

CHAPA Housing Briefs

May 12, 2016

State Updates

Massachusetts House Passes FY2017 Budget

On April 27th, the Massachusetts House of Representatives passed a \$39.5 billion budget with strong investments in affordable housing, homelessness prevention, and community development programs. The House budget includes increases to the Massachusetts Rental Voucher Program (MRVP), the Alternative Housing Voucher Program (AHVP), public housing, and Home and Healthy for Good.

The House includes the following funding for CHAPA budget priorities:

- \$100 million for MRVP, an increase of \$9.1 million from FY2016
- \$5.1 million for AHVP, an increase of \$500,000 from FY2016
- \$65.5 million for public housing, an increase of \$1 million from FY2016
- \$800,000 for public housing reform
- \$12.5 million for Residential Assistance for Families in Transition (RAFT)
- \$31.9 million for HomeBASE. The House also includes a pilot program to allow families in domestic violence shelters or substance abuse programs to access HomeBASE if those families would otherwise be eligible for the program
- \$2.35 million in retained revenue for foreclosure counseling
- \$500,000 for the Tenancy Preservation Program
- \$2.64 million for Housing Consumer Education Centers (HCECs)
- \$10 million for the Community Preservation Trust Fund as an end-of-year budget surplus transfer
- \$2.3 million for Home and Healthy for Good, an increase of \$500,000 from FY2016
- \$80,000 for the **MassAccess Housing Registry**

The House budget also establishes an **economic mobility commission** to study programs that support stable housing and economic self-sufficiency of low-income families. The commission will bring together state agencies, service providers, researchers, and policy groups to examine these programs to help determine which could be scaled throughout the state to help low-income households increase their incomes and achieve economic mobility.

For a table showing CHAPA's budget priorities compared to last year's budget and the Governor's proposal, **click here**.

Upcoming Events

May 16, 2016

A Breakfast on Housing

June 2, 2016

Massachusetts Smart Growth Conference - EARLY BIRD REGISTRATION by MAY 13!

November 1, 2016

Save the Date for CHAPA's 49th Annual Dinner!

To view all CHAPA events please visit www.chapa.org/event.



CHAPA thanks Speaker Robert DeLeo, House Ways and Means Chair Brian Dempsey, and Housing Committee Chair Kevin Honan for their leadership on developing the FY2017 House budget. CHAPA also thanks all our amendment sponsors for our budget priorities, including Rep. Christine Barber, Rep. Marjorie Decker, Rep. Paul Donato, Rep. Michael Finn, Rep. Gloria Fox, Rep. Sean Garballey, Rep. Russell Holmes, Rep. Jay Kaufman, Rep. Peter Kocot, Rep. Adrian Madaro, Rep. Byron Rushing, Rep. Tim Toomey, Rep. Jose Tosado, and Rep. Chris Walsh. Finally, CHAPA thanks all House members for their support of these important housing programs.

For more information on CHAPA's budget priorities, [click here](#).

Next Steps in the Budget Process

The next step in the budget process will be the release of the Senate Ways and Means proposal, expected on May 17th, followed by the Senate debate the following week.

Housing Bills on the Move

CHAPA is working this legislative session to address the Commonwealth's housing crisis through a three-pronged strategy: production; preservation; and planning. Four bills reflecting these priorities were filed in January of 2015. ***In March of this year, legislation reflecting each of these priorities moved out of their initial legislative committees and onto the next step in the legislative process.***

H.4140, An Act to Expedite Multifamily Housing Construction and Cluster Development

H.4140, filed by Housing Committee Chair Kevin Honan, requires communities to zone for multifamily and cluster developments. The bill expands Chapter 40S to assist communities with additional school costs that could result from these new developments. Multifamily and cluster zoning have been top priorities of CHAPA this legislative session. In addition to receiving a favorable recommendation from the Housing Committee, the multifamily zoning requirement received the endorsement of the Special Senate Committee on Housing co-chaired by Housing Committee Chair Senator Linda Dorcea Forry and Senate Majority Leader Senator Harriette Chandler. H.4140 is currently before the House Committee on Ways and Means.

