



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

By His Excellency

DEVAL L. PATRICK
GOVERNOR

EXECUTIVE ORDER NO. 539

**ESTABLISHING A COMMISSION FOR PUBLIC HOUSING
SUSTAINABILITY AND REFORM**

WHEREAS, state aided public housing provides the largest source of affordable housing for extremely low-income elderly and family households across the Commonwealth;

WHEREAS, the Commonwealth is committed to the continued investment of tax dollars into the portfolio to ensure the long-term sustainability and preservation of this valuable resource for the benefit of current and future residents, as well as the communities in which the housing is located;

WHEREAS, thoughtful stewardship is critical to achieving efficient and cost-effective investment and outcomes;

WHEREAS, strengthening and reforming the asset management and governance systems of public housing authorities will lay the groundwork necessary to plan for future investments crucial to the long-term viability of the portfolio;

WHEREAS, the statutory and regulatory framework for public housing authorities and the public housing program was established 60 years ago and is outdated and inefficient;

WHEREAS, a public and accountable process is an essential aspect of the process of review and reform;

NOW, THEREFORE, I, Deval L. Patrick, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § 1, Art. 1, hereby order as follows:

Section 1. There is hereby created the Commission for Public Housing Sustainability and Reform, hereinafter referred to as the “Commission.”

Section 2. As used in this Executive Order,

“Portfolio” means housing operated under the requirements of Sections 25 through 40 of Chapter 121B of the General Laws.

“Public housing authority” means an entity organized and existing under Section 3 or 3A of Chapter 121B of the General Laws.

Section 3. The purpose of the Commission is to develop recommendations for the sustainability and reform of public housing authorities and the portfolio of state aided public housing that will ensure the long-term viability of public housing as an affordable housing resource, including the reform of the statutory governance structure with a goal of creating a practical, cost-effective and modern regional governance structure. In developing its recommendations, the Commission shall consider:

- a. how many regional housing authorities would best serve the state and the composition of those authorities;
- b. the manner in which the contributions and interests of local communities can be maximized in a regional governance structure;
- c. best practices in leveraging resources and capacity from the private and non-profit sectors, including partnerships with these sectors;

- d. the findings of the “The Real Cost of Operating Massachusetts Public Housing: Analysis and Recommendations,” Department of Housing and Community Development, February 4, 2008;
- e. statutory and regulatory requirements that are overly burdensome or unduly constraining on the operations of public housing authorities;
- f. enhanced reporting and auditing procedures that will ensure the integrity of the state aided public housing system; and
- g. the vital need that the portfolio serves in housing extremely low-income residents of the Commonwealth.

Section 4. The Commission shall serve exclusively in an advisory capacity and shall not possess any powers or responsibilities associated with the actual implementation of its recommendations.

Section 5. The Commission shall consist of no more than 23 members. The Chairperson shall be the Undersecretary for Housing and Community Development. The membership of the Commission shall include: the Secretary of Housing and Economic Development; the Secretary of Administration and Finance; 2 Members of the Senate to be appointed by the Senate President; 2 Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; 1 Member of the Senate to be appointed by the Senate Minority Leader; 1 Member of the House of Representatives to be appointed by the Minority Leader of the House of Representatives; the Associate Director of Public Housing and Rental Assistance; and the Executive Director of the Massachusetts Housing Partnership, or, in each case, their respective designee. In addition, the Commission shall include 5 members appointed by the Governor, 1 of whom shall be a tenant of the portfolio, 1 of whom shall be a commissioner of a local housing authority and 2 of whom shall be individuals with experience and expertise in managing private, multi-family assisted housing. The Commission shall also include 2 members appointed by the Massachusetts Municipal Association; 1 member appointed by the Massachusetts Union of Public Housing Tenants; 2 housing authority members appointed by the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials; 1 member appointed by Citizens Housing and

Planning Association; and 1 member appointed by the Massachusetts Law Reform Institute.

Section 6. The Commission shall hold at least two public comment sessions, one of which shall occur outside of Boston, before the issuance of its final report to the Governor.

Section 7. In performing its functions, the Commission shall present to the Governor a report no later than 60 days from the date of the Commission's first meeting. The report shall identify recommended statutory, regulatory and administrative actions to:

- a. design a regional governance structure that balances the needs of the portfolio and the current and future residents that are or will be served by the portfolio, with the interests of local communities;
- b. maximize the value of the state's investment in the portfolio;
- c. enhance and preserve the integrity of the public housing system;
- d. address the financial needs of the portfolio; and
- e. otherwise enhance the fiscal and operational viability of public housing authorities and the portfolio.

Section 8. The Department of Housing and Community Development shall assist the Commission in fulfilling its mission by providing all necessary support to the Commission, including any staff assistance, data or documents necessary to perform the mandate of the Commission, and may seek additional assistance from a third-party consultant to assist the Commission.

Section 9. The Commission shall perform the functions identified in the Executive Order until such time as it completes the report required in Section 7, upon which time it shall be dissolved.

Section 10. This Executive Order shall take effect immediately and shall continue in effect until amended, superseded, or revoked by subsequent Executive Order.



Given at the Executive Chamber
in Boston this 25th day of January
in the year of our Lord two
thousand and twelve, and of the
Independence of the United States
of America two hundred and thirty-six.

A handwritten signature in black ink, appearing to read "Deval L. Patrick", written over a horizontal line.

DEVAL L. PATRICK
GOVERNOR
Commonwealth of Massachusetts

A handwritten signature in black ink, appearing to read "William Francis Galvin", written over a horizontal line.

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS