



Ruthanne Fuller
Mayor

Barney Heath
Director of
Planning & Development

Malcolm Lucas
Housing Planner

Members

Esther Schlorholtz, Chair
Donna Rigg, Vice-Chair
Beatrice Flores
Judy Korzenowski
Josephine McNeil
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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

MEETING AGENDA

Date: September 4, 2024

Time: 8:30 a.m.

Place: Virtual (Zoom)

Zoom Online Meeting: <https://newtonma-gov.zoom.us/j/89316749350>

The Fair Housing Committee will hold this meeting as a virtual meeting on Wednesday, September 4, 2024, at 8:30 am. No in-person meeting will take place at City Hall. To view and participate in this virtual meeting on your smartphone, download the “ZOOM Cloud Meetings” app in any app store or visit www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the following:
Meeting ID: 893 1674 9350.

You may also join the meeting from your smartphone by dialing 1(309) 205-3325 and entering 89316749350# For audio only, call 1(309) 205-3325 and enter **Meeting ID: 893 1674 9350.**

To view and participate in this virtual meeting on your computer, at the above date and time, either copy the attached link into your browser or visit www.zoom.us, click “Join a Meeting” and enter the following **Meeting ID: 893 1674 9350.**

To view meeting documents, [click here](#).

1. **Approval of July 2024 minutes**
2. **Fair Housing Training Plans**
3. **Affordable Homes Act Status**
4. **Housing Navigator Massachusetts**
5. **Fair Housing Resource List**



6. Subcommittee Updates

- **Lottery Results & Lease-ups Sub-Committee**
- **Membership & Nominating Sub-Committee**
- **Fair Housing Award Sub-Committee**

7. Fair Housing Committee Priorities Discussion

FH Protected Groups

- **Promote housing choice for diverse populations to advance Affirmatively Furthering Fair Housing (AFFH), with focus on race/ethnicity, public subsidy, family status, and disability**
- **Promote Diversity, Equity, Inclusion and Belonging in Newton**
- **Promote effective processes/practices for new affordable homeownership and resales**
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- **Identify and work to overcome barriers to successful tenancies and to improve processes/practices for tenant selection in lottery and market rate multifamily rental housing**

Learning/Teaching

- **Enhance FH literature and website information and access for the public**
- **Promote FH training for real estate professionals, landlords, tenants, the public and committee members**

Data and Analysis

- **Promote data collection on multi-family rental and new homeownership occupancy**
- **Enhance Project Review of Housing Developments to advance AFFH**
- **Support AI/Consortium Fair Housing Testing and FH testing in Newton**

Collaboration

- **Collaborate with Related Newton Commissions and Committees to increase affordable housing for households of various sizes and lower incomes and to encourage increased funding for affordable housing**
- **Promote affordable housing production in coordination with other City commissions and committees**
- **Support federal, state and city initiatives that promote AFFH**
- **Collaborate with Human Rights Commission on Fair Housing Complaint Process**
- **Contribute to Newton's FH-related plans**
- **Address committee membership appointments with representation from Human Rights Commission and legal counsel with FH specialty**

Next meeting: Wednesday, October 2, 2024.

*Supplementary materials are available for public review in the Planning Department of City Hall (basement) the Friday before the meeting. For more information contact **Malcolm Lucas at 617.796.1149**. The location of this meeting/event is wheelchair accessible and Reasonable Accommodations will be provided to persons with disabilities who require assistance. If you need a Reasonable Accommodation, please contact the city of Newton's ADA/Section 504 Coordinator, Jini Fairley, at least two business days in advance (2 weeks for ASL or CART) of the meeting/event: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711



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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

MEETING MINUTES

Date: July 10, 2024

Time: 8:30 a.m.

Place: Virtual (Zoom)

Members Present: Esther Schlorholtz, Chair

Donna Rigg, Vice Chair

Beatrice Flores

Judy Korzenowski

Tatjana Meschede

Steve West

Members Absent: Josephine McNeil

Staff Present: Malcolm Lucas, Housing Planner

Jini Fairley, ADA/Sec. 504 Coordinator

Public Present: Julia Malakie, Council

Sharyn Roberts, League of Women Voters Newton

Malcolm Lucas, Housing Planner served as recorder, Esther Schlorholtz, Chair, called the meeting to order at 8:30 a.m.

To view meeting documents, [click here](#).

1. Approval of June 2024 minutes

- Upon a motion by SW, JK seconded the motion. The May 2024 minutes were approved 4-1-2, with one member absent and two abstentions.
- ES asked DR to introduce and welcome Beatrice Flores as a new member to the committee replacing Alex Weifenbach from the Newton Housing Authority. BF stated that she received her letter from the Mayor and her term ends July 1, 2027.



2. Inclusionary Zoning Ordinance Discussion

- ES stated that the committee has discussed and narrowed down their recommendations significantly as best as they could. ES thanked SW and JF for their work and contributions. ES then gave a brief summary. They narrowed it down to three categories, affordability, accessibility, enhancing city oversight and data collection.
- Affordability: The focus will be on exploring housing opportunities at lower incomes, currently Newton is averaging around 65% AMI. ES stated that they are asking the consultants to recommend having a goal of achieving 55% of AMI on average. ES also wants to recommend consideration of reducing or increasing the minimum rental for sale unit threshold requirement from the current seven units to a lower or higher number, depending on feasibility. There was continued discussion on choosing a lower or high number regarding the payment in lieu and the feasibility for developers. The committee decided to recommend a decrease in the threshold if feasibility analysis indicates.
- Accessibility: The recommendation is to ask the consultants to consider ways to increase development of affordable units that are more accessible and available to households at 50 and 30% AMI, if feasible. JF asked if the FHC is open to state that there should be mandatory training for landlords, property management and that the training will be in an ongoing schedule because of the staff turnover. ES stated that that was a great point and stated that they have been providing trainings and plan to have one in the fall via NHA with Suffolk Law for tenants and landlords. ES asked JF to help frame and figure out a training that would directly address the accessibility issues, and JF stated that she would be willing to help because she has experience, and she has connections with property management.
- Enhance City Oversight and Data Collection: The recommendation is to evaluate and recommend improvement to the city's oversight, reporting, and data collection process for developers, owners and agents of properties on their fair housing, affordability and accessibility obligations. Secondly, the committee wants the city to evaluate owners, developers and agents of both small and large properties that need additional training and assistance to ensure ongoing compliance with the IZ obligations.

3. Fair Housing Training Plans

- ES stated that the recent training went well, but the process has changed for the set up. ES stated that there were some issues with the webinar function and that there was not an RSVP option. The presenter had become ill and there was not a way to contact people who signed up to cancel. ES stated that she needed to coordinate with LK about the next one with the NHA to eliminate issues. TM recommended using google calendar because it syncs with her calendar and it would be very helpful, and she also stated that a survey should be given at the end of the training for feedback and to help the FHC on how much they reach people. ES stated that would be helpful and thought that Suffolk Law does have an evaluation system that they use and understands that the city does not have that capability. TM stated that a brief survey could be sent out to the email list.

4. Discussion on Resident Experience Training

- ES stated that it has been a few months since the committee has had discussion on this matter and stated that this is still very important to talk about and find out a way to begin to work on how the city can improve the experience for the tenants and homeowners who are in affordable units and feels that there is value in creating or doing something in terms of training. ES feels that this topic is very important and a priority. ES stated that she will

keep this on the agenda until the committee figures out how they would like to address this topic.

- TM asked for a brief summary and asked who the target audience is, management or tenants. ES stated it could be both, she stated the results from the Cambridge study identified that tenants and homeowners identified that a high percentage of property management had non-welcoming behaviors, and the study focused on improving that behavior. ES stated that tenants would benefit from knowing what their rights are, to learn to empower themselves, and to come up with ways to address their needs. ES stated that the City of Cambridge wanted to enhance their internal programs and services so they could be more responsive to tenants and homeowners. Lastly, ES stated that Maloney properties and Henry Korman discussed at a recent FHC committee meeting and stated that they would be able to help the FHC's initiative on this topic.

5. Fair Housing Resource List

- ES stated that she worked on gathering Fair Housing resources together. She stated that she was impressed with the city's website. ES asked that ML could screen share the resources list with the committee and then she walked through the various items that were on the screen. Some of the items she highlighted were the Committee's resource page and the FHC Facebook page, for which she thanked DR for maintaining the page. Other items that were mentioned were the Newton Leads 2040 and HUD's Consolidated plan. The resource list is around six pages with impressive information. TM stated that the document was great and suggested making subheadings to organize it better. ES stated that was a great idea and asked TM to help with the document. TM stated that she would review it and give suggestions.

6. Fair Housing Project Reviews

- ES stated that she has noticed that there have not been many of these Fair Housing project reviews lately. She stated that one of the reasons is because she does not hear about when projects are coming up, and another is that she does not have connections with developers and their attorneys. ES stated that she was grateful that JF updates her and DR about the Design Review Team (DRT) meetings. ES did state that there are not many projects that have been coming through. ES stated that the FHC did send a recommendation recently about a project and it was received but does not know the follow up with that particular project. ES asked if there were any other member who would like to take initiative and follow up to do so, because she unfortunately does not have the capacity at this time. No one responded.
- JF stated that there may be a couple projects in the pipeline and one of the proposals may be Crafts Street which is a good size project. JF also clarified that the DRT meetings are internal meetings for staff and developers, and it is not public like the Design Review Committee (DRC) committee which is public.
- ES stated that she would like to be connected with the developers of these projects, Craft Street, Shalmon, and Northland. ML stated that he would not have contacts for these developers because he does not know any, and he doesn't deal with them in his role at the city. ML stated that if JF can get him the names to reach out he could do that. JF stated that she would work on getting the contacts and forwarding them. ES thanked JF.

7. Subcommittee Updates

- **Lottery Results & Lease-ups Sub-Committee**

- **Membership & Nominating Sub-Committee**

- Beatrice Flores from Newton Housing Authority is a new member of the Fair Housing Committee, and she was introduced by DR and welcomed by the committee.

- **Fair Housing Award Sub-Committee**

- There are no updates. ES stated the committee needs to start thinking of another candidate/awardee for next spring, and she asked them to keep this in mind for recommendation.

8. Fair Housing Committee Priorities Discussion

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Next meeting Wednesday, September 4, 2024. No meeting in August 2024.

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Newton Fair Housing Committee—Resources

As of 8/20/24

Newton Fair Housing Committee Page:

<https://www.newtonma.gov/government/planning/boards-commissions/newton-fair-housing-committee/-fsiteid-1>

Newton Fair Housing Page: <https://www.newtonma.gov/government/planning/housing-community-development/housing/fair-housing>

Newton Fair Housing on Facebook:

<https://www.facebook.com/profile.php?id=100064530946762&mibextid=LQQJ4d>

Fair Housing

- File a Fair Housing Complaint:
<https://www.newtonma.gov/government/planning/housing-community-development/housing/fair-housing/file-a-fair-housing-complaint>
- Guidance on Fair Housing:
<https://www.newtonma.gov/government/planning/housing-community-development/housing/fair-housing/homebuyers-renters>
- Fair Housing Resource List:
<https://www.newtonma.gov/government/planning/housing-community-development/housing/fair-housing/resources>
- Fair Housing Month: <https://www.newtonma.gov/government/planning/housing-community-development/housing/fair-housing/reports-plans-policies>
- Newton Diversity, Equity & Inclusion Policy:
<https://www.newtonma.gov/government/diversity-equity-and-inclusion>

Fair Housing Ordinances

- Fair Housing Ordinance: city ordinance codifying Newton’s fair housing policy and requirement that all public notices relating to permitting of housing must inform residents about the City’s Fair Housing policy
<https://www.newtonma.gov/home/showpublisheddocument/67451/63752180836610000>
- Newton Planning and Development Ordinance, Section, 22-7 Statement on Fair Housing Required in Notices of Public Hearings and Meetings Relating to Permitting or Funding of Housing:
<https://www.newtonma.gov/home/showpublisheddocument/29807/637867563487070000>
- Newton Human Rights Ordinance
<https://www.newtonma.gov/home/showpublisheddocument/29785/638328082928230000> Page9-10. Sec. 12-50.

- Policy of the city. It is the policy of the city to see that each person regardless of race, color, religious creed, national origin, sex, age, disability, ancestry, sexual orientation, or gender identify or expression, shall have equal opportunity in or access to employment, housing, education, and public accommodations; to assure that each person shall have equal access to and benefit from all public services and licensing; to protect each person in the enjoyment of his/her civil rights; and to encourage and bring about mutual understanding and respect among all persons in the city by the elimination of unlawful discrimination.

Policy of the city regarding housing practices:

- It is the policy of the city to follow all of the provisions set forth in M.G. L. Chapter 151B (the Massachusetts Anti-Discrimination Law) and 42 U.S.C. § 3601, et. seq. (the Federal Fair Housing Act, as § 12-51 NEWTON ORDINANCES — HEALTH AND HUMAN SERVICES § 12-53 Newton Ordinances On-Line - Chapter 12 - page 10 amended) regarding non-discrimination in housing practices.” (Rev. Ords. 1973, § 2-282; Ord. No. 55, 2-18-75; Ord. No. 79, 7-28-75; Ord. No. 248, 12-5-77; Ord. No. S-140, 12-16-85; Ord. No. X-175, 05- 26-05; Ord. No. X-201, 04-03-06; Ord. No. A-44, 09-15-14)
- Newton’s inclusionary zoning requirements, updated in 2019, for 7 or more units or payment to City to build affordable housing units, is beginning to result in more affordable housing options and more units are on the way. Requirements for 7-20 units: 15%; for 21-99 units: 17.5%; and for 100+ units: 20%. New 5-year review initiated in 2024.
<https://www.newtonma.gov/home/showpublisheddocument/87296/637937324849270000>
- MBTA Communities Law: <https://www.newtonma.gov/government/planning/plans-policies-strategies/multi-family-zoning-requirement-for-mbta-communities>
- Accessory Apartments: <https://www.newtonma.gov/government/planning/development-review/accessory-apartments> Implemented an accessory apartment ordinance allowing some development of smaller and more affordable units.
- Newton reduced local preference requirements in affordable housing lotteries from state allowed 70% to 25%. A study commissioned by the city showed that there were significantly fewer people of color and people with disability who were successful in affordable housing lotteries than there were applicants.

Fair Housing Plans/Performance Evaluations

- Newton Leads 2040: In 2016 the city created Newton Leads 2040 Housing Strategy, a Blueprint to Promote Affordable, Diverse Housing & Economic Growth, which recommended priority actions to expand housing choice in the city. A Housing Needs Analysis and Strategic Recommendations were prepared by RKG Associates, which continues to guide affordable housing and fair housing initiatives.

