Clause (3) of said item 4000-8201 of said section 2E of said chapter 290 is  
3071 hereby amended by striking out the words “provided further, that the property shall not be  
3072 released from such restrictions until the balance of the principal and interest for the loan is repaid  
3073 in full or until a mortgage foreclosure deed is recorded” and inserting in place thereof the  
3074 following words:- provided further, that the property shall not be released from such restrictions  
3075 unless: (A) the balance of the principal and interest for the loan has been repaid in full; (B) a  
3076 mortgage foreclosure deed has been recorded; or (C) the executive office of housing and livable  
3077 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not  
3078 required.

3079 SECTION 79. Clause (4) of said item 4000-8201 of said section 2E of said chapter 290 is  
3080 hereby amended by striking out the words “provided, however, that the project shall continue to  
3081 remain affordable housing for the duration of the loan term, as extended, as set forth in the  
3082 contract or agreement entered into by the department” and inserting in place thereof the  
3083 following words:- provided, however, that the project, whether at the original property, or at an  
3084 alternative property pursuant to clause (2), shall continue to remain affordable housing for the  
3085 duration of the loan term, as extended, as set forth in the contract or agreement entered into by  
3086 the executive office.

3087 SECTION 80. Said item 4000-8201 of said section 2E of said chapter 290 is hereby  
3088 further amended by striking out clauses (6) and (7).

3089 SECTION 81. Said item 4000-8201 of said section 2E of said chapter 290 is hereby  
3090 further amended by striking out the figure “(8)” and inserting in place thereof the following  
3091 figure:- (6).

3092 SECTION 82. Said item 4000-8201 of said section 2E of said chapter 290 is hereby  
3093 further amended by striking out the figure “(9)” and inserting in place thereof the following  
3094 figure:- (7).

3095 SECTION 83. Said item 4000-8201 of said section 2E of said chapter 290 is hereby  
3096 further amended by striking out the figure “(10)” and inserting in place thereof the following  
3097 figure:- (8).

3098 SECTION 84. Item 4000-8200 of said section 2E of said chapter 290, as amended by  
3099 section 20 of chapter 6 of the acts of 2005, is hereby further amended by striking out clause (2)  
3100 and inserting in place thereof the following clause:- (2) such loans shall be issued only when any  
3101 contract or agreement for the use of the property for such housing provides for repayment to the  
3102 commonwealth at the time of disposition of the property if such property will no longer be  
3103 subject to a recorded deed restriction pursuant to clause (3); provided, however, that such  
3104 repayment shall be an amount equal to the commonwealth’s proportional contribution from the  
3105 Facilities Consolidation Fund to the cost of the development through payments made by the state  
3106 agency making the contract; provided further, that such repayment shall not be required if the  
3107 executive office of housing and livable communities, in consultation with the department of  
3108 mental health and the department of developmental services, determines that relevant clients will

3109 be better served at an alternative property and the proceeds from the disposition of the property  
3110 shall be used, to the extent necessary for replacement of the housing at the property to: (i)  
3111 acquire such alternative property; or (ii) rehabilitate such alternative property;.

3112 SECTION 85. Item 7004-7013 of said section 2E of said chapter 290, as amended by  
3113 section 21 of chapter 6 of the acts of 2005, is hereby further amended by inserting after the figure  
3114 “2002” the following words:- , as amended.

3115 SECTION 86. Section 5 of chapter 293 of the acts of 2006 is hereby amended by  
3116 inserting after the definition of “Economic development project” the following definition:-

3117 “Eligible housing increment”, a new residential unit that may either be a single-family  
3118 house or 1 dwelling unit in a building or development containing 2 or more dwelling units,  
3119 which dwelling units may be rental units or units in a condominium or cooperative, or a  
3120 combination of any of the foregoing, and that is created as part of an economic development  
3121 project and pursuant to an infrastructure development assistance agreement approved by the  
3122 secretary under this act.

3123 SECTION 87. Said section 5 of said chapter 293 is hereby further amended by striking  
3124 out the definition of “New revenue” and inserting in place thereof the following definition:-

3125 “New revenue”, revenue derived from a commercial or residential component of an  
3126 economic development project by the creation of any eligible new jobs or eligible housing  
3127 increments or by new economic activity that would otherwise not have taken place in the  
3128 commonwealth on said commercial component or on, or as a result of, said residential  
3129 component, as each may be more fully defined by any rules, regulations or guidelines  
3130 promulgated by the secretary or the commissioner.

3131 SECTION 88. The definition of “New state tax revenues” in said section 5 of said chapter  
3132 293 is hereby amended by inserting after the word “components” the following words:- or on  
3133 account of the residential components.

3134 SECTION 89. Said section 5 of said chapter 293, is hereby further amended by inserting  
3135 after the definition of “Public infrastructure improvements” the following definition:-

3136 “Residential component”, any component of an economic development project  
3137 comprising 1 or more eligible housing increments, as more fully described in, or determined in  
3138 accordance with, a certified economic development project.

3139 SECTION 90. Clause (iv) of subsection (a) of section 7 of said chapter 293 is hereby  
3140 amended by inserting after the words “each commercial” the following words:- or residential.

3141 SECTION 91. Said clause (iv) of said subsection (a) of said section 7 of said chapter 293  
3142 is hereby further amended by inserting after the words “all commercial” the following words:-  
3143 and residential.

3144 SECTION 92. Clause (i) of subsection (c) of said section 7 of said chapter 293 is hereby  
3145 amended by inserting after the word “commercial” the following words:- and residential.

3146 SECTION 93. Subsection (e) of said section 7 of said chapter 293, inserted by section 7  
3147 of chapter 129 of the acts of 2008, is hereby amended by inserting after the word “met” the  
3148 following words:- , and with respect to projects which include a residential component, shall give  
3149 priority to projects within any MBTA community as defined in section 1A of chapter 40A of the  
3150 General Laws; provided, that such MBTA community is in compliance with the requirements of  
3151 section 3A of said chapter 40A.



3152 SECTION 94. Subsection (a) of section 10 of said chapter 293, as amended by section 10  
3153 of said chapter 129, is hereby further amended by inserting after the words “the commercial” the  
3154 following words:- or residential.

3155 SECTION 95. Said subsection (a) of said section 10 of said chapter 293, as so amended,  
3156 is hereby further amended by inserting after the words “each commercial”, each time they  
3157 appear, the following words:- or residential.

3158 SECTION 96. Subsection (b) of said section 10 of said chapter 293, as amended by  
3159 section 11 of said chapter 129, is hereby further amended by inserting after the word  
3160 “commercial”, each time it appears, the following words:- or residential.

3161 SECTION 97. Subsection (c) of said section 10 of said chapter 293 is hereby amended by  
3162 inserting after the words “commercial components”, each time they appear, the following  
3163 words:- or residential components.

3164 SECTION 98. Item 7004-0029 of section 2 of chapter 119 of the acts of 2008 is hereby  
3165 amended by striking out clause (2) and inserting in place thereof the following clause:-

3166 (2) be issued only when a contract or agreement for the use of the property for such  
3167 housing provides for repayment to the commonwealth at the time of disposition of the property if  
3168 such property will no longer be subject to a recorded deed restriction pursuant to clause (3);  
3169 provided, however, that such repayment shall be in an amount equal to the commonwealth’s  
3170 proportional contribution from the Facilities Consolidation Fund to the cost of the development  
3171 through payments made by the state agency making the contract; provided, further, that such  
3172 repayment shall not be required if the executive office of housing and livable communities, in  
3173 consultation with the department of mental health and the department of developmental services,

3174 determines that relevant clients will be better served at an alternative property and the proceeds  
3175 from the disposition of the property will be used, to the extent necessary for replacement of the  
3176 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative  
3177 property; or (B) to rehabilitate such alternative property.

3178 SECTION 99. Clause (3) of said item 7004-0029 of said section 2 of said chapter 119 is  
3179 hereby amended by striking out the words “provided, that the property shall not be released from  
3180 such restriction until the balance of the principal and interest for the loan has been repaid in full  
3181 or until a mortgage foreclosure deed has been recorded” and inserting in place thereof the  
3182 following words:- provided, that the property shall not be released from such restriction unless:  
3183 (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a mortgage  
3184 foreclosure deed has been recorded; or (iii) the executive office of housing and livable  
3185 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not  
3186 required.

