

# CHAPA 2023–2024 STATE LEGISLATIVE AGENDA

CHAPA has a bold plan to cultivate a stronger housing ecosystem statewide by the end of the decade so that all our people, towns, and neighborhoods can thrive.

The plan sets a goal of creating 200,000 homes, including 40,000 affordable and 20,000 deeply affordable homes, in thriving communities by 2030.

Everyone in Massachusetts deserves the opportunity to live in a safe, healthy, accessible, and affordable home in the community they choose.

By focusing on people and their prosperity, production and preservation of affordable homes across all incomes, and equitable planning in all of our cities and towns, we can undo discriminatory policies and barriers that have perpetuated segregation and hindered generational wealth building for decades.

The following CHAPA priorities for the 2023–2024 Legislative Session will help put us on a path to creating 200,000 homes in thriving communities by the end of the decade.

## WE NEED BOLD ACTION FOR A STRONG FUTURE

| PEOPLE   | PRODUCTION  | PLANNING   | PRESERVATION   |
|--|---|--|--|
| <b>PEOPLE DRIVE OUR WORK AND ALL OUTCOMES OF OUR WORK INTEND TO BENEFIT PEOPLE</b>   | <b>CREATE THE HOMES WE NEED THAT ARE AFFORDABLE TO PEOPLE ACROSS ALL INCOME LEVELS</b>  | <b>DESIGN A VIBRANT, AFFORDABLE, INCLUSIVE, &amp; SUSTAINABLE FUTURE FOR THE COMMONWEALTH &amp; OUR COMMUNITIES</b>  | <b>PRESERVE AFFORDABLE HOUSING &amp; THE ABILITY FOR PEOPLE TO STAY IN THEIR COMMUNITIES</b>   |
| <ul style="list-style-type: none"><li>• Office of Fair Housing &amp; Fair Housing Trust Fund (HD.889 &amp; SD.1646)</li><li>• Access to Counsel in Evictions (HD.3657 &amp; SD.1082)</li><li>• Eviction Record Sealing (HD.3625 &amp; SD.1592)</li></ul> | <ul style="list-style-type: none"><li>• Housing Bond Bill</li><li>• Codifying MRVP (HD.3349 &amp; SD.682)</li><li>• Building Accessible &amp; Affordable Homes (HD.2598 &amp; SD.1305)</li><li>• Supportive Housing (HD.216 &amp; SD.674)</li><li>• New Affordable Housing Revenue:<ul style="list-style-type: none"><li>• Deeds Excise (HD.2510 &amp; SD.1226)</li><li>• Transfer Fees (HD.2857 &amp; SD.1982)</li></ul></li></ul> | <ul style="list-style-type: none"><li>• Zoning Reforms to Allow More Homes (HD.3252 &amp; SD.2006)</li><li>• Prohibiting Exclusionary Zoning (HD.374 &amp; SD.496)</li></ul> | <ul style="list-style-type: none"><li>• Protecting the Rights of Public Housing Tenants (HD.2875 &amp; SD.1980)</li><li>• Zero Carbon Renovation Fund (HD.776 &amp; SD.500)</li><li>• Massachusetts Healthy Homes Program (HD.3864 &amp; SD.728)</li></ul> |

## The Goal: 200,000 Homes in Thriving Communities By 2030

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### ***An Act to establish an office of fair housing and fair housing trust fund*** ([HD.889](#) & [SD.1646](#))

*Sponsors: Representatives Chynah Tyler & Dave Rogers & Senator Lydia Edwards*

Housing discrimination can occur in many forms leading to unequal treatment of minority homeseekers and renters.<sup>1</sup> This legislation would help in combating housing discrimination at all levels, including development, sales, lending, appraisals, marketing, tenant selection, applications, and zoning. An Office of Fair Housing and Fair Housing Trust Fund will help ensure Massachusetts has an institution and the resources needed to create, coordinate, and enforce equitable housing policy and practices across all communities and state agencies.