<https://www.newtonma.gov/home/showpublisheddocument/41602/637418380094000000>

- Consolidated Plan and Consolidated Annual Performance and Evaluation Report (CAPER) <https://www.newtonma.gov/home/showpublisheddocument/90058/637974569233081603> AFFH is highlighted on the city's website and in all the Housing and Community Development Division's programs. The annual report provides details on how the Consortium's federal funding is used to further fair housing.
- Newton Community Needs Assessment 2/2022 for American Rescue Plan Act (ARP) investing in lower-resourced and traditionally marginalized populations particularly for finding or maintaining housing <https://www.newtonma.gov/home/showpublisheddocument/81479/637817481785373331>

MetroWest

- Newton, through its Housing & Community Development Department, under the Department of Planning & Development, is the primary entity in the City that works with consultants to collect and monitor information related to fair housing <https://www.newtonma.gov/government/planning/housing-community-development> This information is driven first by HUD requirements related to federal funding and by the City's responsibilities leading the WestMetro HOME Consortium. Also, the Fair Housing Committee has been working to collect lottery and lease-up data from developers/owners of affordable housing to identify barriers to successful tenancies and affirmatively furthering fair housing, with the aim of improving results and overcoming barriers.
- MetroWest HOME Consortium <https://www.newtonma.gov/government/planning/housing-community-development/westmetro-home-consortium> is led by Newton to affirmatively further fair housing in these 13 comparatively wealthier, largely white communities that are suburbs of Boston and whose land use and zoning policies have historically contributed to segregation in the greater Boston area. In addition to Newton, it includes Bedford, Belmont, Brookline, Concord, Framingham, Lexington, Natick, Needham, Sudbury, Waltham, Watertown, and Wayland. The Consortium is currently contracting with the Suffolk Law Housing Discrimination Testing Program to carry out matched pair testing on housing discrimination based on race and public subsidy vouchers.
- Analysis of Impediments—With the WestMetro HOME Consortium, Newton led the Analysis of Impediments (AI) to Fair Housing Choice plan of 2021-2025. It carried out an extensive public engagement process and finalized the AI April 4, 2021 <https://www.newtonma.gov/home/showpublisheddocument/67974/637533290757270000>

Housing Affordability and Accessibility

- Current Affordable Housing Opportunities:
<https://www.newtonma.gov/government/planning/housing-community-development/housing/current-affordable-housing-opportunities>
- Affordable Housing Resources:
<https://www.newtonma.gov/government/planning/housing-community-development/housing/homebuyer-assistance/affordable-housing-resources>
- Homebuyer Assistance:
<https://www.newtonma.gov/government/planning/housing-community-development/housing/homebuyer-assistance>
- Architectural Accessibility:
<https://www.newtonma.gov/government/planning/housing-community-development/architectural-accessibility>
- The Newton Affordable Housing Trust
<https://www.newtonma.gov/government/planning/boards-commissions/newton-affordable-housing-trust> was established in 2021 to preserve existing affordable housing units and create new affordable units that are affordable to low- and moderate-income households, and to create a streamlined process to provide funding to new affordable housing projects.

Newton Committees and Services Supporting Fair Housing

- The Newton Housing Partnership was created in 1989 to foster and support the preservation and creation of housing to promote an economically diverse city. It is responsible for reviewing housing projects and seeks to promote projects that will create housing that is affordable, accessible, and sustainable and that will support a diverse population in Newton over the long term
<https://www.newtonma.gov/home/showpublisheddocument/79811/637846849227970000>
- The Newton Human Rights Commission
<https://www.newtonma.gov/government/health-human-services/commissions/human-rights-commission#ad-image-1> was established in 1973 to ensure mutual understanding and respect among all persons in the City by promoting acceptance of diversity and combating discrimination. The HRC is responsible for the fair housing discrimination complaint process working with the Health and Human Services and Legal Departments.
- The Newton Commission on Disability (COD)
<https://www.newtonma.gov/government/planning/boards-commissions/commission-on-disability> was established to foster equal access to community life and activities for people with disabilities. It is focused on the importance of increased accessibility, housing and facilities in municipal and commercial buildings, and other public places. It is responsible for the disability discrimination grievance procedure to meet the requirements of the Americans with Disabilities Act and Section 504 of the Federal Rehabilitation Act. COD is staffed by a full-time 504/ADA Coordinator who also staffs the Fair Housing Committee.

- Newton Housing Authority <http://www.newtonhousing.org/> Most of the public housing, 298 units, is federally funded and is for the elderly/disabled. The wait list for these units is 3-5 years. The state-funded elderly/disabled program has a wait time of about 5 years. There are 79 family units that are scattered throughout the city, with 2-4 bedrooms units. The wait list is over 10 years for these. Newton also administers housing vouchers from HUD and the state. Some are for the homeless , and some are for survivors of domestic violence.
- Community Preservation Program. Community Preservation Act funding for affordable housing allocated to Newton Affordable Housing Trust <https://www.newtonma.gov/government/planning/community-preservation-program>
- Homelessness Services: <https://www.newtonma.gov/government/planning/housing-community-development/homelessness>
- Housing Eviction: <https://www.newtonma.gov/government/planning/housing-community-development/housing/housing-assistance-eviction-diversion/-fsiteid-1>
- Housing Rehabilitation Program: <https://www.newtonma.gov/government/planning/housing-community-development/westmetro-home-consortium/housing-rehabilitation-program>
- Human Services Programs: <https://www.newtonma.gov/government/planning/housing-community-development/human-services>
- Social Services: <https://www.newtonma.gov/government/health-human-services/social-services>
- Newton's Stability/Mobility Initiative <https://www.newtonma.gov/government/health-human-services/social-services/community-needs-assessment> in partnership with EMPATH, a nonprofit organization with a mission of moving people out of poverty, is designed to use ARPA funds to support fifty low-income Newton families with children with intensive one-to-one economic mobility coaching over two years. The emphasis is on people of color who were disproportionately harmed by the pandemic and those who are homeless or at-risk of homelessness, living in subsidized housing, or who are otherwise struggling. The focus is on family stability, well-being, education and training, financial management and employment and career management. After the two years, participants will continue to work with EMPATH and will also receive monthly cash incentive for active participation.

Reports

- Overdue: Confronting Race & Racism: <https://www.newtonma.gov/government/mayor-fuller/special-projects-and-initiatives/overdue-confronting-race-racism-in-newton/-fsiteid-1#!/>
- LGBTQ+ Resources: <https://www.newtonma.gov/government/mayor-fuller/special-projects-and-initiatives/lgbtq-resources>

- High Interest Projects—Housing Developments: <https://www.newtonma.gov/government/planning/development-review/high-interest-projects>
- Amy Dain, independent consultant on public policy who focuses on urban and suburban planning and an expert on zoning in Massachusetts: exclusionary-by-design study: <https://www.bostonindicators.org/reports/report-detail-pages/exclusionary-by-design>
- Zoning redesign <https://www.newtonma.gov/government/planning/plans-policies-strategies/zoning-redesign> — AFFH has been integral to the process of zoning redesign and more recently planned implementation of MBTA Communities Act zoning. The most recent zoning redesign passed City Council in December 2023 and is designed to address MBTA Communities Act requirements as well as encourage more as-of-right housing, greater density in multifamily housing development including inclusionary zoning requirements that increase when more units are affordable. This will create new housing opportunities to promote more affordable housing, although it was substantially reduced and limited by final City Council vote.

State and Federal

- My Mass Home. Newton posts available affordable homeownership opportunities on this site https://www.mymasshome.org/?gad_source=1&gclid=Cj0KCOjw2a6wBhCVARIsABPeH1v9bflatC-ndcukXzR0HLHRdo02XdOOCFaXkvfLT20UcNxyF-djRREaAjiUEALw_wcB
- Housing Navigator. Newton and the Newton Housing Authority post available affordable rental opportunities on this site https://search.housingnavigatorma.org/navigator?hasLottery=true&loc=Massachusetts&locType=all&page=1&seed=602&hasFcfs=true&gad_source=1&gclid=Cj0KCOjw2a6wBhCVARIsABPeH1uNp4t_MV3uIAS2zZzLwP7-Kimhdy9bxRc_736iDzCuzcvzPkNKjlkaAp10EALw_wcB
- Metrolist Boston. Newton posts available income-restricted rental and ownership housing: <https://www.boston.gov/metrolist>
- Housing Choice Best Practices (EOHLC): <https://www.mass.gov/doc/2023-housing-choice-best-practices/download>
- Fair Housing Planning Toolkit (HUD): https://www.hud.gov/program_offices/fair_housing_equal_opp/fhp_toolkit
- ADA and Section 504 Self-Evaluation and Transition Plan Guide (EOHLC): <https://www.mass.gov/files/documents/2016/07/wj/ada-504.pdf>
- State and Local Land Use Laws and Practices and the Application of the Fair Housing Act (Department of Justice): <https://www.justice.gov/opa/file/912366/dl>

[View this email in your browser](#)

CHAPA Statement on Passage of The Affordable Homes Act

CHAPA applauds the Massachusetts House of Representatives and the Senate for the passage of the Affordable Homes Act. This historic legislation will provide \$5.1 billion in capital funding authorization and a wide range of housing policies to support the creation and preservation of tens of thousands of homes. CHAPA is proud to have worked closely with the Legislature to advocate for policies that put Massachusetts on the path to adding the 200,000 homes across income levels that people, our communities, and our economy need to thrive.

The Affordable Homes Act includes significant increases in funding authorizations to meet the range of the Commonwealth's housing challenges. The bill includes **\$2.2 billion in bond authorization for state public housing, a doubling of the Affordable Housing Trust Fund (\$800 million) and the Housing Innovations Fund (\$200 million), and a nearly tripling of the Housing Stabilization Fund (\$425 million) which included \$10 million for the Small Properties Acquisition**

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Program, \$50 million for the Momentum Fund to accelerate the completion of mixed-income multifamily housing, **\$275 million for Green Housing, and \$175 million for Housing Choice Infrastructure.**

Beyond the funding authorizations, the bill creates and expands tax credit programs that will help spur much-needed production. The Affordable Homes Act creates a new **\$10 million annual Homeownership Production Tax Credit**, a vitally important tool to help create opportunities for first-time home buyers to become owners, and **increases the Community Investment Tax Credit to \$15 million.** Additionally, the legislation **doubles the Historic Rehabilitation Tax Credit to \$110 million annually through the year 2030** to help preserve historic buildings and put them to new use, including creating affordable housing.

Finally, the Affordable Homes Act recognizes that funding authorizations and tax credits alone are not enough to address the housing challenges facing Massachusetts. The bill includes policies such as **the creation of an Office of Fair Housing and Fair Housing Trust Fund, mandating the establishment of a statewide housing plan, allowing Accessory Dwelling Units (ADUs) by right in single-family zoned districts, establishing special commissions on Extremely Low Income Housing, Senior Housing, and Accessible Housing for persons living with disabilities, creating a supportive housing pool fund to address the needs of households experiencing homelessness, establishing eviction records sealing, and authorizing a social housing pilot.** These policies will help move us closer to a Commonwealth where people can have safe, healthy, affordable homes in the communities they choose.

The final bill is also notable for what it did not include. Attempts to weaken, undermine, or delay existing housing laws or to place unnecessary barriers to housing productions were resoundingly rejected at all turns. **The legislation that passed does not include harmful changes to Chapter 40B, the MBTA Communities Law, or to the Community Preservation Act (CPA).** CHAPA is grateful that not only does this bill move us forward in our housing policy, it also does not set us back by weakening the progress we had already made.

CHAPA applauds the commitment shown by the House of Representatives, the Senate, and the Governor to take the steps necessary to meet the moment. While the Affordable Homes Act is a remarkable and historic piece of legislation, it will not be a panacea for all of the housing challenges facing Massachusetts. CHAPA looks forward to working closely with the Legislature, the Healey-Driscoll Administration, and all stakeholders to implement this bill and to continue to find paths toward creating the homes we need.

CHAPA extends its profound gratitude to Governor Healey, Lt. Governor Driscoll, Secretary Augustus, Speaker Mariano, Senate President Spilka, Chair Michlewitz, Chair Rodrigues, Chair Arciero, Chair Edwards, Senate President Pro Tempore Brownsberger,

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and the commitment to do what is necessary to move us forward. CHAPA looks forward to continuing to be a productive partner in this work over the months and years to come.

####



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Forward

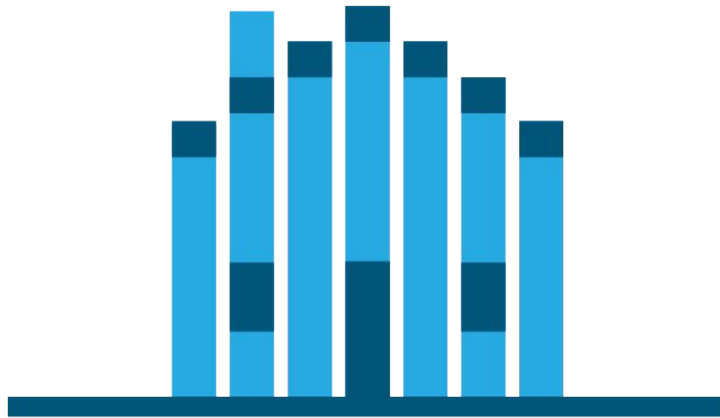


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DATA OPENS DOORS

Housing Navigator MA

Affordable + Accessible Rentals

2024 REPORT

June, 2024

A LETTER FROM OUR FOUNDER

We are publishing Housing Navigator MA Report: Affordable + Accessible Rentals (2024) with mixed emotions. On the one hand, we are pleased to be able to provide fresh information about the distribution of this critical resource across our state. We are excited that it can raise awareness about fundamental details—affordability and type of unit (BR mix, age-restriction)—that can inform the housing we want to create.

Information on affordable, accessible rental housing has never been available at this level. It is the result of over three years of collecting information almost entirely from scratch from cooperating property owners. We are grateful for every team member who took the extra time to get this information and every owner/manager who took the time to supply it.

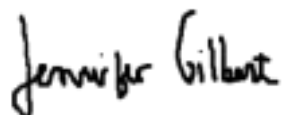
On the other hand, we are saddened and frustrated that we cannot spotlight a complete inventory in this release.

Our many partners in the community of people with disabilities called on us to release this data regardless of its full completeness. Their constant message was “It’s better than what we have now.” Their lived experience also consistently confirmed what the data shows: uneven distribution and a lack of deeply affordable units of more than one bedroom. The latter is particularly important because even single persons with disabilities may need extra space for an attendant or equipment to address their disability. A few patterns are emerging:

- Supply, while not abundant anywhere, is even more limited outside Greater Boston.
- Deep affordability, where rent adjusts to a household income and households on fixed incomes like SSI are eligible, is not present for much of the inventory overall.
- This lack of deep affordability is even more the case for 2BR+ units which fit both families and single people with disabilities needing equipment or attendants

There are many important questions policy makers should address around matching the supply and affordability of this inventory to the community it is intended to serve. The patterns already apparent in this release should be a sound starting place. We provide a very rough metric: ADA mobility units per renter households with incomes under 80% AMI. We hope others will come forward with ways to more fully assess needs and address questions. What are the demographics and housing preferences of people who need ADA accessibility features? How do we build better to match those needs and preferences?

We hope this report will also be a call to action toward more consistent tracking going forward. We will keep working to address our data gaps. For owners who have not yet supplied details, we welcome your partnership.



Jennifer Gilbert, Executive Director/Founder
Housing Navigator Massachusetts

WHAT'S INCLUDED

Our data covers all affordable (income restricted) housing in Massachusetts. The dataset here covers 1,652 buildings for which we have some information on ADA Mobility units current as of May 24, 2024. We pulled information on the pipeline on May 24, 2024.

WHY WE USE ILC REGIONS

As noted, our data has varying levels of completeness, which can vary even more widely by town. To provide some understanding of the geographic spread of units, we grouped data by the Independent Living Center regions. Independent Living Centers (ILCs) are private, nonprofit, consumer-controlled organizations providing services and advocacy by and for people with all types of disabilities across Massachusetts. They have also been our partners, increasing our understanding of community needs and priorities.

Information presented here comes from property owners, except for state public housing, which relies on public agency information. We cannot verify that accessible units in our inventory are fully accessible or meet current accessibility standards. We make clear to owners that that is our definition of accessible, and have no reason to doubt the accuracy of the information they provide.