H.4136, An Act Relative to Housing Production

H.4136, filed by Housing Committee Chair Kevin Honan, offers solutions to help meet our housing needs in Massachusetts. The bill supports additional resources to preserve our 13A housing stock, creates new tools to incentivize housing production, and removes programmatic barriers to encourage development in communities across the Commonwealth. This legislation includes many of the provisions originally included in H.1111, the former version of this bill, including the creation of a state-assisted program to create community-scale developments; coordinate state agencies to collect data, analyze, and develop policies related to growth and development of the Commonwealth; and change the Housing Development Incentive Program to make it a stronger development tool for Gateway Cities. The legislation also creates a priority within MassWorks for multifamily housing built through Chapter 40R, the state's smart growth housing program.



S.2144, An Act Promoting the Planning and Development of Sustainable Communities

S.2144, filed by Senator Daniel Wolf and Representative Stephen Kulik, updates our state's outdated zoning, subdivision, and planning laws. The bill improves the permitting process, modernizes planning and zoning tools, preserves open space, and includes an opt-in section encouraging communities to plan for growth. Amongst its provisions, the bill establishes standardized zoning protections for building permits and subdivisions; authorizes a standard approach for impact fees from developments to help fund infrastructure needed to accommodate new growth; and authorizes and encourages modern zoning tools like cluster development, natural resource protection zoning, and transfer of development rights. S.2144 is currently before the Senate Committee on Ways and Means.

S.1059, An Act Relative to Preventing Discriminatory Land Use and Permitting Decisions

S.1059, filed by Senator Sonia Chang-Díaz, makes it an unlawful discriminatory practice for government entities to reject affordable housing simply on the basis that the developments would include households with lower incomes as residents. This type of socio-economic discrimination is fundamentally unfair and has led to a shortage of housing in Massachusetts. Because this is an issue of equity, the legislation adds protections for those in need of affordable housing to the Commonwealth's civil rights statute. S.1059 is currently before the Senate Committee on Way and Means.

On Solid Ground Legislation

At the beginning of the legislative session in January, 2015, the On Solid Ground Coalition filed a bill with Representative Byron Rushing to move forward the top strategy from the On Solid Ground report: to establish a Special Secretary to reduce and prevent homelessness and increase economic mobility. The Joint Committee on State Administration and Regulatory Oversight gave the bill a favorable recommendation. The bill establishes a special secretary within the Administration to maximize federal resources and align eligibility across agencies in order to improve outcomes and make programs more effective for families who are homeless or at-risk of homelessness. The bill is currently before the House Committee on Ways and Means.

SJC Considers Disparate Impact in Non-Renewal of Project-Based Section 8

In a decision on April 13, **Burbank Apartments Tenants Association v. Kargman**, the Supreme Court found that a disparate impact claim could be considered in the case of an owner who chose not to renew project-based Section 8 assistance for a development in Boston. In this case, it found that the tenants did not prove harm as they had received enhanced vouchers. As summarized by **Justia.com**, the court held that "(1) even where the property owner has acted in accord with statute, regulation, and contract, a disparate impact claim can be brought under the fair housing statutes, subject to 'rigorous pleading requirements'; but (2) Plaintiffs in this case failed sufficiently to plead a prima facie case of disparate impact discrimination."





Federal Updates

HUD Announces 2016 NHTF Allocations and Guidance

On May 5, HUD **announced** the first annual allocations to states under the National Housing Trust Fund (NHTF). Of the \$173.6 million distributed nationally, Massachusetts will receive just over \$3.4 million. HUD also issued **guidance on state allocation plans** (CPD Notice 16-07). States cannot spend their NHTF funds until HUD has approved the allocation plan, after a 30 day public comment period. The allocation plan must describe how the State plans to distribute the funds, consistent with program requirements and state priorities. Plans are due to HUD no later than August 16. The National Low Income Housing Coalition (NLIHC) has created a **model NHTF Allocation Plan** and a **Developer Advisory Group** to help organizations applying for NHTF funds with the challenge of creating housing affordable for extremely low income (ELI) households.