### ***An Act promoting access to counsel and housing stability in Massachusetts*** ([HD.3657](#) & [SD.1082](#))

*Sponsors: Representatives Dave Rogers & Michael Day & Senator Sal DiDomenico*

This legislation will create an Access to Counsel Program that provides legal representation for tenants and owner-occupants with low incomes in eviction proceedings.<sup>2</sup> Legal help and access to the right resources before a court eviction can prevent homelessness, stop illegal or unnecessary evictions, avoid displacement, and create a path to housing stability. The program would be phased in over five years and would help in raising awareness about tenant rights.

### ***An Act promoting housing opportunity and mobility through eviction sealing (HOMES)***

([HD.3625](#) & [SD.1592](#))

*Sponsors: Representative Mike Moran & Senator Lydia Edwards*

As soon as an eviction case is filed, a tenant has an eviction record regardless of the outcome. This can have long-term harmful effects on peoples' ability to access stable and safe homes. This legislation would protect many tenants from being marked with an eviction record by providing a process for tenants to petition the court to seal certain records:

- For tenants facing no-fault eviction after the conclusion of the case;
- For tenants facing a non-payment eviction within 14 days of satisfying a judgment or agreement; and
- For tenants facing fault eviction after 7 years without another fault eviction case.

### ***Housing Bond Bill***

The Housing Bond Bill, expected to be filed by Governor Healey in spring 2023, provides a comprehensive approach to addressing the housing needs of the Commonwealth through resources to produce and preserve affordable homes and public housing. The Housing Bond Bill will recapitalize programs that serve diverse populations, including working families, the elderly, people with disabilities, and those experiencing homelessness.

### ***An Act codifying the Massachusetts Rental Voucher Program*** ([HD.3349](#) & [SD.682](#))

*Sponsors: Representative Adrian Madaro & Senator Joan Lovely*

Massachusetts led the country in creating the first rental assistance program, the Massachusetts Rental Voucher Program (MRVP). MRVP currently assists over 10,000 households with low- and moderate-incomes with the goal of one day achieving universal rental assistance.<sup>3</sup> For such a large-scale program, MRVP exists only in the state budget and is subject to change each year. This legislation grounds the program in state statute and makes improvements that include:

- Deepening affordability for renters through larger voucher payment shares;
- Improving renter safety by requiring inspections;

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<sup>1</sup> Suffolk University Law School, [Qualified Renters Need Not Apply Race and Voucher Discrimination in the Metro Boston Rental Housing Market](#) (July 2020).

<sup>2</sup> [Imbalance of Representation in Massachusetts Eviction Cases](#) (2022) (Massachusetts Trial Court Data shows that 86.6% of property owners are represented while only 11.5% of tenants are represented).

<sup>3</sup> The Boston Foundation, [A Right to Rental Assistance in Massachusetts](#) (Dec. 2022).

- Increasing the administrative fees so regional housing agencies and housing authorities can better cover the cost of the program; and
- Improving data collection.

***An Act to create affordable homes for persons with disabilities*** ([HD.2598](#) & [SD.1305](#))

*Sponsors: Representative Rob Consalvo & Senator Robyn Kennedy*

The need for accessible and affordable homes for people with disabilities with low incomes far exceeds the supply in Massachusetts. This bill will build more accessible and affordable homes by improving the Alternative Housing Voucher Program (AHVP), the state’s rental assistance program for persons with disabilities. This legislation would align the program better with other rental assistance programs like the Massachusetts Rental Voucher Program and allow project-basing of AHVP vouchers.

***An Act to create and implement a Massachusetts flexible supportive housing subsidy pool program*** ([HD.216](#) & [SD.674](#))

*Sponsors: Representative Joan Meschino & Senator Brendan Crighton*

A flexible housing subsidy pool program re-envisioned the Commonwealth’s approach to homelessness by shifting from crisis response to create stability across a continuum of services. This legislation would create a pool of public and private resources by bundling funding for capital, operating, and supportive services to help meet the complex housing and health needs of those experiencing homelessness and to enable funds to get out quickly and equitably.