RENT TYPE

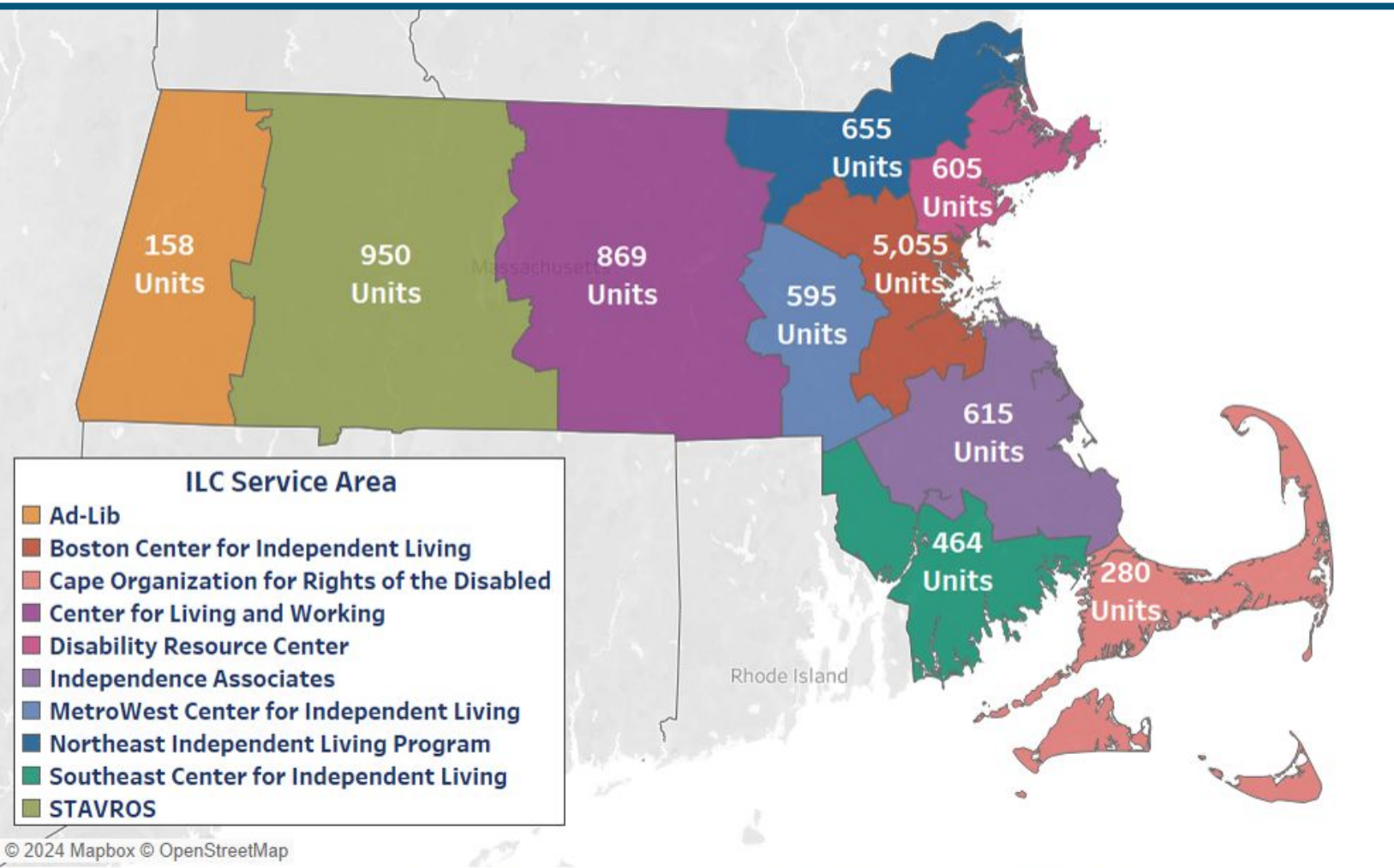
We use rent type as an indicator of affordability from a renter perspective.

- Fixed Below Market Rent - Rent is set below the market rate at an amount affordable for the area but does not adjust to the particular household's income.
- Rent Based on Income - Rent is set based on a percentage of the household's income (usually 30%). Because of this sliding formula, these units are often able to offer deeper affordability.
- Variable Rent - A small subset of units where rent type and income restriction may vary.

To Learn More: Please refer to the [Our Data](#) page on our website and the glossary for more details.

WHAT'S OUT THERE?

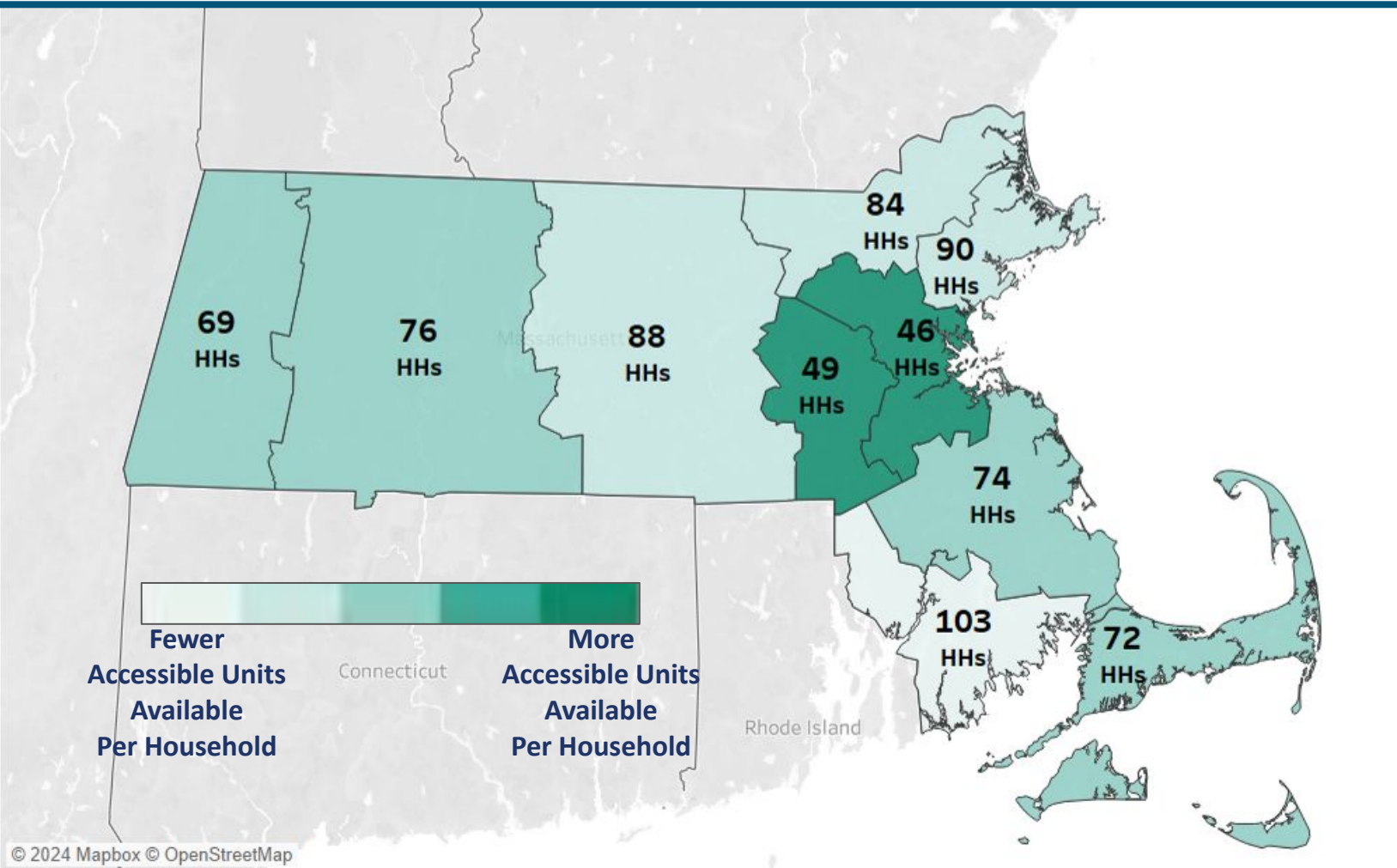
Distribution of Affordable + Accessible Rental Units Across ILC Service Areas



Labels represent count of Mobility Accessible Affordable Rental Units in ILC Service area.

IS IT MATCHING NEED?

An Estimate of Demand for Every Affordable + Accessible Unit, by ILC Region

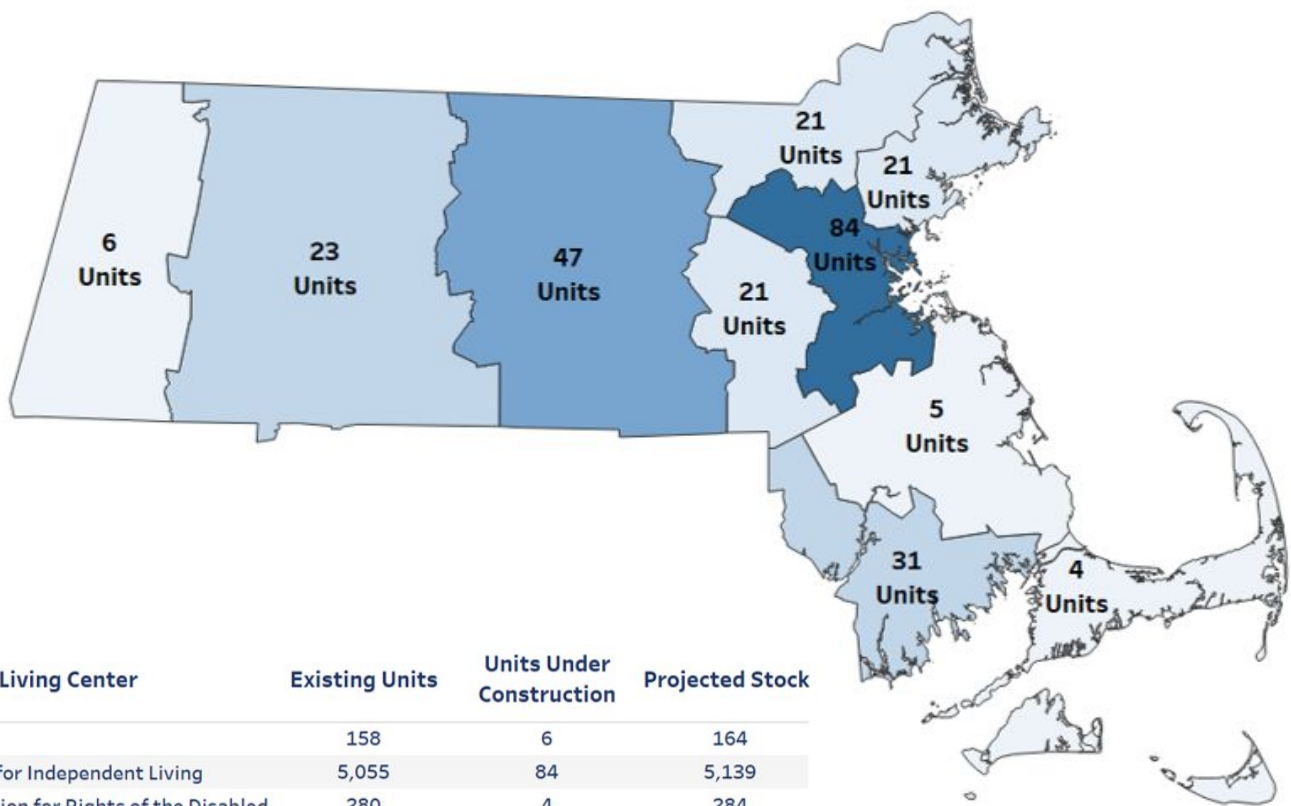


The graph above uses “renter households earning less than 80% AMI” as a metric of demand. For example, the map below shows that the Boston Center for Living and Working, Inc. region has 46 renter households earning less than 80% AMI for every affordable accessible unit.

WHAT'S COMING?

Affordable + Accessible Rental Units Under Construction by ILC Region

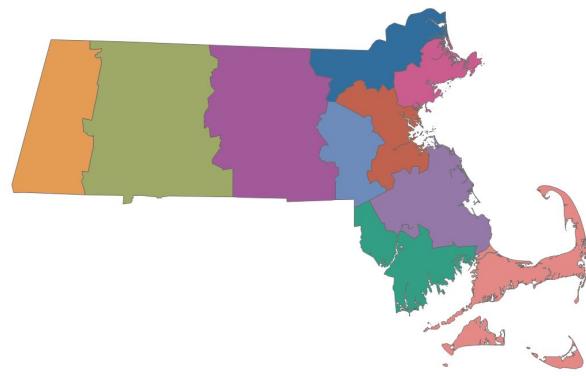
Housing Navigator MA collects information for all state-funded income-restricted properties as they start construction. The data below represents properties under construction. These properties have not been included in other totals in this document.



Independent Living Center	Existing Units	Units Under Construction	Projected Stock
Ad-Lib Inc	158	6	164
Boston Center for Independent Living	5,055	84	5,139
Cape Organization for Rights of the Disabled	280	4	284
Center for Living and Working Inc	869	47	916
Disability Resource Center	605	21	626
Independence Associates Inc	615	5	620
MetroWest Center for Independent Living	595	21	616
Northeast Independent Living Program	655	21	676
Southeast Center for Independent Living	464	31	495
STAVROS	950	23	973
Grand Total	10,246	263	10,509

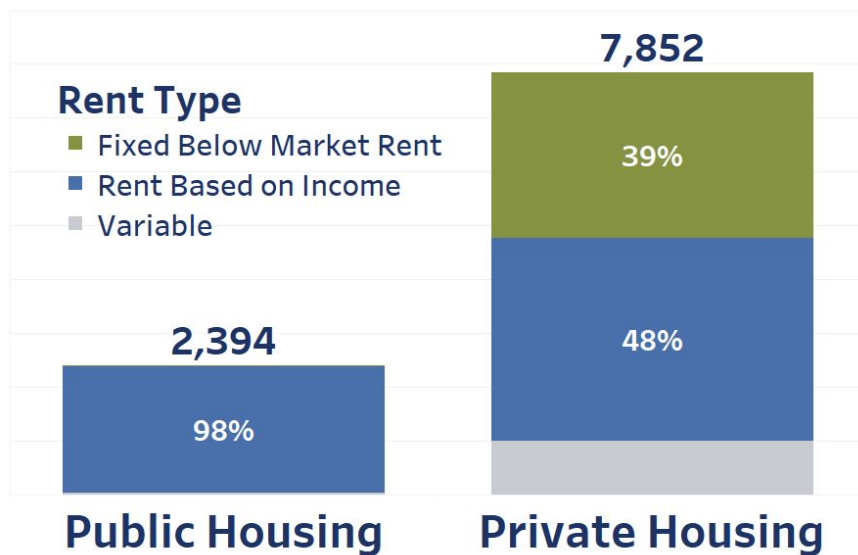
AFFORDABLE + ACCESSIBLE HOUSING

Commonwealth of Massachusetts



Snapshot of the Region

- The state includes **10,246** reported accessible affordable rental units
- There is one such unit for every **63** renters earning 80% or less of AMI.
- For **60%**, or **6,124** of these units, renters pay rent based on income.

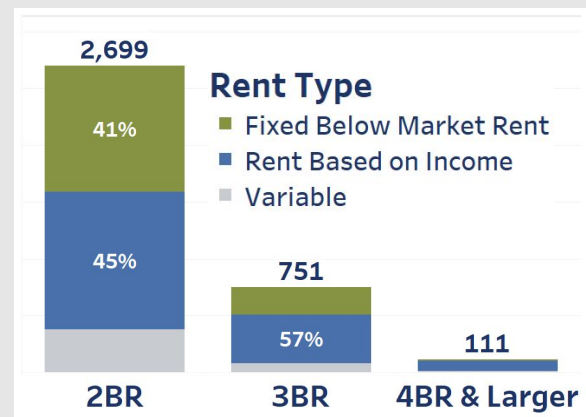


Sample Regional Rents: 2-Bedroom in Boston

- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$2,203**.
- A household paying Rent Based on Income will typically pay 30% of their income

A Closer Look Larger Units

- 2BR and larger units comprise **35%** of the region's accessible affordable rental stock, or **3,561** units.
- For **49%**, or **1,728** larger units, renters pay rent based on income.

