State Updates

Massachusetts 2015-2016 Legislative Session Ends

On August 1, the Legislature adjourned the 2015-2016 formal legislative session. CHAPA thanks Speaker Robert DeLeo, Senate President Stan Rosenberg, Chairman Kevin Honan and Chairwoman Senator Linda Dorcena Forry of the Joint Committee on Housing, and the entire Legislature for their work to help all families and individuals have a safe, decent, and affordable place to call home. Notable accomplishments from this legislative session include:

• Increased investments in the Massachusetts Rental Voucher Program (MRVP), the Alternative Housing Voucher Program (AHVP), Residential Assistance for Families in Transition (RAFT), and Home and Healthy for Good;
• Passage of zoning reform legislation, S.2327, in the Senate, with strong supports and protection for multifamily and affordable housing;
• Increased investment in affordable housing programs through the capital budget, including the Housing Stabilization Fund, the Housing Innovations Fund, and the Home Modification Loan Program;
• A report released by the Special Senate Committee on Housing with recommended policy changes to address the Massachusetts housing crisis; and
• Passage of important economic development, H.4569, and municipal modernization, H.4565, legislation.

While July 31 marked the end of debate on most legislation until January 2016, noncontroversial bills without any legislative opposition may still pass in informal sessions for the remainder of the year.

The last day of the legislative session brought the passage of the final FY2017 budget with veto overrides, economic development legislation, and a municipal modernization bill.
Legislature Finalizes FY2017 Budget

On July 31, the Legislature finalized the FY2017 budget with overrides of Governor Baker’s vetoes. The House and Senate voted to override vetoes for several affordable housing and homelessness prevention programs.

- **MRVP (7004-9024):** The Legislature overrode a $2.4 million veto, funding MRVP with $85.3 million in FY2017.
- **Public Housing Operating (7004-9005):** The Legislature overrode a $500,000 veto, funding public housing with $65 million in FY2017.
- **Public Housing Reform (7004-9007):** The Legislature overrode a $300,000 veto, funding public housing reform with $800,000 in FY2017.
- **RAFT (7004-9316):** The Legislature overrode a veto of language that expands RAFT eligibility to elders, people with disabilities, unaccompanied youth, and households without children under the age of 21.

For an overview of CHAPA’s priorities in the FY2017 budget, please [click here](#).

Unfortunately, the Legislature did not override a veto of an outside section of the budget calling for state agencies to work together to coordinate services for low-income households facing economic instability and homelessness. CHAPA will continue to work with the Administration and Legislature to help achieve this goal.

CHAPA thanks the leadership of Speaker Robert DeLeo, President Stanley Rosenberg, Chairman Brian Dempsey, and Chairwoman Karen Spilka and their support for affordable housing, homelessness prevention, and community development programs in the FY2017 budget. Thanks also to the Chairs of the Joint Committee on Housing, Representative Kevin Honan and Senator Linda Dorcena Forry, for being champions for housing in Massachusetts. Finally, CHAPA thanks the entire Legislature for their support of these programs.

Economic Development Legislation Heads to the Governor’s Desk

The Legislature passed economic development legislation, **H.4569**, and sent it to the Governor’s desk to be signed. Key affordable housing and community development provisions in the bill include significant capital spending authorizations for the MassWorks Infrastructure Program, the Brownfields Redevelopment Fund, the Transformative Development Initiative, and the Smart Growth Housing Trust Fund. The legislation also amends the Housing Development Incentive Program (HDIP) to make it a more flexible housing and economic redevelopment tool for Gateway Cities. The bill provides supports for producing workforce housing through a new Workforce Housing Trust Fund and the creation of starter home districts within Chapter 40R. Finally, the legislation creates a Donation Tax Credit that enables the existing State Low Income Housing Tax Credit to support more affordable homes by providing an incentive for owners to donate their properties for use as affordable housing.

Municipal Modernization Bill Sent to the Governor

The House and Senate passed a final municipal modernization bill, **H.4565**, which includes improvements for Municipal Affordable Housing Trusts (MAHT). The bill increases transparency and helps the trusts work better with the Community Preservation Act (CPA) to create affordable housing. Specifically, the legislation clarifies that any eligible use of CPA funds for affordable housing is also an eligible use of MAHT funds. It also clarifies that requirements on the use of CPA funds remain in effect if these funds are transferred to a MAHT. Additionally, the use of CPA funds by MAHTs will be included in the annual CPA reporting to the Department of Revenue. Finally, the legislation allows MAHTs to execute grant agreements (e.g., to establish conditions for the transfer of CPA funds into a MAHT).
Federal Updates

Congress Passes Housing Reform Bill

On July 29, the President signed the Housing Opportunity through Modernization Act of 2016 (HOTMA) (H.R. 3700) into law. HOTMA streamlines many administrative requirements and allows more flexible use of the project-based voucher (PBV) program. (See the Center on Budget and Policy Priorities blog article and summary and Klein Hornig summary of PBV provisions.)