3187 SECTION 100. Clause (4) of said item 7004-0029 of said section 2 of said chapter 119 is  
3188 hereby amended by striking out the words “provided, however, that the project shall remain  
3189 affordable housing for the duration of the loan term, including any extension thereof, as set forth  
3190 in the contract or agreement entered into by the department” and inserting in place thereof the  
3191 following words:- provided, however, that the project, whether at the original property, or at an  
3192 alternative property pursuant to clause (3), shall remain affordable housing for the duration of the  
3193 loan term, including any extension thereof, as set forth in the contract or agreement entered into  
3194 by the executive office.

3195 SECTION 101. Clause (5) of said item 7004-0029 of said section 2 of said chapter 119 is  
3196 hereby amended by striking out the following words:- provided further, that expenditures from  
3197 this item shall not be made for the purpose of refinancing outstanding mortgage loans for  
3198 community-based housing in existence prior to the effective date of this act; provided further,  
3199 that community-based housing projects developed pursuant to this item shall not be refinanced  
3200 during the term of any loan issued pursuant to this item unless the balance of the principal and  
3201 interest for such loan has been repaid in full at the time of such refinancing; provided further,  
3202 that the community-based housing projects may be refinanced if the refinancing would result in a  
3203 reduction of costs paid by the commonwealth; provided further, that a refinanced loan shall be  
3204 due and payable on a date not later than the date on which the original loan was due and payable,  
3205 except in accordance with clause (4) when necessary to effect extraordinary repairs or  
3206 maintenance which shall be approved by the commissioner of mental retardation or the  
3207 commissioner of mental health, as the case may be, and the department;.

3208 SECTION 102. Item 7004-0030 of said section 2 of said chapter 119 is hereby amended  
3209 by striking out clause (2) and inserting in place thereof the following clause:-

3210 (2) be issued only when a contract or agreement for the use of the property for the  
3211 purposes of such housing provides for repayment to the commonwealth at the time of disposition  
3212 of the property if such property will no longer be subject to a recorded deed restriction pursuant  
3213 to clause (3); provided, however, that such repayment shall be in an amount equal to the  
3214 commonwealth's proportional contribution from community-based housing to the cost of the  
3215 development through payments made by the state agency making the contract; provided, further,  
3216 that such repayment shall not be required if the executive office of housing and livable  
3217 communities, in consultation with the Massachusetts rehabilitation commission, determines that

3218 relevant clients will be better served at an alternative property and the proceeds from the  
3219 disposition of the property will be used, to the extent necessary for replacement of the housing at  
3220 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or  
3221 (B) to rehabilitate such alternative property;.

3222 SECTION 103. Clause (3) of said item 7004-0030 of said section 2 of said chapter 119 is  
3223 hereby amended by striking out the words “provided further, that the property shall not be  
3224 released from such restrictions until the balance of the principal and interest for the loan has been  
3225 repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place  
3226 thereof the following words:- provided further, that the property shall not be released from such  
3227 restrictions unless: (A) the balance of the principal and interest for the loan has been repaid in  
3228 full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing  
3229 and livable communities has determined, pursuant to clause (2), that repayment to the  
3230 commonwealth is not required.

3231 SECTION 104. Clause (4) of said item 7004-0030 of said section 2 of said chapter 119 is  
3232 hereby amended by striking out the words “provided, however, that the project shall continue to  
3233 remain affordable housing for the duration of the loan term, including any extensions thereof, as  
3234 set forth in the contract or agreement entered into by the department” and inserting place thereof  
3235 the following words:- provided, however, that the project, whether at the original property, or at  
3236 an alternative property pursuant to clause (2), shall continue to remain affordable housing for the  
3237 duration of the loan term, including any extensions thereof, as set forth in the contract or  
3238 agreement entered into by the executive office.

3239 SECTION 105. Said item 7004-0030 of said section 2 of said chapter 119 is hereby  
3240 further amended by striking out clause (5) and inserting in place thereof the following clause:-

3241 (5) have interest rates fixed at a rate, to be determined by the executive office, in  
3242 consultation with the state treasurer; provided, that the loans shall be issued in accordance with  
3243 an enhancing community-based services plan prepared by the secretary of health and human  
3244 services, in consultation with the executive office and filed with the secretary for administration  
3245 and finance and the house and senate committees on ways and means and the joint committee on  
3246 housing; provided further, that no expenditure shall be made from this item without the prior  
3247 approval of the secretary for administration and finance; provided further, that the executive  
3248 office shall promulgate regulations pursuant to chapter 30A of the General Laws for the  
3249 implementation, administration and enforcement of this item, consistent with the enhancing  
3250 community-based services plan prepared by the secretary of health and human services after  
3251 consultation with the secretary and the commissioner of capital asset management and  
3252 maintenance.

3253 SECTION 106. Sections 30, 36 and 98 of chapter 238 of the acts of 2012 are hereby  
3254 repealed.

3255 SECTION 107. Item 7004-0040 of section 2 of chapter 129 of the acts of 2013 is hereby  
3256 amended by striking out clause (ii) and inserting in place thereof the following clause:-

3257 (ii) be issued only when a contract or agreement for the use of the property for such  
3258 housing provides for repayment to the commonwealth at the time of disposition of the property if  
3259 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);  
3260 provided, however, that such repayment shall be in an amount equal to the commonwealth's

3261 proportional contribution from the Facilities Consolidation Fund to the cost of the development  
3262 through payments made by the state agency making the contract; provided, further, that such  
3263 repayment shall not be required if the executive office of housing and livable communities, in  
3264 consultation with the department of mental health and the department of developmental services,  
3265 determines that relevant clients will be better served at an alternative property and the proceeds  
3266 from the disposition of the property will be used, to the extent necessary for replacement of the  
3267 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative  
3268 property; or (B) to rehabilitate such alternative property;.

3269 SECTION 108. Clause (iii) of said item 7004-0040 of said section 2 of said chapter 129  
3270 is hereby amended by striking out the words “provided, however, that the property shall not be  
3271 released from such restriction until the balance of the principal and interest for the loan has been  
3272 repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place  
3273 thereof the following words:- provided, however, that the property shall not be released from  
3274 such restriction unless: (A) the balance of the principal and interest for the loan has been repaid  
3275 in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing  
3276 and livable communities has determined, pursuant to clause (ii), that repayment to the  
3277 commonwealth is not required.

3278 SECTION 109. Clause (iv) of said item 7004-0040 of said section 2 of said chapter 129  
3279 is hereby amended by striking out, in clause (iv), the words “provided further, that the project  
3280 shall remain affordable housing for the duration of the loan term, including any extension  
3281 thereof, as set forth in the contract or agreement entered into by the department” and inserting in  
3282 place thereof the following words:- provided further, that the project, whether at the original  
3283 property, or at an alternative property pursuant to clause (ii), shall remain affordable housing for

3284 the duration of the loan term, including any extension thereof, as set forth in the contract or  
3285 agreement entered into by the executive office.

3286 SECTION 110. Item 7004-0041 of said section 2 of said chapter 129 is hereby amended  
3287 by striking out clause (ii) and inserting in place thereof the following clause:-

3288 (ii) be issued only when a contract or agreement for the use of the property for the  
3289 purposes of such housing provides for repayment to the commonwealth at the time of disposition  
3290 of the property if such property will no longer be subject to a recorded deed restriction pursuant  
3291 to clause (iii); provided, however, that such repayment shall be in an amount equal to the  
3292 commonwealth's proportional contribution from community-based housing to the cost of the  
3293 development through payments made by the state agency making the contract; provided, further,  
3294 that such repayment shall not be required if the executive office of housing and livable  
3295 communities, in consultation with the Massachusetts rehabilitation commission, determines that  
3296 relevant clients will be better served at an alternative property and the proceeds from the  
3297 disposition of the property will be used, to the extent necessary for replacement of the housing at  
3298 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or  
3299 (B) to rehabilitate such alternative property;.