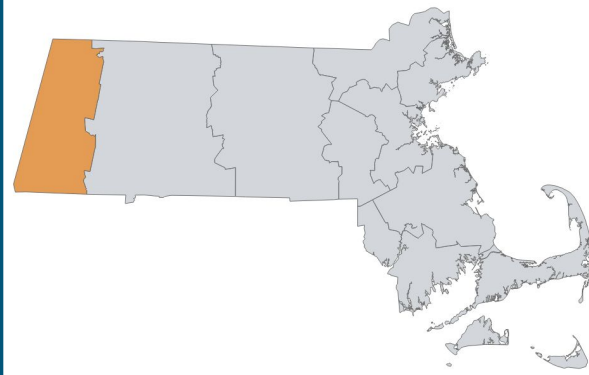


OF THIS REGION'S Affordable Housing Inventory

10,246 Accessible units counted	52% of units reported
1,652 Properties reported	43% of properties reported

AFFORDABLE + ACCESSIBLE HOUSING

AD-Lib, Inc.

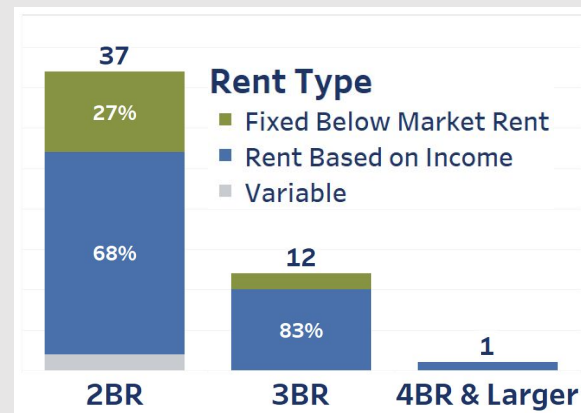
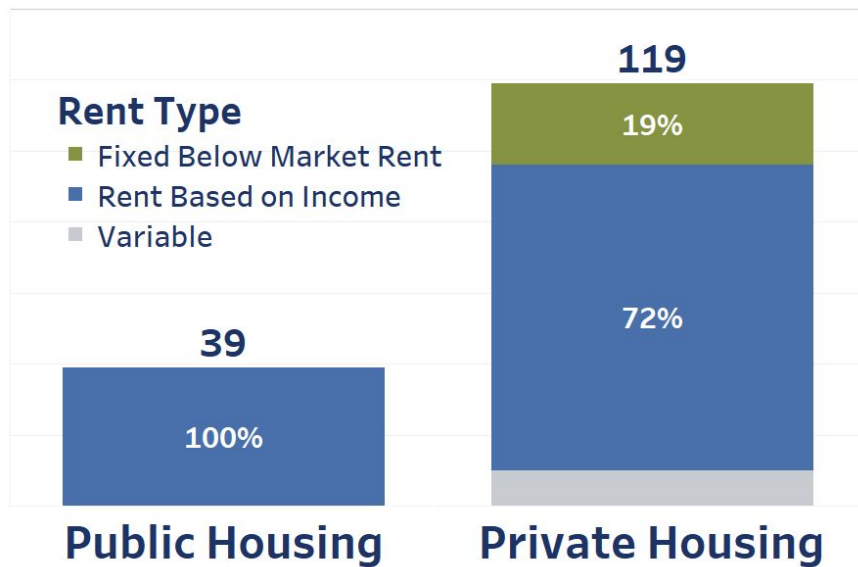


Snapshot of the Region

- The region includes **158** reported accessible affordable rental units
- There is one such unit for every **69** renters earning 80% or less of AMI.
- For **79%**, or **125** of these units, renters pay rent based on income.

A Closer Look Larger Units

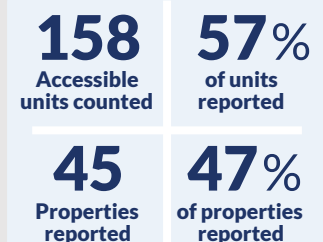
- 2BR and larger units comprise **32%** of the region's accessible affordable rental stock, or **50** units.
- For **72%**, or **36** larger units, renters pay rent based on income.



Sample Regional Rents: 2-Bedroom in Pittsfield

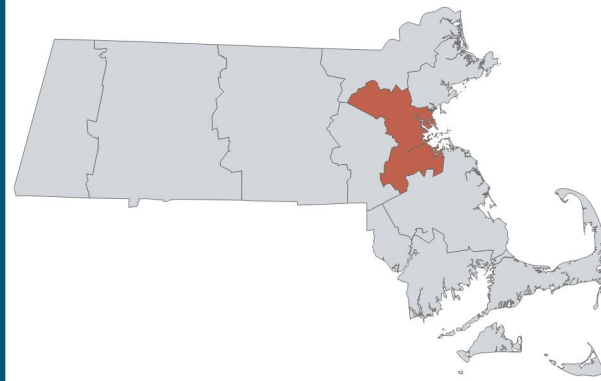
- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$1,519**.
- A household paying Rent Based on Income will typically pay 30% of their income

OF THIS REGION'S Affordable Housing Inventory



AFFORDABLE + ACCESSIBLE HOUSING

Boston Center for Independent Living

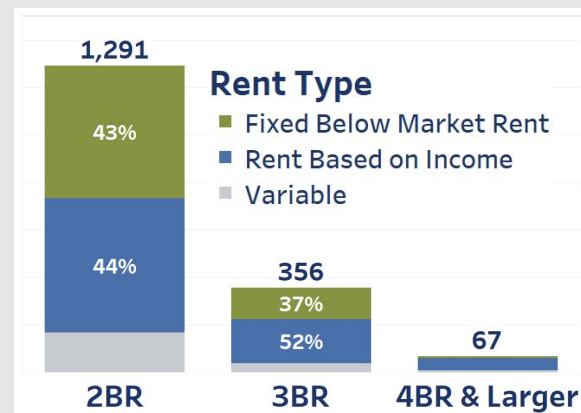
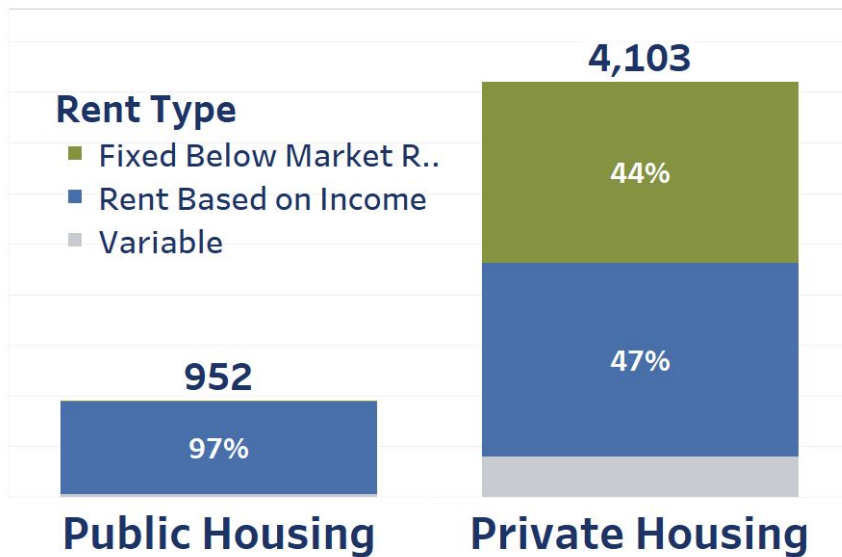


Snapshot of the Region

- The region includes **5,055** reported accessible affordable rental units
- There is one such unit for every **47** renters earning 80% or less of AMI.
- For **56%**, or **2,837** of these units, renters pay rent based on income.

A Closer Look Larger Units

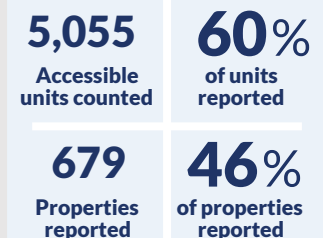
- 2BR and larger units comprise **34%** of the region's accessible affordable rental stock, or **1,714** units.
- For **47%**, or **804** larger units, renters pay rent based on income.



Sample Regional Rents: 2-Bedroom in Boston

- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$2,203**.
- A household paying Rent Based on Income will typically pay 30% of their income

OF THIS REGION'S Affordable Housing Inventory



<https://bostoncil.org/>

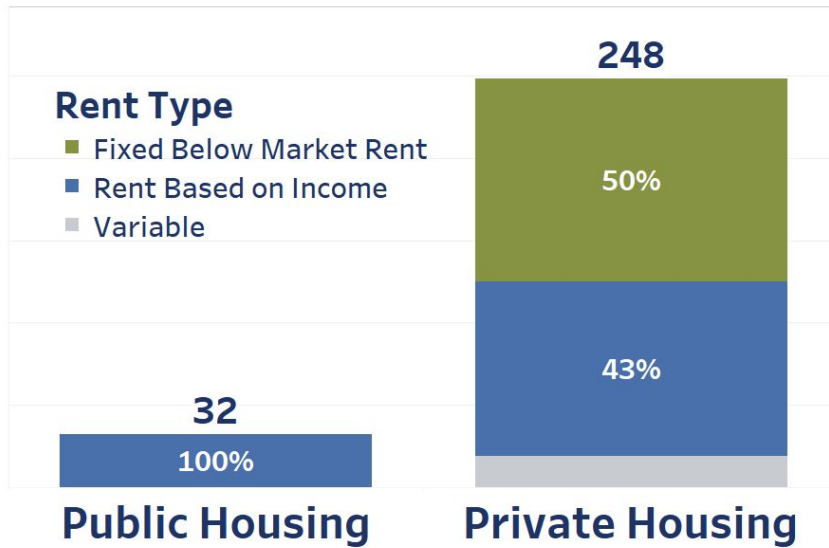
Largest Communities: Boston, Cambridge, Quincy

AFFORDABLE + ACCESSIBLE HOUSING

Cape Organization for Right of the Disabled

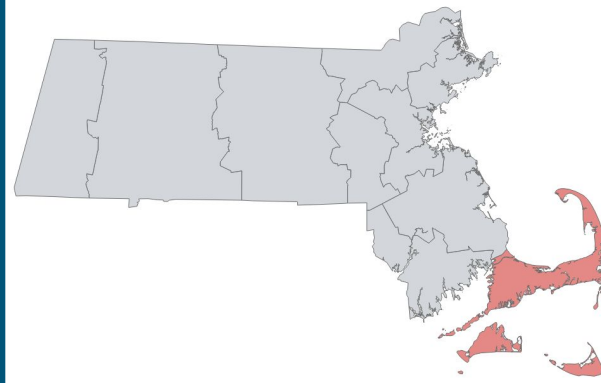
Snapshot of the Region

- The region includes **208** reported accessible affordable rental units
- There is one such unit for every **56** renters earning 80% or less of AMI.
- For **49%**, or **138** of these units, renters pay rent based on income.



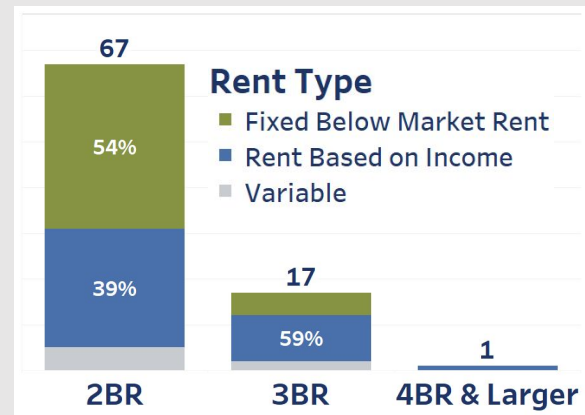
Sample Regional Rents: 2-Bedroom in Barnstable

- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$1,708**.
- A household paying Rent Based on Income will typically pay 30% of their income

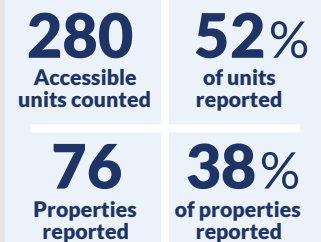


A Closer Look Larger Units

- 2BR and larger units comprise **30%** of the region's accessible affordable rental stock, or **85** units.
- For **44%**, or **37** larger units, renters pay rent based on income.



OF THIS REGION'S Affordable Housing Inventory

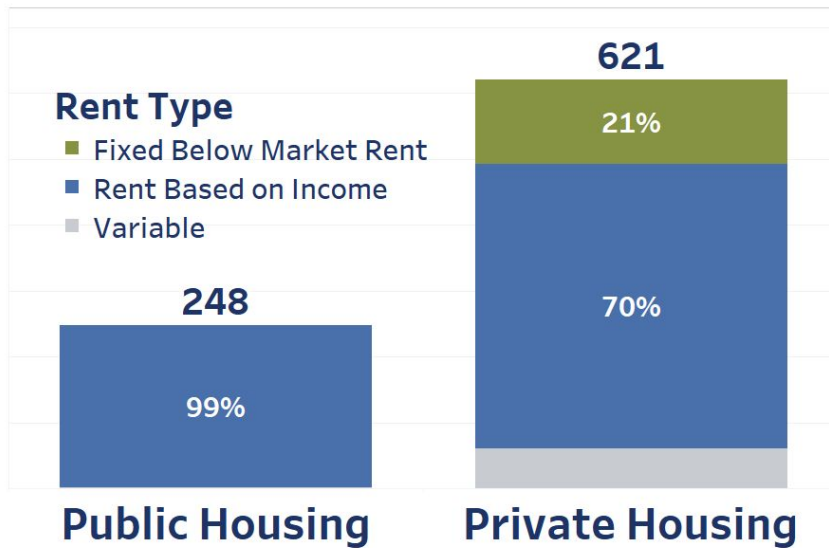


AFFORDABLE + ACCESSIBLE HOUSING

Center for Living and Working, Inc.

Snapshot of the Region

- The region includes **869** reported accessible affordable rental units
- There is one such unit for every **90** renters earning 80% or less of AMI.
- For **78%**, or **678** of these units, renters pay rent based on income.

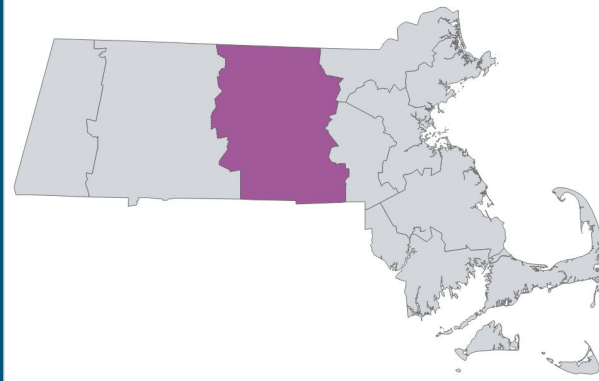


Sample Regional Rents: 2-Bedroom in Worcester

- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$1,737**.
- A household paying Rent Based on Income will typically pay 30% of their income

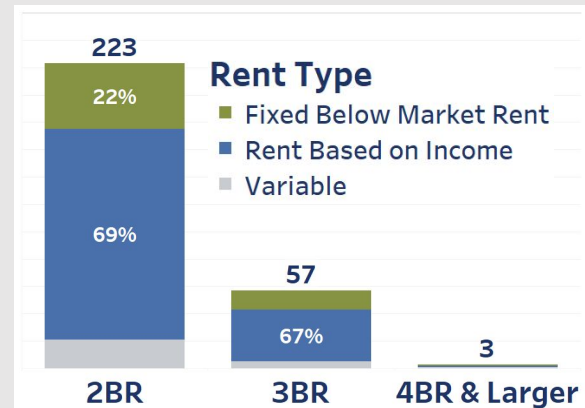
<https://www.centerlw.org/>

Largest Communities: Worcester, Leominster, Fitchburg

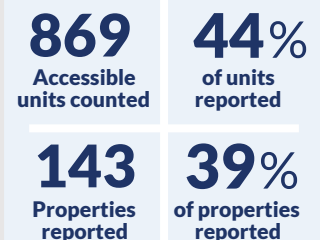


A Closer Look Larger Units

- 2BR and larger units comprise **33%** of the region's accessible affordable rental stock, or **283** units.
- For **68%**, or **193** larger units, renters pay rent based on income.