Senate May Vote on FY2017 THUD Appropriations Bill this Week

The Senate may begin consideration of the Transportation, Housing and Urban Development (THUD) appropriations bill for federal fiscal year 2017. (The House cannot bring bills to the floor for consideration until May 15 absent a budget resolution.) NLIHC **reports** that the Appropriations Committee bill before the Senate provides an increase of almost \$891 million to the FY2016 budget, maintaining all current assistance and providing small increases to a few programs (see **chart**).

BHA Receives HUD Juvenile Reentry Assistance Program Grants

On April 25, HUD and the U.S. Department of Justice **announced** the award of \$1.75 million in Juvenile Reentry Assistance Program (JRAP) grants to 18 public housing agencies. The Boston Housing Authority (BHA), partnering with Greater Boston Legal Services (GBLS), received a \$100,000 grant. The Boston program will help youth ages 16-24 who live in BHA housing, or who would be eligible to live in BHA housing but for their CORI, to seal their records so that they can be reunited with their families. It will also connect these young people with the BHA's Jobs Plus program in Charlestown, other job training programs, and social service organizations.

HUD Extends Deadline for Comments on Expansion of MTW Agreements

In early May, HUD announced it was extending the deadline for comments on research priorities and methods to be used in selecting **100 new public housing agencies** (PHAs) to participate in the MTW demonstration program. The new deadline is May 18. The research criteria will not apply to the existing 39 MTW agencies nationwide which had their agreements **extended in April** until 2028. HUD also announced the formation of the MTW Research Advisory Committee in a **notice** on April 26, with comments due by May 11. The notice states that HUD expects to solicit applications for the first cohort of expansion PHAs in the fall.



Recent Research & Reports

CBPP Report Documents Federal Cuts and Rising Affordability Problems

A new **Chart Book** from the Center on Budget and Policy Priorities (CBPP) provides useful documentation of the decline in federal housing assistance over the years and the resultant rise in housing affordability needs.

Matthew Desmond on “Evicted: Poverty and Profit in the American City”

An April 29 talk by Matthew Desmond on his acclaimed book on evictions is now available **online**. The talk was hosted by the NLIHC, the Coalition on Human Needs, and the National Housing Conference.

New Paper Reviews Barriers to Use of Housing Choice Vouchers, Potential Remedies

A new paper by Erin Graves, “**Rooms for Improvement: A Qualitative Metasynthesis of the Housing Choice Voucher Program**,” synthesizes the current literature on the housing choice voucher program to explain why voucher holders are not always able to lease up and why those who do often live in poor neighborhoods. She finds both “market barriers” (lack of transit access, discrimination, use of credit checks) and “product problems” (the unpredictability of when a voucher becomes available) can make it difficult to use (i.e. in the middle of the school year, search deadlines, lack of funds for security deposits). The paper suggests ways to address some of these barriers, including offering credit repair information to waiting list households, repair assistance to owners, and summer vouchers.

Deteriorated Housing Linked to Higher Lead Levels and Lower Kindergarten Scores

A new **study** of 13,000 children entering kindergarten in Cleveland between 2007 and 2010 found that children who spent more time living in or near properties with signs of deterioration or disinvestment (vacant, foreclosed, speculator-purchased) were more likely to have elevated lead levels and more likely to have low scores on a kindergarten readiness assessment test. *Leveraging Integrated Data Systems to Examine the Effect of Housing and Neighborhood Conditions on Kindergarten Readiness* found that the negative impact of deteriorated or disinvested housing was partially mediated by blood lead exposure, residential instability, and child maltreatment incidences but still held.



Citizens' Housing and Planning Association

18 Tremont Street, Suite 401
Boston, MA 02118
www.CHAPA.org

[Follow on Twitter](#)
[Like on Facebook](#)

