

**HOUSE . . . . . No. 02130**

The Commonwealth of Massachusetts

PRESENTED BY:

*Carl M. Sciortino, Jr.*

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to expand housing opportunities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>David B. Sullivan</i>	<i>6th Bristol</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Alice K. Wolf</i>	<i>25th Middlesex</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>William N. Brownsberger</i>	<i>24th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Linda Dorcena Forry</i>	<i>12th Suffolk</i>

# HOUSE . . . . . No. 02130

By Mr. Sciortino of Medford, a petition (accompanied by bill, House, No. 2130) of Forry and others to expand housing opportunities for persons displaced by public action or natural disaster and persons who are homeless or facing imminent homelessness Joint Committee on Housing.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to expand housing opportunities.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Notwithstanding any general or special law to the contrary, tenant selection plans  
2 for units with development or project-based subsidies which limit tenants' rental contributions to  
3 a percentage of household income shall include a tenant selection preference for homeless and  
4 imminently homeless families as defined below. The preference shall apply only to the extent  
5 consistent with any applicable federal requirements, in any rental housing financed or refinanced  
6 by public instrumentalities of the Commonwealth, including, but not limited to, those entities  
7 described in G.L. c. 23B, § 2(b), G.L. c. 23G, and Section 7 of chapter 708 of the Acts of 1966 as  
8 most recently amended,. As between applicants equally in need and eligible for occupancy of  
9 the unit, the preference shall apply to persons displaced by public action or natural disaster and  
10 persons who are homeless or facing imminent homelessness for reasons beyond the applicants'  
11 ability reasonably to control or prevent. For purposes of the preceding sentence, persons who are  
12 homeless or facing imminent homelessness for reasons beyond the applicant's ability reasonably

13 to control or prevent shall include, but need not be limited to, those who both (a) are living in  
14 emergency shelter, on the street, in cars, in housing that is unsafe due to domestic violence or  
15 medical conditions, in other places not suitable for human habitation, in transitional housing, or  
16 in private market units made affordable only due to temporary rental subsidies or are within 90  
17 days of having no identified, safe and affordable housing options and (b) either (i) have been  
18 displaced or are facing displacement by court-ordered eviction without fault, which shall include  
19 eviction for nonpayment of rent where the tenant's rent and shelter cost burden exceeded or  
20 exceeds fifty percent of adjusted income at the time of the eviction and where the nonpayment  
21 arose from changes in circumstances which were beyond the tenant's ability to prevent or  
22 control, such as departure of a household member, job loss or reduction of income, or illness or  
23 high medical costs; (ii) are victims of domestic violence who have been displaced or are at  
24 imminent risk of harm or displacement as a result of such violence, or (iii) are persons with  
25 medical emergencies or conditions who cannot be or could not be accommodated in their  
26 existing or former housing or for whom lack of suitable housing is a significant impediment to  
27 treatment or recovery.

28 SECTION 2. Subsection (r) of section 3 of chapter 23B of the General Laws is hereby  
29 amended by adding the following additional words: - provided further, however, that a  
30 household that otherwise qualifies for any preference or priority for state subsidized housing or  
31 rental assistance based on homeless or at-risk status shall retain that preference or priority  
32 notwithstanding receipt of rental assistance that is intended to be temporary, including, but not  
33 limited to, any temporary or bridge subsidies provided with state, federal or local funds and the  
34 department shall incorporate this policy into its regulations governing tenant selection criteria.