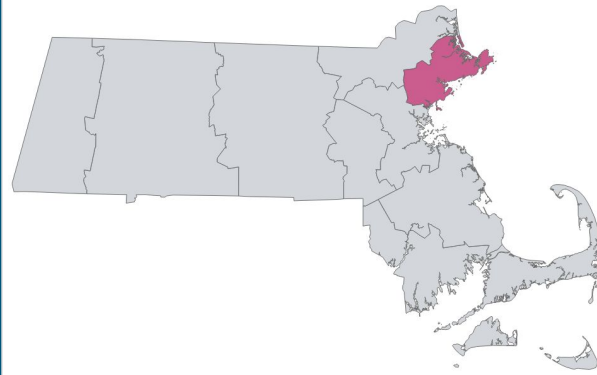


OF THIS REGION'S Affordable Housing Inventory



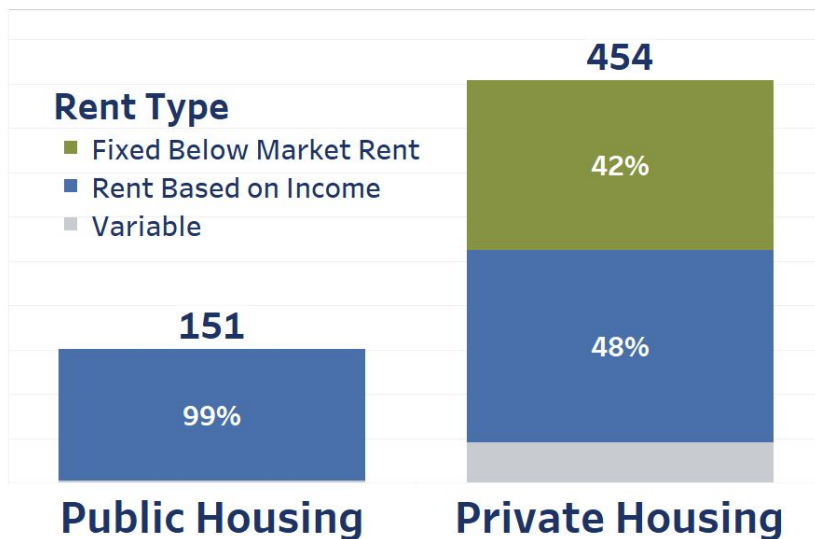
AFFORDABLE + ACCESSIBLE HOUSING

Disability Resource Center



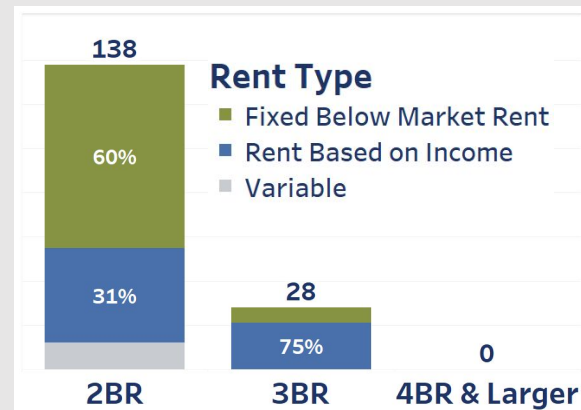
Snapshot of the Region

- The region includes **605** reported accessible affordable rental units
- There is one such unit for every **88** renters earning 80% or less of AMI.
- For **60%**, or **366** of these units, renters pay rent based on income.



A Closer Look Larger Units

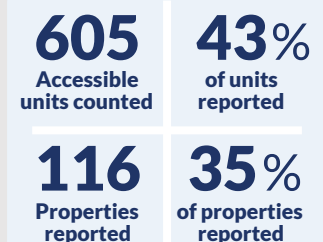
- 2BR and larger units comprise **27%** of the region's accessible affordable rental stock, or **166** units.
- For **39%**, or **64** larger units, renters pay rent based on income.



Sample Regional Rents: 2-Bedroom in Lynn

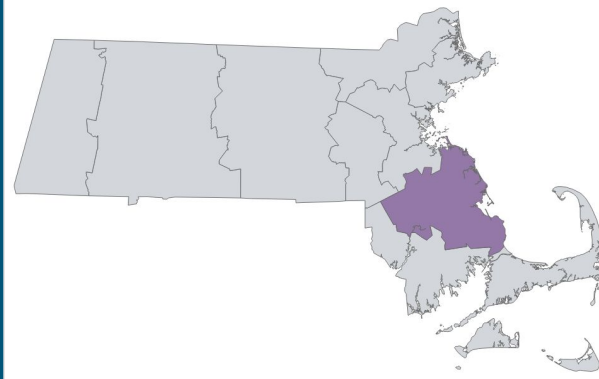
- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$2,203**.
- A household paying Rent Based on Income will typically pay 30% of their income

OF THIS REGION'S Affordable Housing Inventory



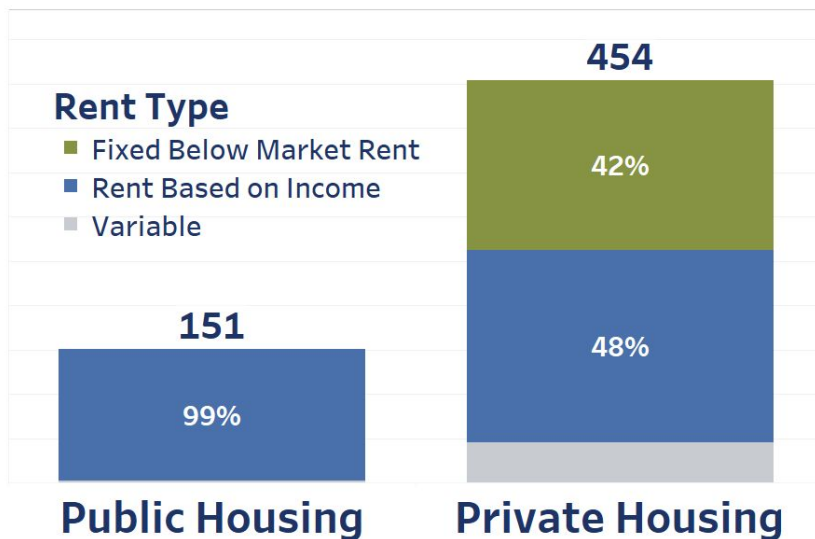
AFFORDABLE + ACCESSIBLE HOUSING

Independent Associates, Inc.



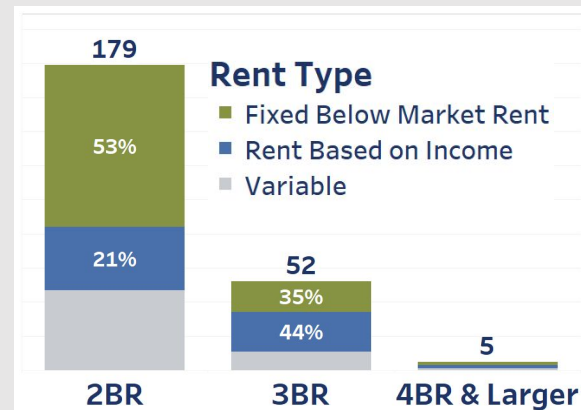
Snapshot of the Region

- The region includes **615** reported accessible affordable rental units
- There is one such unit for every **68** renters earning 80% or less of AMI.
- For **52%**, or **317** of these units, renters pay rent based on income.



A Closer Look Larger Units

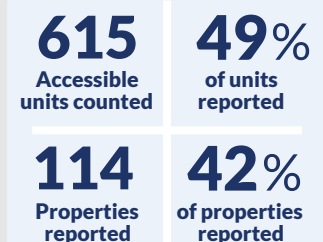
- 2BR and larger units comprise **38%** of the region's accessible affordable rental stock, or **236** units.
- For **26%**, or **62** larger units, renters pay rent based on income.



Sample Regional Rents: 2-Bedroom in Brockton

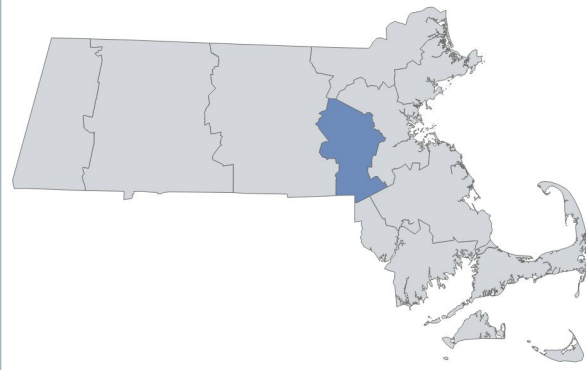
- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$1,756**.
- A household paying Rent Based on Income will typically pay 30% of their income

OF THIS REGION'S Affordable Housing Inventory



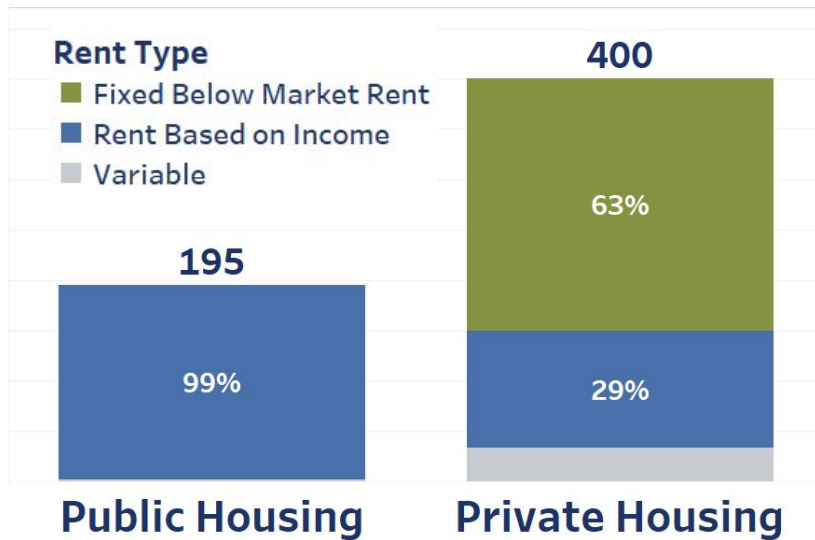
AFFORDABLE + ACCESSIBLE HOUSING

MetroWest Center for Independent Living



Snapshot of the Region

- The region includes **595** reported accessible affordable rental units
- There is one such unit for every **49** renters earning 80% or less of AMI.
- For **52%**, or **310** of these units, renters pay rent based on income.

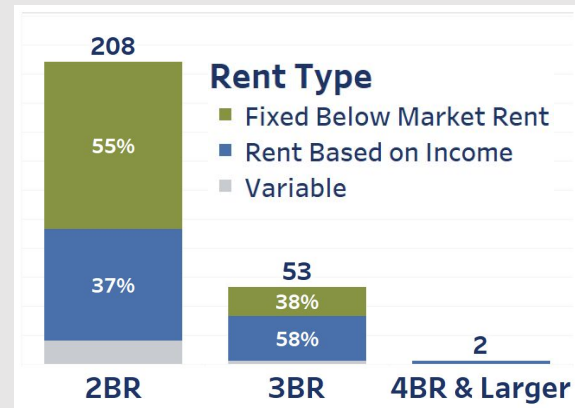


Sample Regional Rents: 2-Bedroom in Framingham

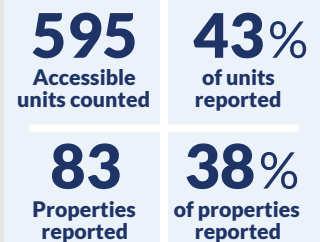
- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$2,203**.
- A household paying Rent Based on Income will typically pay 30% of their income

A Closer Look Larger Units

- 2BR and larger units comprise **44%** of the region's accessible affordable rental stock, or **263** units.
- For **42%**, or **110** larger units, renters pay rent based on income.

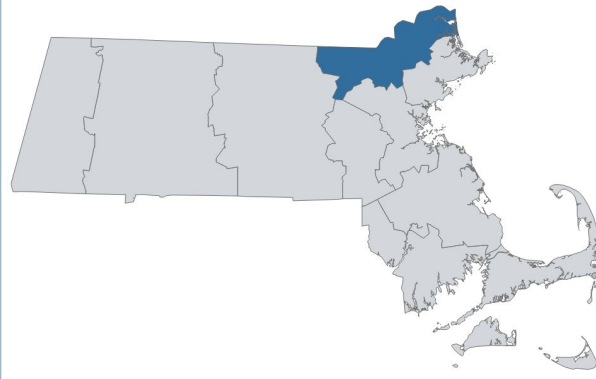


OF THIS REGION'S Affordable Housing Inventory



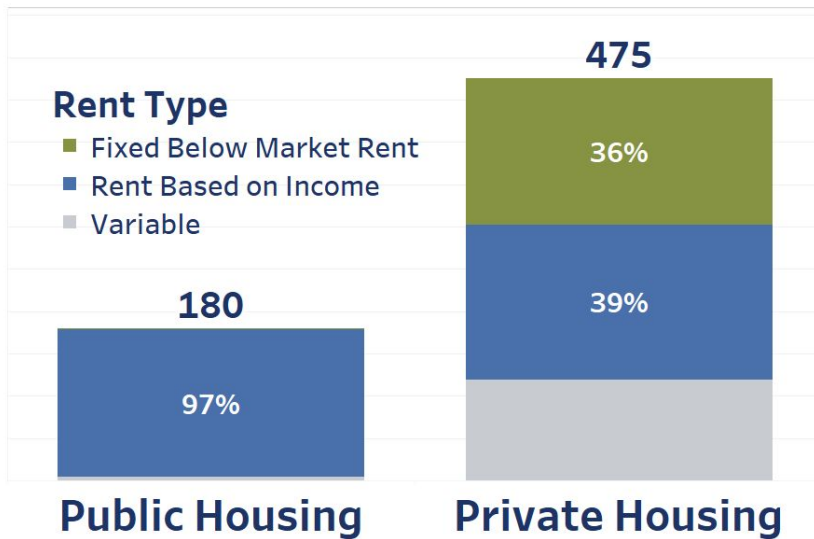
AFFORDABLE + ACCESSIBLE HOUSING

Northeast Independent Living Program



Snapshot of the Region

- The region includes **655** reported accessible affordable rental units
- There is one such unit for every **89** renters earning 80% or less of AMI.
- For **55%**, or **358** of these units, renters pay rent based on income.

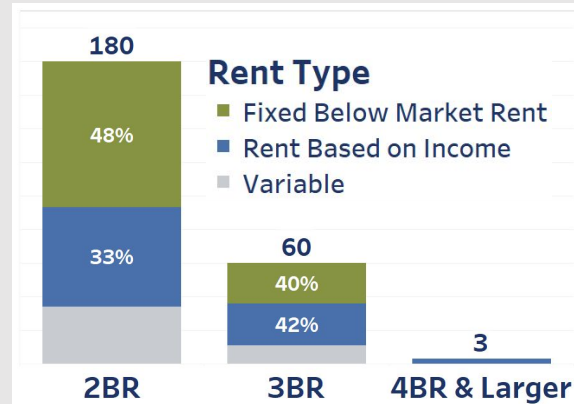


Sample Regional Rents: 2-Bedroom in Lowell

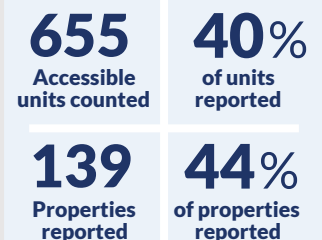
- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$1,857**.
- A household paying Rent Based on Income will typically pay 30% of their income

A Closer Look Larger Units

- 2BR and larger units comprise **37%** of the region's accessible affordable rental stock, or **243** units.
- For **36%**, or **87** larger units, renters pay rent based on income.

