

December 12, 2022

Massachusetts Electrical Advisory Committee (MEAC) c/o
Paul Vigneau, Director
Division of Fire Safety
Department of Fire Services
P.O. Box 1025
Stow, MA 01775

Dear Mr. Vigneau:

Thank you for the opportunity to provide public comment on the very serious human impact of the 2020 NEC and the 2023 NEC code as drafted. In a word, it is **dreadful**. Of course, we deeply appreciate MEAC's focus on safety and remain strongly committed to a resolution that both protects safety and allows affordable housing residents to have the dignity of cooking in their own homes.

As you know, through our earlier advocacy including the enclosed petition from October, affordable housing providers have found that the GFCI circuit breakers required by the code are not compatible with current stove manufacturers' ability to deliver appliances that work with the breakers. EVERY time a resident attempts to cook, they trip the breakers. This nuisance tripping, happening in all the apartments built or renovated now, effectively means that entire low-income communities are without usable kitchens.

To date, **more than 1,700 units with low-income tenants have been suffering from this problem statewide from Boston to Springfield**. For example, at 2Life Communities, a nonprofit organization doing a comprehensive modernization of the existing Coleman House property in Newton, their low-income senior residents (average age 81) are moving into brand new apartments but due to nuisance tripping they are completely unable to cook. **These are residents who rely upon a median annual income of \$11,595 and for whom the loss of access to use of their kitchen appliances represents a literal threat to their ability to afford to eat**. None could host or even contribute to Thanksgiving dinners—something they found humiliating. This issue is not unique to residents at 2Life, as you will note that over 35 organizations signed the enclosed petition in October asking for a solution.

Since signing the enclosed petition in October, affordable housing providers have met with members of MEAC, representatives from the electrical breaker manufacturers, and the appliance manufacturers to find a solution to the immediate impacts of electric nuisance tripping. The two proposed interim solutions—enlarging the kitchen or hardwiring the stoves—are infeasible. All affordable housing built in MA is funded by the state in a cost-constrained environment which will not allow larger kitchens. Hardwiring the stoves is now allowed by only some local electrical inspectors—for those that do permit it, it is a cost burden of \$250-

\$300/apartment outside of approved budgets. **Importantly, neither of these solutions are possible under the draft 2023 code—so all new construction or modernization projects which are planned to begin shortly will be faced with building unusable kitchens for very low-income people who have no other options.**

We have learned from the cooking manufacturers that they don't expect to have their manufacturing systems ready to be compatible with the GFCI breakers required in the code until Spring 2025. This 3+ year gap in the supply of cooking appliances that are compatible with GFCI breakers would mean affordable housing developers building thousands of units (at the state's urging) will face the unviable choice of delaying occupancy -- delays in receiving Certificates of Occupancy trigger severe penalties under the IRS code, since affordable housing relies on Low Income Housing Tax Credits -- or moving in families who cannot cook or afford to purchase prepared meals. Supply chain issues are also a serious consideration since there are limited quantities of the less expensive electric stoves and they are only available from a few manufacturers.

As you can see, we feel a sense of both urgency and desperation. **The codes as written pose very real hardship for the most vulnerable members of our communities.** PLEASE reexamine the existing 2020 state electrical code and the forthcoming 2023 NEC electrical code so that the hardship does not fall on low-income households and the federal, state and local resources that are supporting these affordable housing developments.

Sincerely,

2Life Communities

Allston Brighton Community Development Corporation

Beacon Communities

Boston Housing Authority (BHA)

Boston Center for Independent Living

Boston Neighborhood Community Land Trust (BNCLT)

Brookline Housing Authority

B'nai B'rith Housing (BBH)

Cambridge Continuum of Care (CoC)

Cambridge Housing Authority (CHA)

Capstone Communities LLC

Chelmsford Housing Authority

CHOICE Housing Opportunities

Citizens' Housing and Planning Association (CHAPA)

Coalition for a Better Acre (CBA)

Commonwealth Community Developers, LLC

Community Development Partnership (CDP)

Community Teamwork, Inc. (CTI)

David Koven Consulting

Dellbrook | JKS

Domus Incorporated

Dorchester Bay Economic Development Corporation (DBEDC)

Essex County Community Organization

Fenway Community Development Corporation

Harborlight Homes

Hebrew SeniorLife

Henry Joseph & Associates

Hilltown Community Development

Home City Development, Inc.

Homeowner's Rehab, Inc. (HRI)

Housing Corporation of Arlington (HCA)

Jamaica Plain Neighborhood Development Corporation (JPNDC)

John M. Corcoran & Company

Local Initiatives Support Corporation (LISC) Boston

Maloney Properties

Massachusetts Association of Community Development Corporations (MACDC)

Massachusetts Housing Investment Corporation (MHIC)

Massachusetts Housing Partnership (MHP)

Metro Housing Boston

Metro West Collaborative Development

Mission Hill Neighborhood Housing Services (MHNHS)

Munkenbeck Consulting

National Housing Law Project

Neighborhood of Affordable Housing, Inc. (NOAH)

NeighborWorks Housing Solutions

New Atlantic Development

New Ecology

North Shore CDC

Oxbow Urban LLC

PCA

Perkins Eastman

Petersen Engineering

Planning Office for Urban Affairs (POUA)

Preservation of Affordable Housing (POAH)

Resonant Energy

SCG Development Partners, LLC

Somerville Community Corporation (SCC)

South Boston NDC

Southwest Boston CDC

Stravros Center for Independent Living

The Community Builders (TCB)

The Neighborhood Developers (TND)

Traggorth Companies LLC

Utile Architecture & Planning

Valley Community Development

VietAID

CC: Secretary Card, Executive Office of Energy and Environmental Affairs

Secretary Kennealy, Executive Office of Housing and Economic Development

Secretary Reidy, Executive Office of Public Safety and Security

Undersecretary Chang, Energy and Climate Solutions

Undersecretary Maddox, Department of Housing and Community Development (DHCD)

Commissioner Woodcock, Department of Energy Resources (DOER)

Maggie McCarey, Director, Energy Efficiency Division at DOER

Alana Murphy, Director of Policy at DHCD

Catherine Racer, Associate Director at DHCD

JoAnn Bodemer, Assistant Attorney General

Amber Villa, Chief, Neighborhood Renewal Division at Massachusetts Attorney General's Office

Beverly Craig, Senior Program Manager at MassCEC