3300 SECTION 111. Clause (iii) of said item 7004-0041 of said section 2 of said chapter 129  
3301 is hereby amended by striking out the words "provided, however, that the property shall not be  
3302 released from such restrictions until the balance of the principal and interest for the loan has been  
3303 repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place  
3304 thereof the following words:- provided however, that the property shall not be released from  
3305 such restrictions unless: (A) the balance of the principal and interest for the loan has been repaid

3306 in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing  
3307 and livable communities has determined, pursuant to clause (ii), that repayment to the  
3308 commonwealth is not required.

3309 SECTION 112. Clause (iv) of said item 7004-0041 of said section 2 of said chapter 129  
3310 is hereby amended by striking out the words “provided, however, that the project shall continue  
3311 to remain affordable housing for the duration of the loan term, including any extensions thereof,  
3312 as set forth in the contract or agreement entered into by the department” and inserting place  
3313 thereof the following words:- provided, however, that the project, whether at the original  
3314 property, or at an alternative property pursuant to clause (ii), shall continue to remain affordable  
3315 housing for the duration of the loan term, including any extensions thereof, as set forth in the  
3316 contract or agreement entered into by the executive office.

3317 SECTION 113. Item 7004-0050 of section 2 of chapter 99 of the acts of 2018 is hereby  
3318 amended by striking out clause (ii) and inserting in place thereof the following clause:-

3319 (ii) not be issued unless a contract or agreement for the use of the property for such  
3320 housing provides for repayment to the commonwealth at the time of disposition of the property if  
3321 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);  
3322 provided, however, that such repayment shall be in an amount equal to the commonwealth’s  
3323 proportional contribution from the Facilities Consolidation Fund to the cost of the development  
3324 through payments made by the state agency making the contract; provided, further, that such  
3325 repayment shall not be required if the executive office of housing and livable communities, in  
3326 consultation with the department of mental health and the department of developmental services,  
3327 determines that relevant clients will be better served at an alternative property and the proceeds



3328 from the disposition of the property will be used, to the extent necessary for replacement of the  
3329 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative  
3330 property; or (B) to rehabilitate such alternative property.

3331 SECTION 114. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further  
3332 amended by striking out the words “until the balance of the principal and interest for the loan has  
3333 been repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place  
3334 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has  
3335 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive  
3336 office of housing and livable communities has determined, pursuant to clause (ii) of this item,  
3337 that repayment to the commonwealth is not required.

3338 SECTION 115. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further  
3339 amended by striking out the words “shall remain affordable housing for the duration of the loan  
3340 term, including any extension thereof, as set forth in the contract or agreement entered into by  
3341 the department” and inserting in place thereof the following words:-, whether at the original  
3342 property, or at an alternative property pursuant to clause (ii), shall remain affordable housing for  
3343 the duration of the loan term, including any extension thereof, as set forth in the contract or  
3344 agreement entered into by the executive office.

3345 SECTION 116. Item 7004-0051 of said section 2 of said chapter 99 is hereby amended  
3346 by striking out clause (ii) and inserting in place thereof the following clause:-

3347 (ii) not be issued unless a contract or agreement for the use of the property for the  
3348 purposes of such housing provides for repayment to the commonwealth at the time of disposition  
3349 of the property if such property will no longer be subject to a recorded deed restriction pursuant

3350 to clause (iii); provided, however, that such repayment shall be in an amount equal to the  
3351 commonwealth’s proportional contribution from community-based housing to the cost of the  
3352 development through payments made by the state agency making the contract; provided, further,  
3353 that such repayment shall not be required if the executive office of housing and livable  
3354 communities, in consultation with the Massachusetts rehabilitation commission, determines that  
3355 relevant clients will be better served at an alternative property and the proceeds from the  
3356 disposition of the property will be used, to the extent necessary for replacement of the housing at  
3357 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or  
3358 (B) to rehabilitate such alternative property;.

3359 SECTION 117. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further  
3360 amended by striking out the words “until the balance of the principal and interest for the loan has  
3361 been repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place  
3362 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has  
3363 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive  
3364 office of housing and livable communities has determined, pursuant to clause (ii), that repayment  
3365 to the commonwealth is not required.

3366 SECTION 118. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further  
3367 amended by striking out the words “shall continue to remain affordable housing for the duration  
3368 of the loan term, including any extensions thereof, as set forth in the contract or agreement  
3369 entered into by the department” and inserting place thereof the following words:-, whether at the  
3370 original property, or at an alternative property pursuant to clause (ii), shall continue to remain  
3371 affordable housing for the duration of the loan term, including any extensions thereof, as set  
3372 forth in the contract or agreement entered into by the executive office.

3373 SECTION 119. (a) For the purposes of this section, the following words shall, unless the  
3374 context clearly requires otherwise, have the following meanings:

3375 “Development cost”, an expenditure directly related to the construction or substantial  
3376 rehabilitation of a municipal conversion project, including the cost of site assessment and  
3377 remediation of hazardous materials, but excluding the purchase of the property.

3378 “Executive office”, the executive office of housing and livable communities.

3379 “Substantial rehabilitation”, the necessary major redevelopment, repair and renovation of  
3380 a property, including, but not limited to, site assessment and remediation of hazardous materials,  
3381 but excluding the purchase of the property, as determined by the executive office.

3382 (b) The executive office shall establish a municipal conversion project competitive grant  
3383 program for municipalities to apply for grants to assist with the development costs of converting  
3384 commercial property into residential housing, including, but not limited to, commercial buildings  
3385 located on main streets or in downtown municipal areas, commercial centers and office parks.

3386 (c)(1) A municipality may apply to the executive office for funds for the development  
3387 costs of capital projects to convert commercial properties.

3388 (2) The executive office shall determine the criteria for the award of grants to  
3389 municipalities pursuant to subsection (b), including, but not limited to, criteria for: (i) the  
3390 substantial rehabilitation to convert a building for primary multi-unit residential use; (ii) the  
3391 amount of market rate units, upon completion of the conversion, to be sold or leased; and (iii)  
3392 additional factors to be considered, including, but not limited to: (A) proximity to transportation  
3393 and transit; and (B) parking, if applicable.

3394 (3) The executive office shall review applications from a municipality for a grant for the  
3395 development costs of municipal conversion projects, on a form prescribed by the executive  
3396 office.

3397 (d) The executive office shall promulgate rules or regulations for administering the grant  
3398 program, including, but not limited to, regulations pertaining to: (i) criteria pursuant to paragraph  
3399 (2) of subsection (c); (ii) the amounts of each award of funds to a municipality; (iii) the use of  
3400 funds for conversion projects; (iv) the eligibility of developers to conduct such projects; and (v)  
3401 the revocation of a grant for an uncompleted project.

3402 (e) Annually, not later than December 1, the executive office shall report to the clerks of  
3403 the house of representatives and the senate, the house and senate committees on ways and means,  
3404 the joint committee on housing and the joint committee on bonding, capital expenditures and  
3405 state assets on amounts awarded to municipalities for qualified projects pursuant to subsection  
3406 (b), delineated by municipality and including for each qualified project, the total grant amount, a  
3407 description of the project and the status of the project.

3408 SECTION 120. Notwithstanding any general or special law, rule or regulation to the  
3409 contrary, the architectural access board established in section 13A of chapter 22 of the General  
3410 Laws shall determine the value of any multiple dwelling as defined in 521 CMR 5.00 that is  
3411 owned, constructed or renovated by a housing authority as defined in section 1 of chapter 121B  
3412 of the General Laws by setting a replacement cost that is determined by and reflected in the  
3413 executive office of housing and livable communities' Capital Planning System survey and  
3414 database for state-funded public housing. For such dwellings that are not included in the survey  
3415 and database, the replacement cost shall be calculated by the executive office based on the

3416 replacement cost for comparable dwellings that are included in the survey and database. The  
3417 executive office shall supplement the survey and database on file with the architectural access  
3418 board for any such dwelling by preparing and filing documentation identifying the replacement  
3419 cost for the dwelling and the method by which it was calculated.

3420 SECTION 121. (a) As used in this section and sections 122 and 123, the following words  
3421 shall have the following meanings unless the context clearly requires otherwise:

3422 “Affordable housing purposes”, development of multi-family housing, of which either: (i)  
3423 not less than 25 per cent shall be affordable to households with incomes at or below 80 per cent  
3424 of the area median income, adjusted for household size; or (ii) not less than 20 per cent shall be  
3425 affordable to households with incomes at or below 50 per cent of the area median income,  
3426 adjusted for household size; provided, that affordable housing purposes may include subsequent  
3427 conveyance by a public agency, as defined in section 1 of chapter 7C of the General Laws, other  
3428 than a state agency, with a restriction for affordable housing purposes.