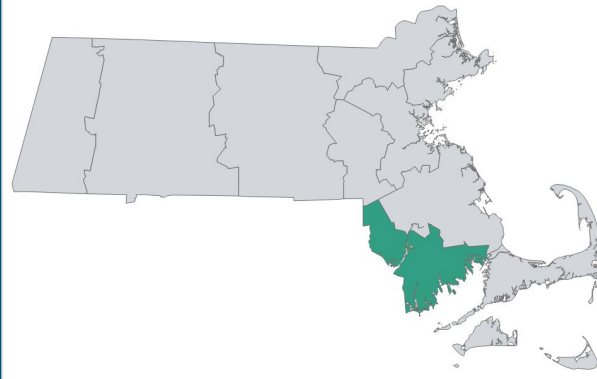


OF THIS REGION'S Affordable Housing Inventory



AFFORDABLE + ACCESSIBLE HOUSING

Southeast Center for Independent Living

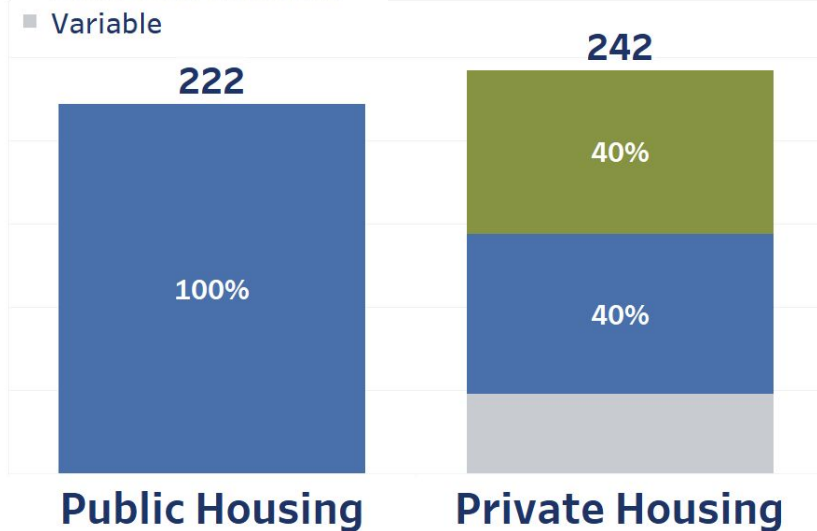


Snapshot of the Region

- The region includes **464** reported accessible affordable rental units
- There is one such unit for every **103** renters earning 80% or less of AMI.
- For **69%**, or **318** of these units, renters pay rent based on income.

Rent Type

- Fixed Below Market Rent
- Rent Based on Income
- Variable

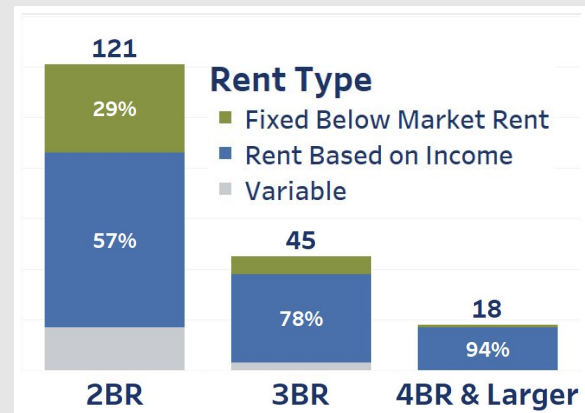


Sample Regional Rents: 2-Bedroom in New Bedford

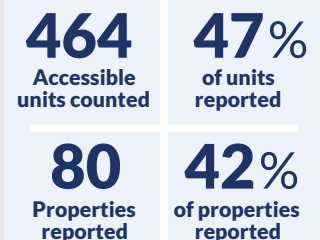
- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$1,479**.
- A household paying Rent Based on Income will typically pay 30% of their income

A Closer Look Larger Units

- 2BR and larger units comprise **40%** of the region's accessible affordable rental stock, or **184** units.
- For **66%**, or **121** larger units, renters pay rent based on income.

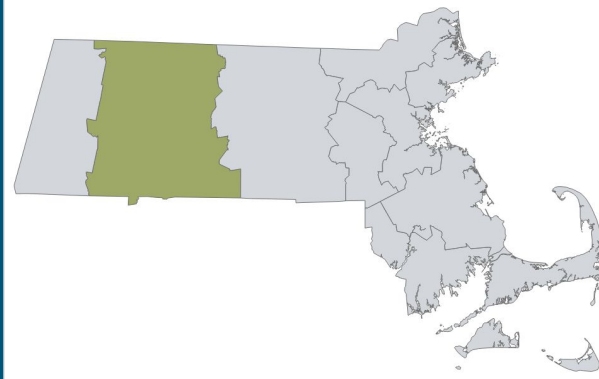


OF THIS REGION'S Affordable Housing Inventory



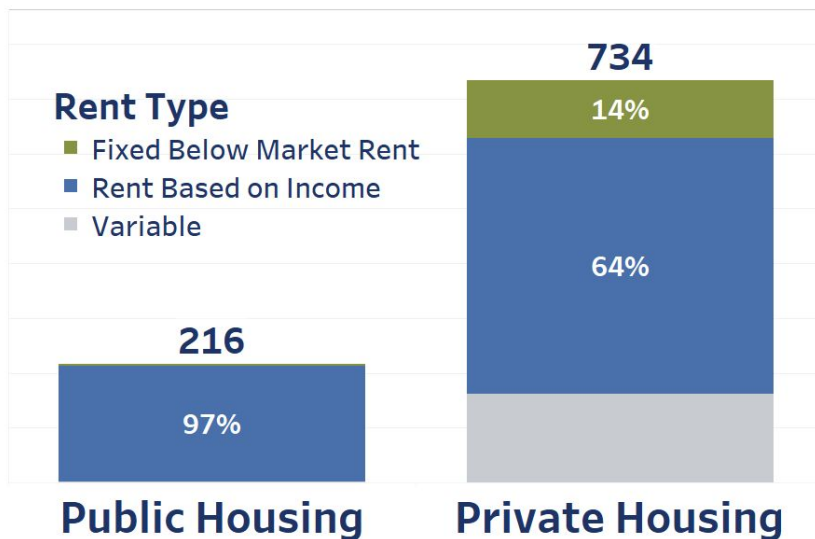
AFFORDABLE + ACCESSIBLE HOUSING

STAVROS



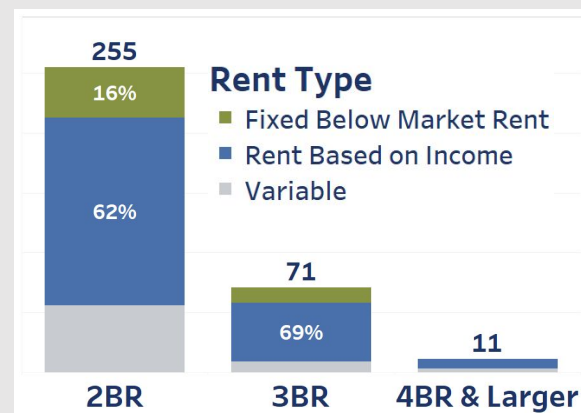
Snapshot of the Region

- The region includes **950** reported accessible affordable rental units
- There is one such unit for every **75** renters earning 80% or less of AMI.
- For **71%**, or **677** of these units, renters pay rent based on income.



A Closer Look Larger Units

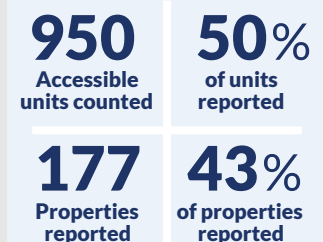
- 2BR and larger units comprise **35%** of the region's accessible affordable rental stock, or **337** units.
- For **64%**, or **214** larger units, renters pay rent based on income.



Sample Regional Rents: 2-Bedroom in Springfield

- A household in a Fixed Below Market Rent tax credit unit will pay close to **\$1,479**.
- A household paying Rent Based on Income will typically pay 30% of their income

OF THIS REGION'S Affordable Housing Inventory

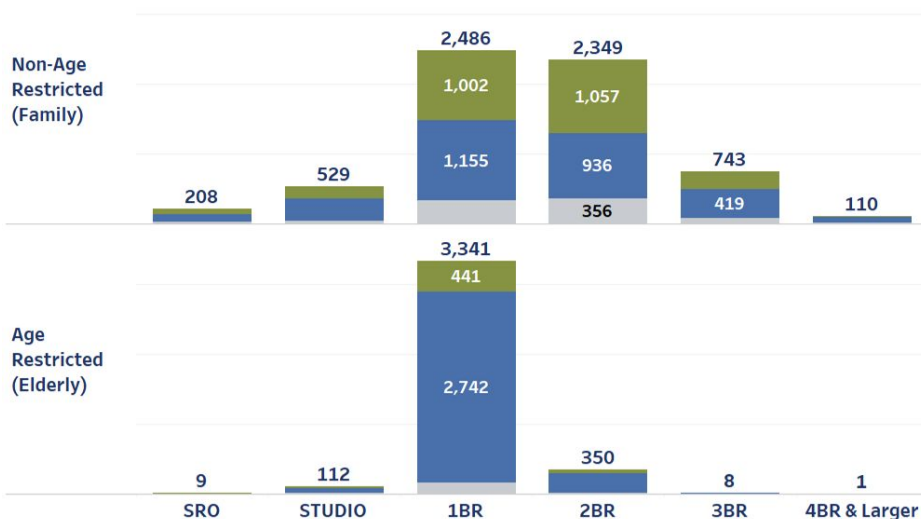


APPENDIX A

Affordable + Accessible Unit Characteristics by ILC

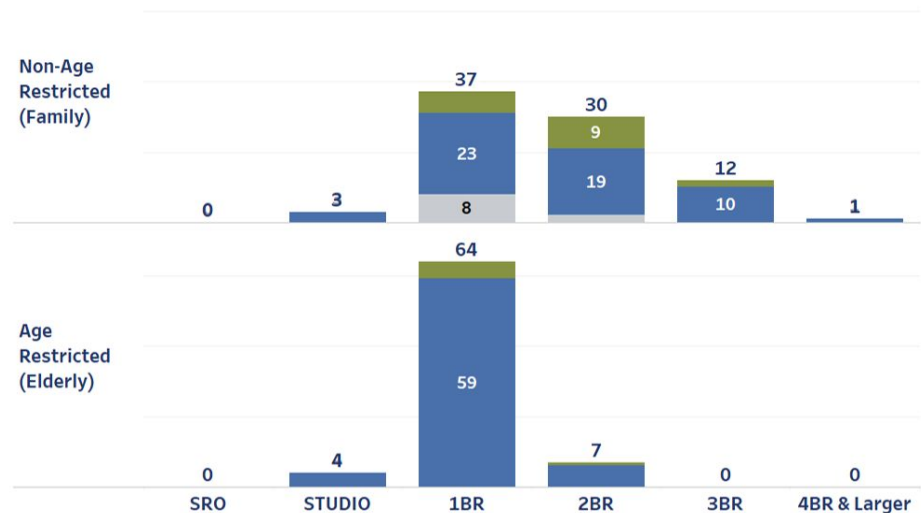
Commonwealth of Massachusetts

Total Accessible Units Reported - 10,246



Ad-Lib, Inc.

Total Accessible Units Reported - 158

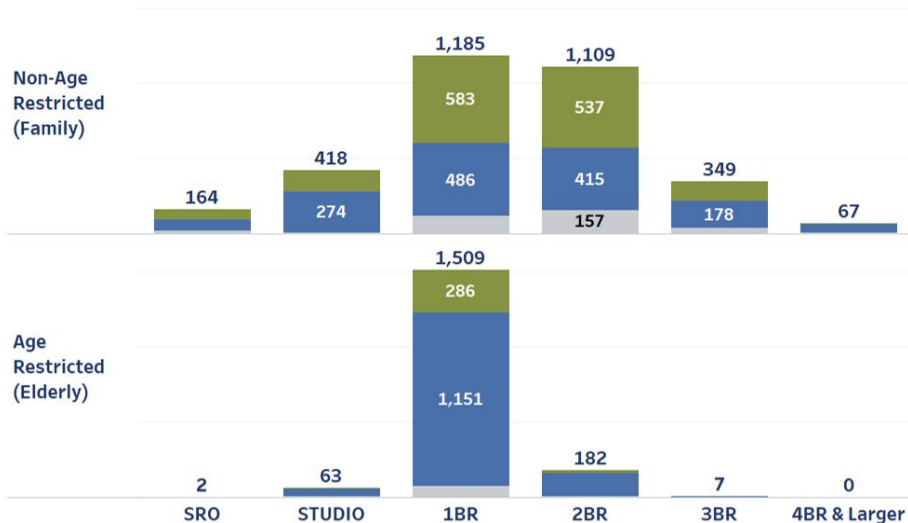


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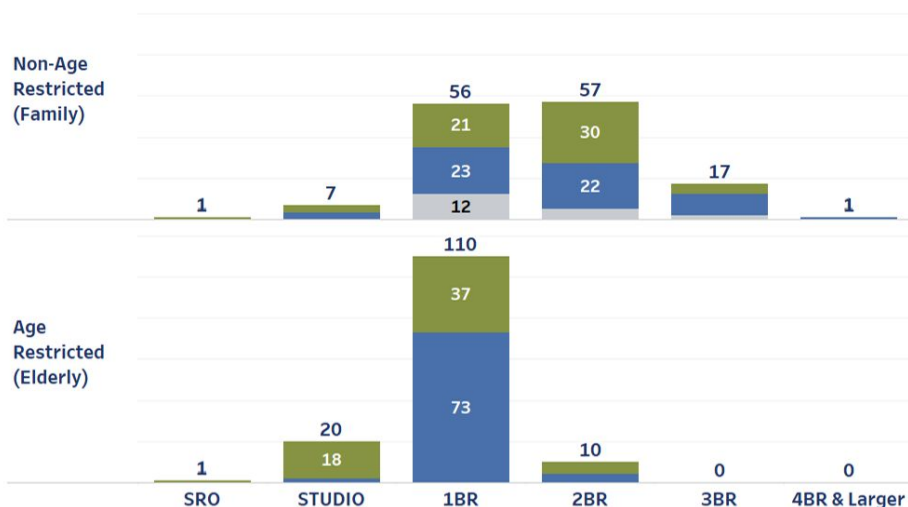
Boston Center for Independent Living

Total Accessible Units Reported - 5,055



Cape Organization for the Rights of the Disabled

Total Accessible Units Reported - 280

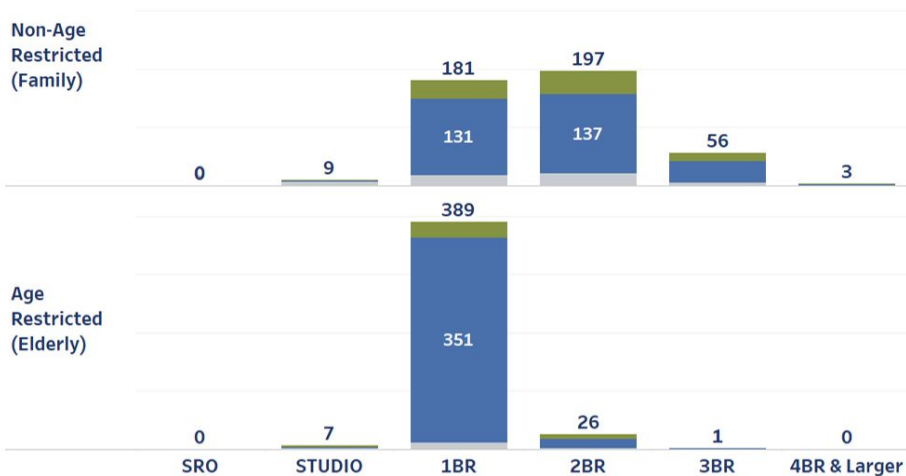


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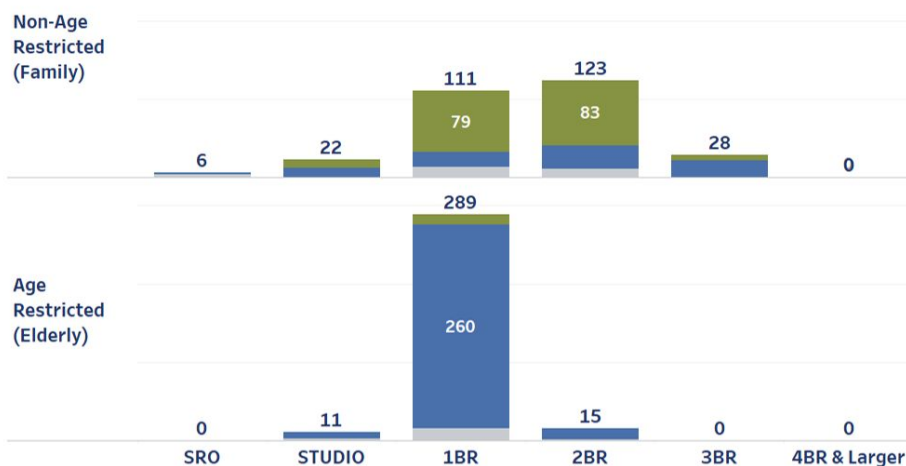
Center for Living and Working, Inc.