***An Act to promote yes in my backyard*** ([HD.3252](#) & [SD.2006](#))

*Sponsors: Representatives Andy Vargas & Kevin Honan & Senator Brendan Crighton*

Restrictive land use policies across Massachusetts have created a paper wall of zoning<sup>4</sup> that limits creation of new homes. This legislation proposes innovative statewide solutions through zoning to create new homes by:

- Setting a statewide affordable housing production goal;
- Allowing accessory dwelling units, or small apartments, to be built in every municipality;
- Allowing duplexes, triple-deckers, and other family-friendly housing around public transportation;
- Making it easier to pass inclusionary zoning bylaws;
- Repurposing vacant commercial properties like strip malls and offices into affordable homes; and
- Prioritizing state-owned land for affordable homes.

***An Act granting a local option for a real estate transfer fee to fund affordable housing*** ([HD.2857](#) & [SD.1982](#))

*Sponsors: Representative Mike Connolly & Senator Jo Comerford*

A lack of affordable homes and speculative home sales by higher income buyers have led to soaring housing costs and displacement in Massachusetts. This legislation would allow Massachusetts cities and towns to enact a small fee on high-value real estate sales, in order to create and support affordable housing. This legislation would generate millions of dollars for affordable housing by allowing communities to use this tool tailored to their needs.<sup>5</sup>

***An Act Promoting fair housing by preventing discrimination against affordable housing*** ([HD.374](#) & [SD.496](#))

*Sponsors: Representative Christine Barber & Senator Julian Cyr*

Prohibitive local zoning and permitting decisions have perpetuated segregation based on race, socioeconomic, and familial status in Massachusetts over decades. For example, creating only studio apartments or age-restricted homes lead to exclusion of families with children, people with low incomes, and people of color.

<sup>4</sup> Amy Dain, [The State of Zoning for Multi-Family Housing In Greater Boston](#) (June 2019).

<sup>5</sup> Local Option for Housing Affordability Coalition, [Evidence & Studies](#).

This legislation will prohibit discrimination through zoning, permitting, or other actions to limit or exclude affordable housing under the state’s fair housing law Chapter 151B. This would strengthen our fair housing law and foster communities that are more inclusive.

***An Act ensuring continued rights for public housing residents*** ([HD.2875](#) & [SD.1980](#))

*Sponsors: Representative Kevin Honan & Senator Brendan Crighton*

When public housing undergoes redevelopment, there is often change in ownership from the housing authority to a private entity. This legislation would ensure that tenants would retain all rights that they have in public housing if ownership changes in a redeveloped project. Residents would also have a clear path to enforce these rights and would receive technical assistance to allow for meaningful input into the redevelopment projects.

***An Act establishing a zero carbon renovation fund*** ([HD.776](#) & [SD.500](#))

*Sponsors: Representative Andy Vargas & Senator Adam Gomez*

The 2030 Clean Energy and Climate Plan identifies energy efficiency and electrification as the most cost-effective and technologically feasible solution for reducing carbon emissions.<sup>6</sup> The Zero Carbon Renovation Fund would invest \$300 million towards energy efficiency through building envelope upgrades; electrification of building systems; on-site renewable energy; and using low carbon retrofit materials while prioritizing affordable and public housing, schools and environmental justice communities.

***An Act establishing the healthy homes program*** ([HD.3864](#) & [SD.728](#))

*Sponsors: Representatives Manny Cruz & Shirley Arriaga & Senator John Keenan*

Substandard homes can have many hazards like poor indoor air quality caused by mold, dust, and second-hand smoke; lead paint; poor ventilation; and asbestos. This legislation will create the Massachusetts Healthy Homes Program, providing grants and low-cost loans to income-eligible homeowners and property owners to make the necessary repairs. This investment will improve about 5,000 homes, many of which are in communities of color, impacted by COVID-19, and gateway cities.

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<sup>6</sup> Massachusetts Executive Office of Energy and Environmental Affairs, [Massachusetts Clean Energy and Climate Plan for 2025 and 2030](#) (June 2022).