3429 “Commissioner”, the commissioner of capital asset management and maintenance.

3430 “Housing purposes”, development of housing for use as the primary residence of the  
3431 occupant including, but not limited to, market rate housing, affordable housing and public  
3432 housing; provided, however, that housing purposes may include subsequent conveyance by a  
3433 public agency, other than a state agency, with a restriction for housing purposes; provided  
3434 further, that housing purposes shall include affordable housing purposes.

3435 “Public agency”, as defined in section 1 of chapter 7C of the General Laws; provided,  
3436 however, that “public agency” shall include the Massachusetts Department of Transportation, the  
3437 Massachusetts Bay Transportation Authority and the University of Massachusetts Building

3438 Authority; provided further, that “public agency” shall not include cities, towns or counties or  
3439 any boards, committees, commissions or other instrumentalities thereof, or any agency that is a  
3440 state agency as defined in said section 1 of said chapter 7C.

3441 “Public institution of higher education”, as defined in section 5 of chapter 15A of the  
3442 General Laws.

3443 “Real property”, as defined in said section 1 of chapter 7C of the General Laws.

3444 “Real property of the commonwealth”, real property of a state agency consistent with  
3445 chapter 7C of the General Laws.

3446 “Secretary”, the secretary for administration and finance.

3447 “State agency”, as defined in section 1 of chapter 7C of the General Laws; provided,  
3448 however, that “state agency” shall not include counties.

3449 “Surplus real property”, (i) real property of the commonwealth that has been determined  
3450 by the commissioner to be surplus: (A) to the current and foreseeable needs of the  
3451 commonwealth pursuant to clause (i) of paragraph (2) of subsection (b); or (B) to the current and  
3452 foreseeable needs of a state agency pursuant to section 33 or 34 of chapter 7C of the General  
3453 Laws; or (ii) real property of a public agency to be surplus to the current and foreseeable needs  
3454 of the public agency, as determined by the public agency; provided, however, that “surplus real  
3455 property” shall not include property subject to Article XCVII of the Amendments to the  
3456 Constitution of the Commonwealth.

3457 (b)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or  
3458 any other general or special law to the contrary, the commissioner may sell, lease for a term not  
3459 to exceed 99 years, transfer or otherwise dispose of surplus real property for housing purposes.

3460 (2)(i) The commissioner may, in consultation with the secretary and the secretary of  
3461 housing and livable communities, determine whether real property of the commonwealth is  
3462 surplus real property and shall be disposed of for housing purposes; provided, however, that prior  
3463 to determining that the real property is surplus real property, the commissioner shall provide a  
3464 suitable written notice and inquiry to the state agency with care and control of the real property  
3465 with a date certain required for any response. If no written response is timely received from the  
3466 state agency specifying a current or foreseeable need for the real property, the commissioner  
3467 shall declare such real property as surplus real property and dispose of such surplus real property  
3468 for housing purposes. If a written response is timely received from the state agency specifying a  
3469 current or foreseeable need for the real property, the commissioner shall, in consultation with the  
3470 secretary, the secretary of housing and livable communities and such state agency, determine  
3471 whether the real property shall be declared surplus real property and disposed of for housing  
3472 purposes.

3473 (ii) Notwithstanding sections 32 to 37, inclusive, of said chapter 7C or any other general  
3474 or special law to the contrary, if any real property of the commonwealth is determined to be  
3475 surplus to the current needs, but not to the foreseeable needs, of any state agency, the  
3476 commissioner shall take such necessary action to ensure that any disposition of the real property  
3477 is temporary and maintains the commissioner's ability to make such real property available to a  
3478 state agency as needed.

3479 (iii) Notwithstanding sections 32 to 37, inclusive, of said chapter 7C or any other general  
3480 or special law to the contrary, the commissioner may, in consultation with the secretary and the  
3481 secretary of housing and livable communities, make real property of the commonwealth that has  
3482 been determined to be surplus to the current needs, but not the foreseeable needs, of any state  
3483 agency available for a period of time not to exceed the foreseeable need of any state agency for  
3484 housing and related purposes to municipalities, public agencies and nonprofit organizations for  
3485 nominal consideration.

3486 (3) The president of a public institution of higher education may, with the approval of the  
3487 commissioner of higher education, determine that property of any such public institution of  
3488 higher education is surplus to the current and foreseeable needs of such institution and the  
3489 commissioner may dispose of such property for housing purposes, provided that the institution's  
3490 board of trustees does not disapprove of such determination within 60 days after the president's  
3491 determination.

3492 (4)(i) The governor may identify parcels of land owned or controlled by a public agency  
3493 and any buildings or improvements thereon as potential surplus real property by submitting a  
3494 written notice to the public agency. Not later than 30 days after receipt of the notice, the public  
3495 agency shall determine whether such real property is surplus to its current and foreseeable needs.  
3496 If the public agency determines that the real property is not surplus to its current and foreseeable  
3497 needs, such public agency shall respond in writing not later than 30 days after receipt of a request  
3498 by the governor, specifying the reason for its determination.

3499 (ii) The commissioner may, in consultation with the secretary and the secretary of  
3500 housing and livable communities, enter into agreements with a public agency to dispose of



3501 surplus real property of the public agency for housing purposes; provided, however, that the  
3502 commissioner shall not be required to determine if the real property of the public agency is  
3503 surplus to the current and foreseeable needs of the commonwealth and shall not be required to  
3504 provide written notice and inquiry to any public agency.

3505 (c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or  
3506 any other general or special law to the contrary, the commissioner may amend a use restriction  
3507 held by the commonwealth for general municipal purposes or for any other purpose, except those  
3508 purposes subject to Article XCVII of the Amendments to the Constitution of the Commonwealth,  
3509 including housing purposes.

3510 (d)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or  
3511 any other general or special law to the contrary, if the commissioner, in consultation with the  
3512 secretary and the secretary of housing and livable communities, determines that real property is  
3513 surplus real property pursuant to clause (i) of paragraph (2) of subsection (b) or the  
3514 commissioner enters into an agreement with a public agency pursuant to clause (ii) of paragraph  
3515 (4) of said subsection (b), the commissioner shall: (i) provide written notice, for each city or  
3516 town in which the property is located, to the city manager in the case of a city under Plan E form  
3517 of government, the mayor and city council in the case of all other cities, the chair of the board of  
3518 selectmen or the select board in the case of a town, the county commissioners, the chair of the  
3519 zoning board of appeals, the chair of the planning board, the regional planning agency and the  
3520 members of the general court representing the city or town in which the property is located. The  
3521 notice shall include a statement that the proposed reuse of the property is for housing purposes,  
3522 with a date certain for any response which shall be not less than 30 days from the date of such  
3523 notice; (ii) following the date certain set forth in the notice, declare the real property available for

3524 disposition and identify all reuse restrictions including, but not limited to, a restriction for  
3525 housing purposes; and (iii) ensure that any deed, lease or other disposition agreement shall: (A)  
3526 set forth all reuse restrictions including, but not limited to, a restriction for housing purposes; (B)  
3527 provide for effective remedies on behalf of the commonwealth; and (C) provide, in the event of a  
3528 failure to comply with the reuse restrictions by the grantee, lessee or other recipient, that title or  
3529 such lesser interest that may have been conveyed may revert to the commonwealth. The  
3530 commissioner shall, in identifying reuse restrictions for such property, consider in good faith any  
3531 comments presented by local officials and members of the general court representing each city or  
3532 town in which the property is located.

3533 (2) The commissioner shall, in consultation with the secretary of housing and livable  
3534 communities, dispose of surplus real property: (i) by utilizing appropriate competitive processes  
3535 and procedures; or (ii) through a sales-partnership agreement with the municipality wherein said  
3536 real property is located; provided, however, that the sales-partnership agreement shall require the  
3537 municipality to utilize appropriate competitive processes and procedures; provided further, that  
3538 the sales-partnership agreement may require the municipality to utilize said competitive  
3539 processes and select a developer prior to disposition of the real property; provided further, that  
3540 the commissioner may transfer the real property directly to the selected developer pursuant to the  
3541 sale-partnership agreement; and provided further, that the sales-partnership agreement may  
3542 provide for payment to the municipality in an amount not to exceed 50 per cent of the net sales  
3543 price paid to the commonwealth, as determined by the commissioner. A competitive process  
3544 pursuant to clause (i) may include, but shall not be limited to, absolute auction, sealed bids and  
3545 requests for price and development proposals. The commissioner may accept any consideration  
3546 for surplus real property disposed of pursuant to this section deemed appropriate by the

3547 commissioner and the secretary of housing and livable communities. The commissioner shall  
3548 prioritize disposition of surplus real property for affordable housing purposes.

3549 (3) Not less than 30 days before the date of an auction or the date on which bids or  
3550 proposals or other offers to purchase or lease surplus real property are due, the commissioner  
3551 shall place a notice in the central register published by the state secretary pursuant to section 20A  
3552 of chapter 9 of the General Laws stating the availability of such property, the nature of the  
3553 competitive process and other information deemed relevant, including the time and location of  
3554 the auction, the submission of bids or proposals and the opening thereof. The commissioner shall  
3555 not be required to place said notice if the property is conveyed: (i) to a municipality or developer  
3556 selected by a municipality in accordance with paragraph (2); or (ii) for nominal consideration in  
3557 accordance with clause (i) of paragraph (2) of subsection (e).

3558 (4) All surplus real property conveyed pursuant to this section shall be conveyed with a  
3559 restriction for housing purposes. The deed or other instrument conveying the surplus real  
3560 property shall provide that said real property shall be used for housing purposes.

3561 (5) The commissioner shall place a notice in the central register identifying the  
3562 municipality, public agency, individual or firm selected as party to the real property transaction,  
3563 along with the amount of such transaction. If the commissioner accepts an amount below the  
3564 value calculated pursuant to paragraph (1) of subsection (e), the commissioner shall include the  
3565 justification therefor, specifying the difference between the calculated value and the price  
3566 received.

3567 (e)(1) The commissioner shall establish the value of surplus real property using  
3568 customarily accepted appraisal methodologies. The value shall be calculated for: (i) the highest

3569 and best use of the property as may be encumbered; and (ii) subject to uses, restrictions and  
3570 encumbrances defined by the commissioner. If the commonwealth retains responsibility for  
3571 maintaining the property, the terms shall not provide for payment of less than the annual  
3572 maintenance costs.

3573 (2)(i) Notwithstanding paragraph (1), the commissioner may, in consultation with the  
3574 secretary and the secretary of housing and livable communities, dispose of surplus real property  
3575 for nominal consideration; provided, however, that any such surplus real property shall be  
3576 conveyed with a restriction for affordable housing purposes. The deed or other instrument  
3577 conveying the surplus real property shall provide that the property shall be used solely for  
3578 affordable housing purposes and may include a reversionary clause that stipulates that if the  
3579 parcel ceases at any time to be used for affordable housing purposes, title to the parcel shall, at  
3580 the election of the commonwealth, revert to the commonwealth.

3581 (ii) Notwithstanding any time limits established in section 7 of chapter 184A of the  
3582 General Laws or any general or special law to the contrary, the reversionary clause may be  
3583 enforceable.

3584 (iii) The commissioner may, in consultation with the secretary and the secretary of  
3585 housing and livable communities, amend a use restriction held by the commonwealth to include  
3586 housing purposes.

3587 (f) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or  
3588 any other general or special law to the contrary, the commissioner may, in consultation with the  
3589 secretary, the secretary of housing and livable communities and the state agency with care and

3590 control of real property, transfer care and control of real property between state agencies for  
3591 housing purposes.

3592 (g)(1) No agreement for the sale, lease, transfer or other disposition of surplus real  
3593 property and no deed executed by or on behalf of the commonwealth shall be valid unless such  
3594 agreement or deed contains the following certification, signed by the commissioner:

3595 “The undersigned certifies under penalties of perjury that I have fully complied with the  
3596 Affordable Homes Act of 2024 in connection with the property described herein.”

3597 (2) No agreement for the sale, lease, transfer or other disposition of surplus real property  
3598 shall be valid unless the purchaser or lessee has executed and filed with the commissioner the  
3599 statement required by section 38 of chapter 7C of the General Laws.

3600 (h) The grantee or lessee of any surplus real property shall be responsible for all costs  
3601 relating to the conveyance, including, but not limited to, appraisals, surveys, plans, recordings  
3602 and any other expenses, as shall be deemed necessary by the commissioner.

3603 (i) The commissioner shall deposit the proceeds from any disposition of real property  
3604 pursuant to this section into the surplus real property disposition fund established in section 123.

3605 (j) The commissioner may, in consultation with the secretary of housing and livable  
3606 communities, promulgate regulations to implement this section.

3607 SECTION 122. (a) Notwithstanding chapter 40A of the General Laws or any other  
3608 general or special law or local zoning or municipal ordinance or by-law to the contrary, a city or  
3609 town shall permit the residential use of real property conveyed by the commissioner pursuant to  
3610 section 121 for housing purposes as of right, as defined in section 1A of said chapter 40A,

3611 notwithstanding any use limitations otherwise applicable in the zoning district in which the real  
3612 property is located including, but not limited to, commercial, mixed-use development or  
3613 industrial uses. A city or town may impose reasonable regulations concerning the bulk and  
3614 height of structures and determining yard sizes, lot area, setbacks, open space and building  
3615 coverage requirements and a city or town may require site plan review; provided however, that  
3616 the city or town shall permit not less than 4 units of housing per acre.

3617 (b) Real property conveyed by the commissioner pursuant to section 121 shall include,  
3618 but not be limited to, the amendment of use restrictions held by the commonwealth to allow for  
3619 the use of such real property for housing purposes.

3620 (c) The secretary of housing and livable communities may promulgate regulations to  
3621 implement this section.

3622 SECTION 123. (a) There is hereby established a Surplus Real Property Disposition Trust  
3623 Fund to be administered by the secretary for administration and finance.

3624 (b) The fund shall be credited with: (i) the proceeds realized from the disposition of  
3625 surplus real property and the amendment of use restrictions pursuant to section 121; (ii) any  
3626 appropriation, grant, gift or other contribution made to the fund; and (iii) any interest earned on  
3627 money in the fund. Amounts credited to the fund shall not be subject to further appropriation and  
3628 any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund  
3629 and shall be available for expenditure in the subsequent fiscal year.

3630 (c) Amounts credited to the fund may be: (i) transferred by the secretary to the state  
3631 agency that had care and control of the land conveyed pursuant to section 121 if the real property  
3632 was conveyed for fair market value consideration in an amount equal to the net proceeds of the

3633 disposition; (ii) transferred by the secretary to the state agency that had care and control of the  
3634 real property conveyed pursuant to section 121 if the real property was conveyed for  
3635 consideration less than fair market value in an amount equal to \$10,000 per unit of housing  
3636 permitted by the city or town in which the real property is located or the net proceeds of the  
3637 disposition, whichever is greater; (iii) transferred by the secretary to a municipality in accordance  
3638 with a sales partnership agreement pursuant to section 121; or (iv) expended for costs associated  
3639 with the disposition of real property pursuant to section 121 including, but not limited to,  
3640 demolition, site preparation and environmental remediation; provided, that all money transferred  
3641 to a state agency pursuant to clauses (i) and (ii) shall be expended by the agency for capital  
3642 facility projects as defined in section 1 of chapter 7C of the General Laws; provided further, that  
3643 all net proceeds from the disposition of surplus real property of a public agency other than a state  
3644 agency, as determined by the commissioner of capital asset management and maintenance, shall  
3645 be transferred to such public agency.