Total Accessible Units Reported - 869



Disability Resource Center

Total Accessible Units Reported - 605

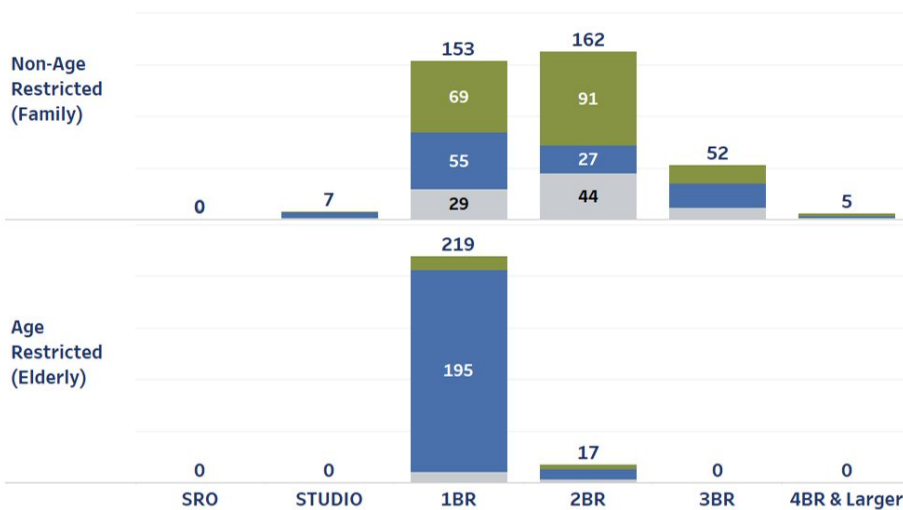


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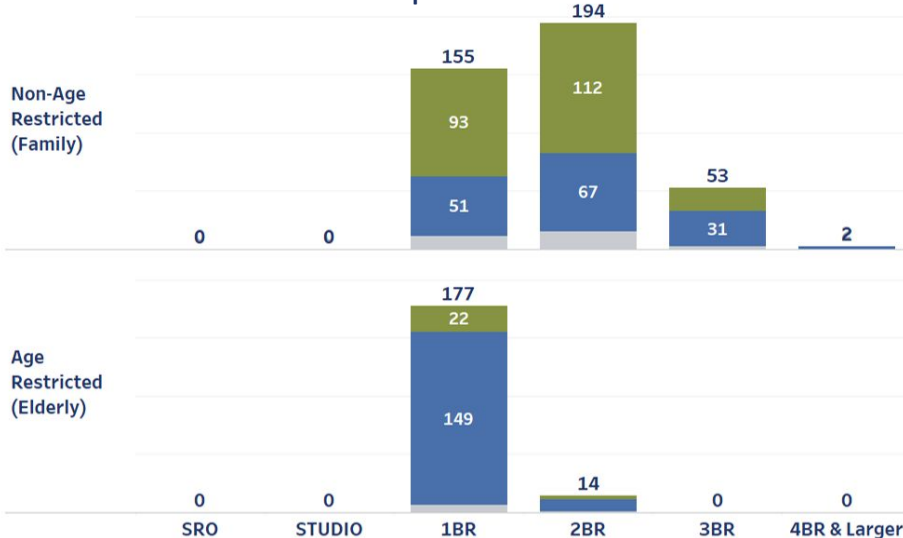
Independence Associates, Inc.

Total Accessible Units Reported - 615



MetroWest Center for Independent Living

Total Accessible Units Reported - 595

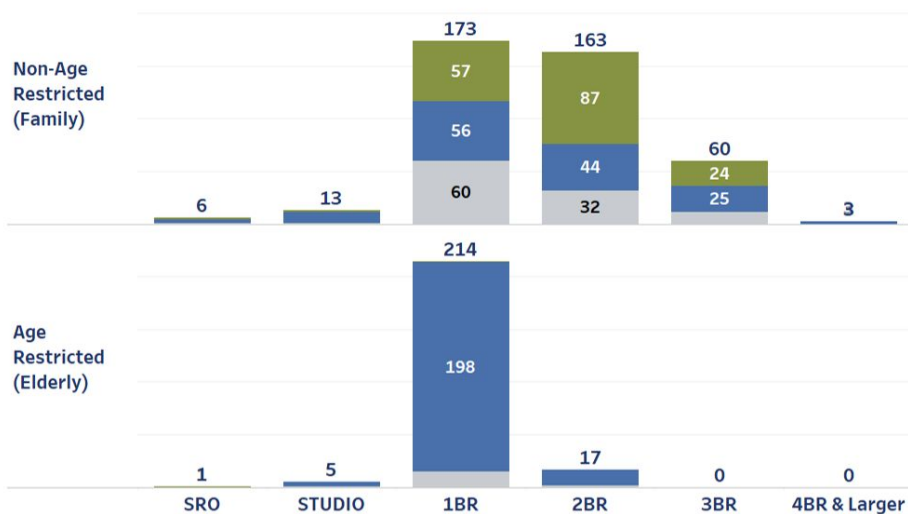


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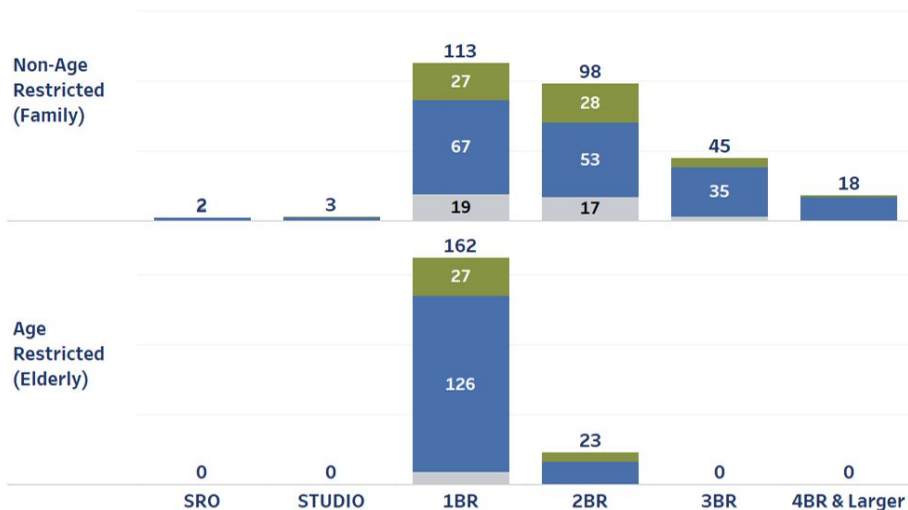
Northeast Independent Living Program

Total Accessible Units Reported - 655



Southeast Center for Independent Living

Total Accessible Units Reported - 464



APPENDIX A

Affordable + Accessible Unit Characteristics by ILC

STAVROS

Total Accessible Units Reported - 950



APPENDIX B

List of Municipalities by ILC

Ad-Lib, Inc.: Adams, Alford, Becket, Cheshire, Clarksburg, Dalton, Egremont, Florida, Great Barrington, Hancock, Hinsdale, Lanesborough, Lee, Lenox, Monterey, Mount Washington, New Ashford, New Marlborough, North Adams, Otis, Peru, Pittsfield, Richmond, Sandisfield, Savoy, Sheffield, Stockbridge, Tyringham, Washington, West Stockbridge, Williamstown, Windsor

Boston Center for Independent Living: Acton, Arlington, Bedford, Belmont, Boston, Braintree, Brookline, Burlington, Cambridge, Canton, Carlisle, Chelsea, Concord, Dedham, Everett, Lexington, Lincoln, Malden, Medford, Milton, Newton, Norwood, Quincy, Randolph, Revere, Sharon, Somerville, Walpole, Waltham, Watertown, Westwood, Weymouth, Winchester, Winthrop, Woburn

Cape Organization for Rights of the Disabled: Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Gosnold, Harwich, Mashpee, Nantucket, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, Yarmouth

Center for Living and Working, Inc.: Ashburnham, Ashby, Athol, Auburn, Ayer, Barre, Berlin, Blackstone, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, East Brookfield, Fitchburg, Gardner, Grafton, Hardwick, Harvard, Holden, Hopedale, Hubbardston, Lancaster, Leicester, Leominster, Lunenburg, Mendon, Milford, Millbury, Millville, New Braintree, North Brookfield, Northborough, Northbridge, Oakham, Oxford, Paxton, Petersham, Phillipston, Princeton, Royalston, Rutland, Shirley, Shrewsbury, Southbridge, Spencer, Sterling, Sturbridge, Sutton, Templeton, Townsend, Upton, Uxbridge, Warren, Webster, West Boylston, West Brookfield, Westborough, Westminster, Winchendon, Worcester

Disability Resource Center: Beverly, Danvers, Essex, Gloucester, Hamilton, Ipswich, Lynn, Lynnfield, Manchester-by-the-Sea, Marblehead, Melrose, Middleton, Nahant, North Reading, Peabody, Reading, Rockport, Rowley, Salem, Saugus, Stoneham, Swampscott, Topsfield, Wakefield, Wenham

Independence Associates, Inc.: Abington, Avon, Bridgewater, Brockton, Carver, Cohasset, Duxbury, East Bridgewater, Easton, Halifax, Hanover, Hanson, Hingham, Holbrook, Hull, Kingston, Mansfield, Marshfield, Middleborough, Norton, Norwell, Pembroke, Plymouth, Plympton, Raynham, Rockland, Scituate, Stoughton, Taunton, West Bridgewater, Whitman

MetroWest Center for Independent Living: Ashland, Bellingham, Dover, Foxborough, Framingham, Franklin, Holliston, Hopkinton, Hudson, Marlborough, Maynard, Medfield, Medway, Millis, Natick, Needham, Norfolk, Plainville, Sherborn, Southborough, Stow, Sudbury, Wayland, Wellesley, Weston, Wrentham

Northeast Independent Living Program: Amesbury, Andover, Billerica, Boxborough, Boxford, Chelmsford, Dracut, Dunstable, Georgetown, Groton, Groveland, Haverhill, Lawrence, Littleton, Lowell, Merrimac, Methuen, Newbury, Newburyport, North Andover, Pepperell, Salisbury, Tewksbury, Tyngsborough, West Newbury, Westford, Wilmington

APPENDIX B

List of Municipalities by ILC

Southeast Center for Independent Living: Acushnet, Attleboro, Berkley, Dartmouth, Dighton, Fairhaven, Fall River, Freetown, Lakeville, Marion, Mattapoisett, New Bedford, North Attleborough, Rehoboth, Rochester, Seekonk, Somerset, Swansea, Wareham, Westport

STAVROS: Agawam, Amherst, Ashfield, Belchertown, Bernardston, Blandford, Brimfield, Buckland, Charlemont, Chester, Chesterfield, Chicopee, Colrain, Conway, Cummington, Deerfield, East Longmeadow, Easthampton, Erving, Gill, Goshen, Granby, Granville, Greenfield, Hadley, Hampden, Hatfield, Hawley, Heath, Holland, Holyoke, Huntington, Leverett, Leyden, Longmeadow, Ludlow, Middlefield, Monroe, Monson, Montague, Montgomery, New Salem, Northampton, Northfield, Orange, Palmer, Pelham, Plainfield, Rowe, Russell, Shelburne, Shutesbury, South Hadley, Southampton, Southwick, Springfield, Sunderland, Tolland, Wales, Ware, Warwick, Wendell, West Springfield, Westfield, Westhampton, Whately, Wilbraham, Williamsburg, Worthington

Credits

Contributors to this report:

Housing Navigator MA team:

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Many thanks to our owner partners who supplied the data for this report as well as the MA Executive Office of Housing and Livable Communities.

Additional thanks to our partners in the ILC community with special thanks to Angelina Ramirez and Jordan Stocker for their guidance.

Support for our data work is provided by the Kuehn Charitable Foundation. A full list of our supporters can be found [here](#). Thanks to each for making this report and [our search tool](#) possible.

AFFORDABLE HOMES ACT

FACT SHEET

On August 6, 2024, Governor Maura Healey signed the Affordable Homes Act into law (Chapter 150 of the Acts of 2024). The historic legislation authorizes **\$5.16 billion** in spending over the next five years along with **nearly 50 policy initiatives** to counter rising housing costs caused by high demand and limited supply. Here's a look at the spending authorizations and policy initiatives in this comprehensive legislation:

UNLOCKING HOUSING PRODUCTION:

\$800M for Affordable Housing Trust Fund

Provides resources to create or preserve affordable housing for households whose incomes are not more than 110% of area median income; includes up to \$50M for MassDREAMS to provide downpayment/closing cost assistance for homebuyers in Disproportionately Impacted Communities.



\$425M for Housing Stabilization and Investment Fund

Consolidates the Housing Stabilization Fund and the Community Investment and Preservation Fund; supports preservation, new construction, and rehabilitation projects. \$10M made available for the Small Properties State Acquisition Funding Pilot Program.

\$275M for Sustainable and Green Housing Initiatives

Consolidates the existing Transit Oriented Development Program and the Climate Resilient Affordable Multifamily Housing Program; supports innovative solutions to accelerating/unlocking new housing solutions (e.g., office conversions, modular homes, accessory dwelling units); adds language to authorize the creation of a new social housing pilot program.

\$175M for HousingWorks Infrastructure Program

Funds infrastructure projects to encourage additional housing development.

\$50M for the Momentum Fund

A new program that capitalizes a permanent, revolving fund (administered by MassHousing and seeded through state and private investment) to accelerate development of mixed-income multifamily housing.

\$25M for Community Planning Grants

Makes grants to municipalities for planning and zoning initiatives that support housing.