HOTMA raises the cap on PBV use from 20% of a PHA’s budget authority to 20% of authorized vouchers plus up to an additional 10% of their authorized vouchers for other specified purposes, including to units for homeless and at-risk families and individuals, veterans, persons with disabilities, elders, or in areas with a poverty rate below 20% where vouchers are hard to use. It modifies the 25% cap on the share of PBV units in a development. It also allows PHAs and owners to rely on income determinations made by other federal programs (e.g. SNAP, TANF, and Medicaid).

Expanded LIHTC Reform Bill Introduced

On July 14, Senators Maria Cantwell (D-WA) and Orrin Hatch (R-UT) introduced the Affordable Housing Credit Improvement Act of 2016 (S.3237) to revise and expand the federal low income housing tax credit (LIHTC). S.3237 includes all the provisions introduced in a May bill (S.2962), including doubling the annual LIHTC allocation over five years by phasing in an increase in the per capita amount, allowing broader income mixing and modifying a number of other provisions. The additions prohibit local approval and contribution requirements in connection with project selection, remove the cap on Qualified Census Tracts (QCTs), and allow a 50% basis boost for projects that reserve at least 20% of units for homeless or extremely low income (ELI) households among other things. See the Affordable Rental Housing ACTION coalition bill summary and the Affordable Housing Tax Credit Coalition summary for more detail.

New Federal Guidance on Homeless Students

On July 27, the U.S. Department of Education released revised guidance for states and school districts on their obligations to homeless students. It also issued a fact sheet for counselors and other school staff. The new guidance is intended to help states and districts to understand and comply with changes in the McKinney-Vento Education for Homeless Children and Youth (EHCY) program as reauthorized in December 2015. The new requirements take effect on October 1, 2016. The Department is also accepting comments on this guidance. Among other things, the new provisions emphasize insuring that that preschool-aged homeless children have access to and receive supportive services; authorizing local liaisons to verify the eligibility of homeless children, youths, and families for HUD homeless assistance programs; requiring coordination with other service providers, including housing and shelter providers; providing school stability by expanding school of origin to include preschools and receiving schools; and providing transportation until the end of the school year, even if a student becomes permanently housed.
Bill Filed to Create Eviction Protections for Domestic Violence and Sexual Assault Victims

On July 14, Senator Jeanne Shaheen (D-NH) introduced legislation (S.3164) to ban housing discrimination based on a person’s status as a victim of domestic violence and/or sexual assault, noting that domestic violence is a major cause of family homelessness. The bill would make victims a protected class under the federal Fair Housing Act, protecting them from a wide range of discriminatory actions, including eviction based solely on one’s status as domestic violence or sexual assault victim.

HUD Urges Homeless Continuums of Care to Address Needs of Persons Fleeing Domestic Violence

On July 25, HUD’s Office of Special Needs Assistance Programs (SNAP) wrote to HUD Continuums of Care to re-iterate the importance of addressing the needs of persons fleeing domestic violence in their strategies and FY2016 funding requests.

Moving to Work Expansion Research Advisory Committee Holds Open Meetings

HUD’s newly-created Moving to Work (MTW) Research Advisory Committee is encouraging public input. It met on July 26 and July 28 via conference calls open to the public. Committee materials and agendas are posted on HUD’s MTW expansion website. The Committee will advise HUD on policy proposals and evaluation methods related to the addition of 100 new MTW agencies over seven years.

Recent Research & Reports

NLIHC Webinar on Financing and Operating ELI Housing

To facilitate use of the new Housing Trust Fund program, the National Low Income Housing Coalition (NLIHC) has scheduled a webinar on August 15 at 12:30 PM ET on approaches to financing and operating housing for extremely low income (ELI) households (incomes at or below 30% of area median income).

CBPP Issues Updated State Housing Fact Sheets

The Center on Budget and Policy Priorities (CBPP) has posted updated fact sheets on renter housing needs and the use of federal housing assistance (by state, by public housing agency, and by year). In 2015, over 185,000 Massachusetts renter households - mostly (74%+) extremely low income - were assisted through federal public housing, housing choice vouchers, project-based Section 8 rental assistance, elderly and rural housing programs. However, over two-thirds (70%) of very low income, cost-burdened, renter households in Massachusetts received no federal assistance.
This year we have partnered with a coalition of organizations that share our values and vision for the City of Boston. Together, we have endorsed the Community Preservation Act campaign that will be on the November ballot.

Please sign up and show your support today! And please take a moment to like YES for a Better Boston on Facebook and follow the group on Twitter.