3646 SECTION 124. (a) Notwithstanding any general or special law to the contrary, not later  
3647 than 120 days after the expiration of affordability restrictions on housing units assisted under  
3648 items 7004-0070 and 7004-0071 of section 2, the executive office of housing and livable  
3649 communities or its assignee, who shall be a qualified developer selected pursuant to the terms of  
3650 said items 7004-0700 and 7004-0071 under the guidelines of the executive office, shall have an  
3651 option to purchase any such housing units at their current appraised value, reduced by any  
3652 remaining obligation of the owner, upon the expiration of the affordability restrictions. The  
3653 executive office or its assignee shall only purchase or acquire such housing units to preserve or  
3654 provide affordable housing. The executive office or its assignee shall hold such purchase option  
3655 for the first 120 days after the expiration of the affordability restrictions. Failure to exercise the

3656 purchase option within 120 days after the expiration of the affordability restriction shall  
3657 constitute a waiver of the purchase option by the executive office or its assignee.

3658 (b) Not later than 30 days after the expiration of an affordability restriction pursuant to  
3659 subsection (a), the owner and the executive office shall each designate a professional in the field  
3660 of multi-unit residential housing. Each professional shall select an impartial appraiser. Not later  
3661 than 60 days after the expiration of the affordability restriction, the 2 impartial appraisers shall  
3662 determine the current appraised value in accordance with recognized professional standards. If  
3663 there is a difference in the valuations, the valuations shall be added together and divided by 2 to  
3664 determine the current appraised value of the units.

3665 (c) No sale, transfer or other disposition of the property shall be completed until either the  
3666 purchase option period has expired or the owner has been notified, in writing, by the executive  
3667 office or its assignee that the option will not be exercised. The option shall be exercised only by  
3668 written notice signed by a designated representative of the executive office or its assignee, sent to  
3669 the owner by certified mail at the address specified in the notice of intention and recorded with  
3670 the registry of deeds or the registry district of the land court of the county in which the affected  
3671 real property is located, within the option period. If the purchase option has been assigned to a  
3672 qualified developer selected pursuant to said items 7004-0070 and 7004-7071 of said section 2,  
3673 the written notice shall state the name and address of the developer and the terms and conditions  
3674 of the assignment.

3675 (d) Before any sale, transfer or other disposition of property for which the executive  
3676 office has not previously exercised an option to purchase, an owner shall offer the executive  
3677 office or its assignee, who shall be a qualified developer selected pursuant to said items 7004-



3678 0070 and 7004-0071 of said section 2, a first refusal option to meet a bona fide offer to purchase  
3679 the units. The owner shall provide to the executive office or its assignee written notice by regular  
3680 and certified mail, return receipt requested, of the owner's intention to sell, transfer or otherwise  
3681 dispose of the property. The executive office or its assignee shall hold the first refusal option for  
3682 the first 120 days after receipt of the owner's written notice of intent to transfer the property.  
3683 Failure to respond to the written notice of intent to sell, transfer or otherwise dispose of the  
3684 property within the 120-day period shall constitute a waiver of the right of first refusal by the  
3685 executive office. No sale, transfer or other disposition of the property shall be completed until  
3686 either the first refusal option period has expired or the owner has been notified in writing by the  
3687 executive office or its assignee that the option will not be exercised. The option shall be  
3688 exercised only by written notice signed by a designated representative of the executive office or  
3689 its assignee, sent to the owner by certified mail at the address specified in the notice of intention  
3690 and recorded with the registry of deeds or the registry district of the land court of the county in  
3691 which the affected real property is located, within the option period. If the first refusal option has  
3692 been assigned to a qualified developer selected pursuant to said items 7004-0070 and 7004-0071  
3693 of said section 2, the written notice shall state the name and address of the developer and the  
3694 terms and conditions of the assignment.

3695 (e) An affidavit before a notary public that the notice of intent was mailed on behalf of an  
3696 owner shall conclusively establish the manner and time of the giving of notice to sell, transfer or  
3697 otherwise dispose of the property. The affidavit and notice that the option shall not be exercised  
3698 shall be recorded with the registry of deeds or the registry district of the land court in the county  
3699 in which the affected real property is located. Each notice of intention, notice of exercise of the  
3700 purchase option or first refusal option and notice that the purchase option or first refusal option

3701 shall not be exercised shall contain the name of the recorded owner of the property and a  
3702 reasonable description of the property to be sold or converted. Each affidavit signed before a  
3703 notary public shall have attached to it a copy of the notice of intention to which it relates. The  
3704 notices of intention shall be mailed to the relevant parties in the care of the keeper of the records  
3705 for the party in question. Upon notifying the owner in writing of its intention to exercise its  
3706 purchase option or first refusal option during the 120-day period, the executive office or its  
3707 assignee shall have an additional 120 days, beginning on the date the purchase option period or  
3708 first refusal option period expires, to purchase the units. The time periods may be extended by  
3709 mutual agreement between the executive office or its assignee and the owner of the property.  
3710 Any extension agreed upon shall be recorded in the registry of deeds or the registry district of the  
3711 land court of the county in which the affected real property is located. Within a reasonable time  
3712 after requesting an extension, the owner shall make available to the executive office or its  
3713 assignee any information that is reasonably necessary for the executive office to exercise its  
3714 option.

3715           SECTION 125. Notwithstanding any general or special law to the contrary, a private  
3716 entity engaged in a construction, development, renovation, remodeling, reconstruction,  
3717 rehabilitation or redevelopment project receiving funds pursuant to this act shall properly classify  
3718 individuals employed on the project and shall comply with all laws concerning workers'  
3719 compensation insurance coverage, unemployment insurance, social security taxes and income  
3720 taxes with respect to all such employees. All construction contractors engaged by a private entity  
3721 on any such project shall furnish documentation to the appointing authority showing that all  
3722 employees employed on the project have hospitalization and medical benefits that meet the

3723 minimum requirements of the commonwealth health insurance connector established in chapter  
3724 176Q of the General Laws.

3725 SECTION 126. (a) Notwithstanding any general or special law to the contrary, there shall  
3726 be a special commission to study and make recommendations on creating affordable and healthy  
3727 senior housing. The commission's recommendations shall include, but not be limited to,  
3728 strategies to better align housing, homecare and healthcare policy and programs to increase  
3729 access and opportunity for residents to age in their community, including examining the benefit  
3730 of providing incentives to young families to house elder adult family members to limit loneliness  
3731 in adult populations, assist young families and limit the overall cost to the commonwealth.

3732 (b) The commission shall consist of: the secretary of housing and livable communities or  
3733 a designee, who shall serve as chair; the secretary of health and human services or a designee;  
3734 the secretary of elder affairs or a designee; the chairs of the joint committee on elder affairs or  
3735 their designees; the chairs of the joint committee on housing or their designees; 1 member  
3736 appointed by the minority leader of the house of representatives; 1 member appointed by the  
3737 minority leader of the senate; 1 member appointed by the secretary of housing and livable  
3738 communities who shall represent an affordable housing financing agency; 1 member  
3739 representing Citizens Housing and Planning Association, Inc.; 1 member representing the Mass  
3740 Home Care Association; 1 member representing MassPACE, Inc.; 1 member representing  
3741 Massachusetts Association of Councils on Aging, Inc.; 1 member representing LeadingAge  
3742 Massachusetts, Inc.; 1 member representing Massachusetts Senior Action Council, Inc; 1  
3743 member representing AARP Massachusetts; 1 member representing 2Life Communities Inc.; 1  
3744 member representing Hebrew SeniorLife, Inc.; and 2 members appointed by the governor who

3745 shall represent nonprofit housing developers with experience developing affordable senior rental  
3746 housing.

3747 (c) The study shall include, but not be limited to: (i) mapping out the economic profile of  
3748 older adults; (ii) determining gaps in services to older adults; (iii) identifying best practices for  
3749 creating supportive senior housing with sustainable funding; (iv) determining strategies for  
3750 connecting and streamlining services supporting older adults in their community, including  
3751 identifying federal waivers or other actions to support integration of such services; (v)  
3752 identifying partners to create opportunities for supportive housing development that incorporates  
3753 health care infrastructure and service; (vi) estimating the costs and potential impact of programs  
3754 and recommending comprehensive strategies; (vii) recommendations for creating academic  
3755 partnerships to document and evaluate program innovations; (viii) an analysis of the projected  
3756 demand for senior housing in the 5 years following the first meeting of the commission; (ix)  
3757 recommendations to ensure senior housing is physically accessible and compliant with the  
3758 Americans with Disabilities Act; (x) a review of barriers to necessary housing modifications and  
3759 potential funding sources; (xi) recommendations to encourage development of senior housing in  
3760 areas within reasonable walking distance of amenities and public transportation; (xii) an  
3761 evaluation of age-restricted housing and intergenerational housing with respect to costs, tenant  
3762 preferences, accessibility and safety; (xiii) analysis of models of community-based housing that  
3763 provide medical support, including residential care homes, rest homes and small house nursing  
3764 homes; and (xiv) recommendations for design and infrastructure features including, but not  
3765 limited to, increased ventilation and functional outdoor space for the purpose of preventing the  
3766 spread of contagious diseases.