\$20M for Smart Growth/40R/40Y Program

Provides incentive payments to municipalities who adopt smart growth housing districts, under Chapter 40R/40Y.

Accessory Dwelling Units (ADUs) As-Of-Right

Permits ADUs (<900 SF) to be built by-right in single-family zoning districts in all communities; prohibits owner occupancy requirements as well as parking mandates within ½ mile of transit.

Effective Date: 180 days from the effective date of the Act.

Abutter Appeal Reforms

Increases the maximum bond that a court may require in an appeal of an approval of a special permit, variance or site plan from \$50,000 to \$250,000 and clarifies that a court need not find bad faith or malice of a plaintiff for the court to require posting of a bond; allows the courts to award reasonable attorneys' fees if the court finds the appellant acted in bad faith or with malice in making appeal.

Statewide Housing Plan

Requires EOHLC to prepare a statewide housing plan every 5 years, conducting regional outreach following robust data analysis, to help inform statewide housing goals and strategies

RESTORING DIGNITY TO PUBLIC HOUSING:

\$2B for Public Housing

Supports the repair, rehabilitation and modernization of over 43,000 state-aided public housing units across the Commonwealth, includes \$150 million dedicated to the decarbonization of public housing and \$15 million for accessibility upgrades.

\$200M for Public Housing Demonstration Program

Encourages housing authorities to pursue innovative, market-driven strategies and leverage private resources to maintain, preserve and create public housing.

Allowing Local Housing Authorities (LHAs) to Borrow Against Capital Funding

Allows LHAs, with approval from EOHLC, to raise additional funds for rehabilitation projects by borrowing against their capital funds.

LHA Replacement Value for Mass. Architectural Access Board (MAAB)

Requires calculation of replacement value for Public Housing for MAAB accessibility threshold to align with requirements governing state-owned properties, basing values on industry standards per a published database.



Increasing Availability of Regional Capital Assistance Teams (RCATs)

Allows RCATs, which help LHAs to plan for and complete capital projects, to expand their services and capacity by allowing payment for maintenance and operations services, as well as allows larger LHAs to join the program if they elect to pay for these services; eliminates the 3 separate advisory boards and replaces with 1 advisory board covering the entire RCAT program, with bi-annual meetings.

Sets Schedule for Agreed-Upon Procedure Audits (to align with LHA performance management reviews)

Allows EOHLA to set its own schedule for performance audits, which would be to follow the same practice as the Performance Management Review – biennial with more frequent follow-up in situations of poor performance.

Tenant Protections in LHA Redevelopment

Requires any public housing redevelopment project to (i) ensure certain resident protections; (ii) provide a clear path to enforce protections; (iii) provide for the issuance of regulations and subregulatory contracts and forms; (iv) provide that residents should not be adversely affected by change in subsidy or ownership; and (v) provide residents with technical assistance to allow for meaningful input.

BUILDING MIDDLE-INCOME & HOMEOWNERSHIP OPPORTUNITIES:

\$100M for Commonwealth Builder

Creates a permanent capital resource to support the expansion of homeownership opportunities for first-time homebuyers and socially and economically disadvantaged individuals through the construction of affordable homeownership units.

\$100M for Mixed-Income Housing Fund

Formerly known as the “Workforce Housing Fund;” funds housing development for households earning 60-120% AMI.

\$50M for MassDREAMS program

Included within the Affordable Housing Trust Fund authorization to support first-time homebuyers through down payment and closing cost assistance in Disproportionately Impacted Communities.

Creates a Homeownership Production Tax Credit

Learn more under tax credits

SUPPORTING OUR VETERANS:

Veterans Supportive Housing

Creates a program to help develop supportive housing for veterans.

Veterans Preference

Allows cities and towns to create a preference for veterans in affordable housing.



PRESERVING & STRENGTHENING LIVABLE COMMUNITIES:

\$426M for Local Housing Initiatives

Authorizes over \$426M in spending on local capital projects in communities across Massachusetts.

\$50M for Neighborhood Stabilization

Funds the acquisition, rehabilitation, and sale of distressed properties.

\$50M for Housing Choice Grant Program

Provides payments to municipalities that receive a Housing Choice designation through high housing production and/or demonstration of housing best practices and a grant program to assist MBTA communities in complying with the multi-family zoning requirement.

\$30M for State Surplus Property Disposition

Authorization to support efforts to use state surplus land to address housing and other critical needs, for example, when sites with existing, obsolete structures such as former hospitals or prisons may need costly demolition or environmental remediation.



Seasonal Communities Designation

Creates the framework for designating communities with substantial seasonal variations in employment and housing needs to develop policies and programs targeting seasonal communities; creates a Seasonal Communities Coordinating Council to provide advice and recommendations to EOHLIC regarding seasonal communities.

Surplus Public Land Disposition Reforms

Creates a temporary streamlined disposition process for land under the control of a state agency or public agency if it will be conveyed for housing purposes.

Receivership Reforms for Affordable Housing

Amends the state's receivership statute to permit courts to expeditiously approve the sale of vacant properties in receivership to a nonprofit for the fair market value of the property "as is" if the entity will rehabilitate and sell affordably to an income-eligible first-time homebuyer.

Commercial Property Conversion Program

Creates a program to support the conversion of commercial properties into housing or mixed-use developments.

Municipal Conversion Project Program

Creates a program for municipalities to assist with the development costs of converting commercial property into residential housing.

SUPPORTING VULNERABLE POPULATIONS:

Supportive Housing Pool Fund

Creates a flexible supportive housing pool program to provide critical assistance for supportive housing by funding staffing, case management, service coordination and other tenancy-related services not funded through other sources.

\$200M for Housing Innovations Fund

Supports innovative and alternative forms of rental housing including single person occupancy units, transitional and permanent housing for people experiencing homelessness, housing for seniors and veterans, and transitional units for persons recovering from substance use disorder.

\$70M for Facilities Consolidation Fund

Supports the development of appropriate community-based housing for clients of the Department of Mental Health and Department of Developmental Services.

\$60M for Home Modification Loan Program

Provides funding to modify homes or create accessory dwelling units for individuals or families with disabilities or seniors so that they may stay in their homes or return home from institutional or skilled care settings.

\$55M for Community Based Housing

Provides funding for the development of integrated housing for people with disabilities, including seniors, with priority for individuals who are in institutions, nursing facilities or at risk of institutionalism.

Massachusetts Healthy Homes Program

Creates a program to address habitability concerns in homes, including lead paint, asbestos, & mold abatement

\$50M for Early Education and Out of School Time Grants

Offers grants to help build early education and out of school time program facilities that serve low-income children.

ESTABLISHING MEANINGFUL COMMISSIONS:

Extremely Low-Income Commission

Creates a commission to recommend policy, programs, and other investments to expand the supply of housing that is affordable to households earning not more than 30% AMI.

Senior Housing Commission

Creates a commission to recommend policy, programs, and other investments to expand the supply of housing for seniors and older adults.

Accessible Housing Commission

Creates a commission to study accessibility in housing for persons with disabilities and seniors.



FAIR HOUSING FOR ALL:

Eviction Record Sealing

Provides a process for tenants to petition the court to seal an eviction record for: (i) no-fault evictions, or eviction actions where the case was dismissed/tenant prevailed: after conclusion of the case; (ii) solely non-payment evictions: no other eviction action within past 4 years and judgment for underlying eviction has been satisfied; and (iii) all other fault evictions: 7 years from conclusion of the matter and 3 years without any other eviction case filed against the tenant. Also prohibits consumer reporting agencies from disclosing information in a sealed eviction record. *Effective Date: 270 days from the effective date of the Act.*

Establishes the Office of Fair Housing and Fair Housing Trust Fund

Establishes an office within EOHLIC with explicit focus on fair housing as an essential element of EOHLIC's mission and establishes a trust fund for enforcement initiatives, fair housing testing, education, and outreach.

Foreclosure Prevention Pilot Program

Creates a Massachusetts Foreclosure Prevention Pilot Program, administered by the Massachusetts Office of Public Collaboration at UMass Boston, to operate in up to 5 communities disproportionately impacted by high rates of foreclosure. The program will provide supervised conferences where parties make a good faith effort to avoid foreclosure through sustainable foreclosure prevention alternatives.

TAX CREDITS:

Homeownership Production Tax Credit

Creates a new tax credit to incentivize production of homeownership units for first-time homebuyers earning up to 120% AMI.

Community Investment Tax Credit (CITC)

Makes the CITC permanent and expands its annual authorization from \$12M to \$15M to support Community Development Corporations or nonprofit Community Support Organizations.

Commercial Property Conversion Tax Credit

Creates a new tax credit to support the conversion of commercial properties into housing or mixed-use developments.

Historic Rehabilitation Tax Credit

Increases the annual authorization for the State Historic Rehabilitation Tax Credit from \$55M to \$110M; extends sunset date to December 31, 2030.



CREATING A STRONGER COMMONWEALTH:

Adjacent Lots Merger Reforms

Establishes that adjacent lots under common ownership shall not be treated as a single lot for local zoning purposes.

Alternative Housing Voucher Program (AHVP)

Amends the AHVP statute to allow for project-based vouchers.

Condo Board Meeting Reforms

Allows condo boards and governing bodies to conduct meetings by telephone or video conference call; allows unit owners to vote by mail-in ballot or by electronic means so long as there is a quorum.

Condo Conversion Protections

Extends the condo conversion protection law to buildings that are not owner-occupied and contain fewer than four residential units.

Home Inspection Regulations

Requires EOHLIC to promulgate regulations to prohibit a residential home seller from (1) conditioning the sale on the potential buyer waiving or limiting an inspection; or (2) accepting an offer if the seller has been informed in advance that the prospective buyer intends to waive their right to an inspection.

Homestead Exemption Increase

Increases the Declared Homestead Exemption from \$500,000 to \$1M to protect homeowner equity from certain debt.

Housing Appeals Committee (HAC) Reporting

Requires the HAC to notify the Secretary of any deadline extensions or delays for any appeals and report annually to the Governor and the legislature on the delay or extension of any deadlines.

MassDevelopment I-Cubed

Allows MassDevelopment to support and prioritize Economic Development Projects that incorporate residential development.

MassHousing Licensing Exemptions

Exempts MassHousing from debt collectors/third party loan servicers licensing; mortgage lender/broker licensing; and mortgage loan originator licensing.

MassHousing Borrowing Authority Increase

Increases MassHousing borrowing authority from \$4.9B to \$10.8B

Registered Land Administration Modernization

Modernizes the administration of registered land.

Security Deposit Reform

Authorizes EOHLIC to promulgate regulations to authorize a lessor and a tenant to agree to payment of a fee in lieu of a security deposit.

Worker Protections

Requires a private entity engaged in projects receiving funds under the bond bill to properly classify individuals employed on the project and comply with all laws concerning workers' compensation.

TECHNICAL UPDATES:

Community Economic Development Assistance Corporation (CEDAC) Updates

Amends CEDAC enabling act to place it under EOHLC rather than EOED and repeals EOED reporting requirements that are no longer relevant to CEDAC.

MassHousing & Massachusetts Housing Partnership (MHP) Updates

Amends the MassHousing and MHP enabling acts to replace DHCD with EOHLC.

Community Based Housing (CBH) Updates

Amends prior authorizations of CBH to clarify that (i) CBH loans may be refinanced and (ii) CBH property owners may transfer an affordable housing restriction to a new property if it is determined that clients will be better served at an alternative property.

Facilities Consolidation Fund (FCF) Updates

Amends prior authorizations of FCF to clarify that (i) FCF loans may be refinanced and (ii) FCF property owners may transfer an affordable housing restriction to a new property if it is determined that clients will be better served at an alternative property.

Housing Innovations Fund (HIF) Updates

Amends prior authorizations of HIF to clarify that (i) HIF loans may be refinanced and (ii) HIF property owners may transfer an affordable housing restriction to a new property if it is determined that clients will be better served at an alternative property.

HousingWorks Infrastructure Program Updates

Technical amendments to HWIP to align funding to support housing purposes.

Capital Improvement & Preservation Fund (CIPF) Updates

Combines CIPF into the Housing Stabilization Fund statute.



TO: Lara Kritzer, Director of Housing & Community Development

FROM: Newton Fair Housing Committee

CC: Barney Heath, Director, Department of Planning & Development
Jen Caira, Deputy Director, Department of Planning & Development
Shaylyn Davis-Iannaco, Housing Program Manager
Malcolm Lucas, Housing Planner
Jini Fairley, ADA/504 Coordinator

RE: Fair Housing Committee Inclusionary Zoning 5-Year Review Recommendations

DATE: July 14, 2024

The Newton Fair Housing Committee (FHC) appreciates the opportunity to comment on priority areas that it recommends should be considered by the Department of Planning & Development, through its consultant, as part of the City's required five-year review of its Inclusionary Zoning (IZ) Ordinance.

The FHC's mission is to promote and support the City of Newton and its efforts to be a diverse and welcoming community with housing choices and opportunities free from housing discrimination. Acting in an advisory capacity to the mayor, the city council, and all applicable City departments, boards, and committees, the Committee aims to assure that policies and practices relating to fair housing are interwoven into the operations and activities of the City as well as the fabric of the community. As part of its mission, the Committee assists the City in meeting its duties to affirmatively further fair housing within Newton.

The IZ is a valuable way to promote new housing options that makes it possible for the city to be more welcoming of people of all backgrounds, including especially those that are traditionally underserved or experience discrimination: people of color, people with disabilities, families with children, seniors and other vulnerable and protected populations.

Newton has a shortage of housing of all kinds. This includes market rate, middle-income, affordable and deeply affordable rental and ownership homes. Using the IZ as a tool, Newton has chosen to promote the creation of market rate homes, as well as homes affordable to low- and moderate-income households to respond to the under-building and severe shortage of housing for lower- and middle-income households regionally, and acutely in Newton.

We recognize that the IZ is designed to be a market solution, created by the city to allow Newton to tap into the gains from rising real estate values to create affordable housing for low- and moderate-income people who otherwise could not remain in or move into the city. IZ effectively offers a private source of financing for affordable housing and leverages the capability of the private sector to build homes. It is important to note that public resources for

building affordable housing have significantly reduced over time and are insufficient to address the need, leading to the need to leverage more private resources such as the IZ offers.

IZ is an important tool for the city to affirmatively further fair housing and ensure that the city continues to thrive economically. It only works if the requirements placed on developers are financially feasible. If the ordinance results in slowing or preventing new housing because of infeasibility, then we would not recommend the inclusion of such requirements. We understand that Planning & Development will seek to balance financial feasibility with ways to promote the creation of new housing options for people of all income levels, including particularly at affordable levels.

Here are the priority recommendations of the FHC, contingent on a full analysis by the consultant of financial feasibility.

Affordability

--Identify ways to create more housing opportunities at 65% or less Area Median Income (AMI) with a goal of achieving 55% AMI on average—note that 65% AMI is the current average for affordable units in Newton;

--Consider reducing the minimum rental/for-sale unit threshold requirement from the current seven units to a lower number, if feasibility analysis indicates. If the threshold is decreased below 7 units, create an option for developers to opt for the in-lieu payment by using the same approach as the current one for 7-9 units, e.g., for 6-units = 0.6 x Total Development Cost (TDC);

Accessibility

--Identify ways to increase development of affordable units that are more fully accessible (Group 2A-MAAB) and available to households at 50% AMI and 30% AMI, if feasible;

Enhance City Oversight and Data Collection

--Evaluate and recommend improvements to the City's oversight, reporting and data collection process for developers, owners, and owners' agents of IZ properties on their fair housing, affordability, and accessibility obligations;

--Implement an annual, mandatory training program to ensure owners/developers/owner agents of all affordable housing project types and sizes comply with their IZ legal obligations;

--Make recommendations to the City to implement improvements to its management and oversight of its affordable housing inventory to ensure that owners/developers/owner agents are complying with their legal obligations.