3767 (d) The commission shall file a report of the study with the clerks of the senate and house  
3768 of representatives, the joint committee on elder affairs and the joint committee on housing not  
3769 later than June 30, 2025

3770 SECTION 127. (a) Notwithstanding any general or special law to the contrary, there shall  
3771 be a special commission to study and make recommendations on accessibility in housing for  
3772 persons with disabilities and seniors to increase the ability of individuals to live in a safe,  
3773 dignified and healthy environment in their residences. The special commission shall consider the  
3774 scope and positive impacts of longstanding accessibility standards.

3775 (b) The commission shall consist of: the secretary of housing and livable communities, or  
3776 a designee, who shall serve as chair; the executive director of the architectural access board  
3777 established in section 13A of chapter 22 of the General Laws, or a designee; the chairs of the  
3778 joint committee on housing; the executive director of the Massachusetts office on disability  
3779 established in section 185 of chapter 6 of the General Laws, or a designees; a representative  
3780 appointed by the statewide Independent Living Council; a representative of the Institute for  
3781 Human Centered Design, Inc.; a representative of NAIOP Massachusetts, Inc.; a representative  
3782 of the Disability Law Center, Inc.; a representative of the Arc Massachusetts, Inc.; and a  
3783 representative of the Massachusetts Association for Mental Health, Inc.

3784 (c) The commission shall: (i) examine accessibility features in residential housing that  
3785 benefit persons with disabilities and seniors, including, but not limited to, features for individuals  
3786 with physical, sensory, intellectual, mental health and neurodivergent disabilities; and (ii) review  
3787 the definition of accessibility in housing for persons with disabilities and seniors. The  
3788 commission shall review and consider the potential financial barriers and any impacts on

3789 programs and consider the impact of climate change on housing for people with disabilities The  
3790 commission shall make recommendations, if any, including any recommendations related to 780  
3791 CMR.

3792 (d) Not later than June 30, 2025, the commission shall file a report and recommendations,  
3793 if any, with the clerks of the house of representatives and the senate and the joint committee on  
3794 housing.

3795 SECTION 128. (a) There is hereby established a special commission to study and make  
3796 recommendations on expanding the supply of housing available and affordable to tenants with a  
3797 household income of not more than 30 per cent of the area median income, adjusted for  
3798 household size, as periodically determined by the United States Department of Housing and  
3799 Urban Development. The commission shall review and evaluate federal, state and local subsidies  
3800 that support the creation of housing for such tenants and make recommendations to increase the  
3801 supply of housing that is available and affordable to households earning not more than 30 per  
3802 cent of the area median income.

3803 (b) The commission shall review and consider the following: (i) the number of deeply  
3804 subsidized rental units targeted at families with incomes at or below 30 per cent of the area  
3805 median income and the percentage of those units that are accessible to persons with disabilities;  
3806 (ii) the number of families with such incomes per deeply subsidized rental unit; (iii) the gap  
3807 between median rents and the rent affordable to families with such incomes and an analysis of  
3808 whether existing housing subsidies are sufficient to bridge such gap; (iv) the ratio of households  
3809 with such incomes to unsubsidized units available at rents up to 50 per cent of such income; (v)  
3810 housing market factors such as vacancy rates, rate of rent increases and conversion of rental

3811 housing to homeownership units; (vi) the impact of non-housing subsidies, including, but not  
3812 limited to, the earned income tax credit on cost burdens for working families; (vii) barriers to  
3813 accessing available housing, including racial and ethnic disparities in housing access; and (viii)  
3814 any other factors that the commission deems relevant.

3815 (c) The commission shall consist of the secretary of housing and livable communities, or  
3816 their designee, who shall serve as chair; the chairs of the joint committee on housing, or their  
3817 designees; the minority leader of the house of representatives, or a designee; the minority leader  
3818 of the senate, or a designee; the secretary of administration and finance, or a designee; the  
3819 secretary of health and human services, or a designee; a representative of the Citizens' Housing  
3820 and Planning Association, Inc.; a representative of the Massachusetts Housing Partnership; a  
3821 representative of the Massachusetts Housing Finance Agency; a representative of the  
3822 Community Economic Development Assistance Corporation; a representative of the  
3823 Massachusetts Law Reform Institute; a representative of the Massachusetts Association of  
3824 Community Development Corporations; a representative of the Regional Housing Network; and  
3825 5 members appointed by the governor, 1 of whom shall be a representative of a local housing  
3826 authority, 1 of whom shall be a representative of an advocacy organization representing tenants,  
3827 1 of whom shall have expertise in affordable housing finance, 1 of whom shall have expertise in  
3828 nonprofit affordable housing development and 1 of whom shall have expertise in development of  
3829 permanent supportive housing.

3830 (d) Not later than June 30, 2025, the commission shall file its recommendations with the  
3831 clerks of the house of representatives and the senate and the joint committee on housing.

3832 SECTION 129. (a) As used in this section, the following words shall have the following  
3833 meanings unless the context clearly requires otherwise:

3834 “Borrower”, a mortgagor of a mortgage loan.

3835 “Creditor”, a person or entity that holds or controls, partially, wholly, indirectly, directly  
3836 or in a nominee capacity, a mortgage loan securing an owner-occupied residential property  
3837 including, but not limited to, an originator, holder, investor, assignee, successor, trust, trustee,  
3838 nominee holder, mortgage electronic registration system or mortgage servicer, including the  
3839 Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation;  
3840 provided, however, that “creditor” shall also include any servant, employee or agent of a  
3841 creditor.

3842 “Creditor’s representative”, a person who has the authority to negotiate and approve the  
3843 terms of and modify a mortgage loan, under a servicing agreement.

3844 “Modified mortgage loan”, a mortgage modified from its original terms including, but not  
3845 limited to, a loan modified under: (i) the Home Affordable Modification Program; (ii) the  
3846 Federal Deposit Insurance Corporation’s Loan Modification Program; (iii) any modification  
3847 program that a lender uses that is based on accepted principles and the safety and soundness of  
3848 the institution and authorized by the National Credit Union Administration, the division of banks  
3849 or any other instrumentality of the commonwealth; (iv) the Federal Housing Administration; or  
3850 (v) a similar federal loan modification plan.

3851 “Mortgage loan”, a loan to a natural person made primarily for personal, family or  
3852 household purposes secured wholly or in part by a mortgage on residential property.



3853 “Residential property”, real property located in the commonwealth on which there is a  
3854 dwelling with accommodations for not more than 4 separate households and occupied, or to be  
3855 occupied, in whole or in part by the obligor on the mortgage debt; provided, however, that  
3856 “residential property” shall be limited to the principal residence of a person; provided further,  
3857 that “residential property” shall not include an investment property or a residence, other than a  
3858 primary residence, or residential property taken in whole or in part as collateral for a commercial  
3859 loan.

3860 (b) There shall be, subject to appropriation, a foreclosure mediation pilot program  
3861 administered by the Massachusetts Office of Public Collaboration at the University of  
3862 Massachusetts at Boston to be offered to borrowers and creditors, by agreement, in not more than  
3863 5 communities disproportionately impacted by high rates of foreclosure. The Massachusetts  
3864 Office of Public Collaboration shall develop and accept applications from interested  
3865 communities and shall select communities most negatively impacted by high rates of foreclosure.

3866 (c) A creditor in a community participating in the pilot may, concurrently with the notice  
3867 sent to the borrower of residential property under section 35A of chapter 244 of the General  
3868 Laws, give notice to the borrower of the borrower’s right to participate in the foreclosure  
3869 mediation program by attaching to the right to cure default notice: (i) notice of the availability of  
3870 foreclosure mediation, in such form as the Massachusetts Office of Public Collaboration  
3871 prescribes; and (ii) a foreclosure mediation request form, in such form as the Massachusetts  
3872 Office of Public Collaboration prescribes. A borrower electing to participate in foreclosure  
3873 mediation shall submit the foreclosure mediation request form to the creditor not more than 15  
3874 days after receipt of the notice.

3875 (d) An in-person mediation session shall be conducted by a neutral third-party mediator  
3876 between the borrower, the borrower's representative or housing counselor and the creditor's  
3877 representative, who shall have the authority to negotiate an alternative to foreclosure including,  
3878 but not limited to: (i) a modified mortgage loan; (ii) a reduction in principal; (iii) a reduction in  
3879 interest rate; or (iv) an increase in the amortization period of the mortgage loan; provided,  
3880 however, that an alternative form of meeting may be mutually agreed upon by the mortgagor, the  
3881 mortgagee and the mediator.

3882 (e) If a borrower elects to participate in the foreclosure mediation program, a creditor  
3883 shall not accelerate the note or otherwise initiate foreclosure proceedings unless the mediator has  
3884 certified that the creditor participated in the foreclosure mediation program in good faith and  
3885 made all reasonable efforts to find an alternative to foreclosure and any agreement is in full  
3886 compliance with all state and federal guidelines.

3887 (f) The borrower's or creditor's rights or defenses in the foreclosure action shall not be  
3888 waived by participating in the foreclosure mediation program.

3889 (g) Nothing in this section shall require a creditor to modify a mortgage or change the  
3890 terms of payment of a mortgage.

3891 SECTION 130. Notwithstanding any general or special law to the contrary, the  
3892 unexpended and unencumbered balances of the bond-funded authorizations in the following  
3893 accounts shall cease to be available for expenditure 180 days after the effective date of this act:  
3894 3000-0410, 7002-8032, 7004-0049, 7004-0050, 7004-0051, 7004-0052, 7004-0053, 7004-0055,  
3895 7004-0056, 7004-0057, 7004-0058, 7004-0059, 7004-0060, 7004-0061, 7004-0062, 7004-0064,  
3896 7004-0065, 7004-0066, 7004-0067, 7004-8016, 7004-8026.

3897 SECTION 131. To meet the expenditures necessary in carrying out sections 2 and 2A,  
3898 inclusive, the state treasurer shall, upon request of the governor, issue and sell bonds of the  
3899 commonwealth in an amount to be specified by the governor from time to time but not  
3900 exceeding, in the aggregate, \$5,110,756,900. All bonds issued by the commonwealth as aforesaid  
3901 shall be designated on their face, The Affordable Homes Act of 2024, and shall be issued for a  
3902 maximum term of years, not exceeding 30 years, as the governor may recommend to the general  
3903 court under section 3 of Article LXII of the Amendments to the Constitution; provided, however,  
3904 that all such bonds shall be payable not later than June 30, 2059. All interest and payments on  
3905 account of principal on such obligations shall be payable from the General Fund. Bonds and  
3906 interest thereon issued under the authority of this section shall, notwithstanding any other  
3907 provision of this act, be general obligations of the commonwealth. An amount not to exceed 2  
3908 per cent of the authorizations may be expended by the executive office of housing and livable  
3909 communities for administrative costs directly attributable to the purposes of this act, including  
3910 costs of clerical and support personnel. The secretary of housing and livable communities shall  
3911 file an annual spending plan detailing, by subsidiary, all personnel costs and any administrative  
3912 costs charged to expenditures made pursuant to this act with the fiscal affairs division within the  
3913 executive office for administration and finance, the house and senate committees on ways and  
3914 means, the joint committee on bonding, capital expenditures and state assets and the joint  
3915 committee on housing.

3916 SECTION 132. To meet the expenditures necessary in carrying out section 2B, the state  
3917 treasurer shall, upon request of the governor, issue and sell bonds in an amount to be specified by  
3918 the governor from time to time but not exceeding, in the aggregate, \$50,000,000. All bonds  
3919 issued by the commonwealth as aforesaid shall be designated on their face The Affordable

3920 Homes Act of 2024, and shall be issued for a maximum term of years, not exceeding 30 years, as  
3921 the governor may recommend to the general court pursuant to section 3 of Article LXII of the  
3922 Amendments to the Constitution; provided, however, that all such bonds shall be payable not  
3923 later than June 30, 2059. All interest and payments on account of principal on such obligations  
3924 shall be payable from the General Fund. Bonds and interest thereon issued under the authority of  
3925 this section shall, notwithstanding any other provision of this act, be general obligations of the  
3926 commonwealth. An amount not to exceed 2 per cent of the authorizations may be expended by  
3927 the executive office of housing and livable communities for administrative costs directly  
3928 attributable to the purposes of this act, including costs of clerical and support personnel. The  
3929 secretary of housing and livable communities shall file an annual spending plan with the fiscal  
3930 affairs division, the house and senate committees on ways and means, the house and senate  
3931 committees on bonding, capital expenditures and states assets and the joint committee on  
3932 housing which details, by subsidiary, all personnel costs and any administrative costs charged to  
3933 expenditures made pursuant to this act.

3934 SECTION 133. Not later than 90 days after the effective date of this act, the secretary of  
3935 housing and livable communities, in consultation with the secretary of veterans' services, shall  
3936 promulgate rules or regulations pursuant to subsection (e) of section 35 of chapter 23B of the  
3937 General Laws, inserted by section 5.

3938 SECTION 134. The executive office of housing and livable communities shall report on  
3939 all expenditures from the Massachusetts healthy homes program established pursuant to section  
3940 33 of chapter 23B of the General Laws, inserted by section 5, and the Massachusetts healthy  
3941 homes program fund established pursuant to section 34 of said chapter 23B, inserted by section  
3942 5, to the clerks of the house of representatives and the senate, the joint committee on housing and

3943 the house and senate committees on ways and means not later than 18 months after the effective  
3944 date of this act. The report shall include: (i) the number of projects completed through the  
3945 Massachusetts healthy homes program addressing habitability concerns; (ii) the locations  
3946 throughout the commonwealth; (iii) the total amount of grants or loans authorized; (iv) the  
3947 number of projects using existing home repair programs; and (v) the breakdown of landlord-  
3948 owned properties and owner-occupied properties. The executive office shall make the report  
3949 publicly available on its website.

3950 SECTION 135. Not later than 180 days after the effective date of this act, the executive  
3951 office of housing and livable communities shall promulgate guidance or regulations pursuant to  
3952 subsection (g) of section 33 of chapter 23B of the General Laws, as inserted by section 5.

3953 SECTION 136. The executive office of housing and livable communities shall  
3954 promulgate guidance or regulations pursuant to subsection (h) of section 32 of chapter 23B of the  
3955 General Laws and section 101 of chapter 143 of the General Laws not later than December 15,  
3956 2024.

3957 SECTION 137. Section 36 of chapter 23B of the General Laws, inserted by section 5,  
3958 subsection (ee) of section 6 of chapter 62 of the General Laws, inserted by section 17, and  
3959 section 3800 of chapter 63 of the General Laws, inserted by section 26, are hereby repealed.

3960 SECTION 138. Section 119 is hereby repealed.

3961 SECTION 139. Sections 121 to 123, inclusive, are hereby repealed.

3962 SECTION 140. Section 36 of chapter 23B of the General Laws, inserted by section 5,  
3963 subsection (ee) of section 6 of chapter 62 of the General Laws, inserted by section 17, sections

3964 20, 21, and 25 and sections 38OO and 38PP of chapter 63 of the General Laws, inserted by  
3965 section 26, shall take effect for tax years beginning on or after January 1, 2025.

3966 SECTION 141. Sections 19 and 24 shall be effective for tax years beginning on or after  
3967 January 1, 2024.

3968 SECTION 142. Sections 22, 27, 137 and 138 shall take effect on January 1, 2030.

3969 SECTION 143. Sections 8, 46, 48 and 49 shall take effect 180 days after the effective  
3970 date of this act.

3971 SECTION 144. Section 52 shall take effect 270 days after the effective date of this act.

3972 SECTION 145. Section 139 shall take effect on June 30, 2030; provided, however, that  
3973 the commissioner of capital asset management and maintenance may complete any transaction  
3974 for which agreements have been signed and delivered on or before June 30, 2030.