

HOUSE No. 4977

The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2850) of the House Bill relative to the Affordable Homes Act (House, No. 4726), reports recommending passage of the accompanying bill (House, No. 4977) [Bond Issue: General Obligation Bonds: \$5,160,756,900.00]. August 1, 2024.

James Arciero	William N. Brownsberger
Aaron Michlewitz	Lydia Edwards

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The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to the Affordable Homes Act.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the financing of the production and preservation of housing for low and moderate income citizens of the commonwealth and to make related changes in certain laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. To provide for a capital outlay program to rehabilitate, produce and
2 modernize state-aided public housing developments, to preserve the affordability and the income
3 mix of state-assisted multifamily developments, to support home ownership and rental housing
4 opportunities for low- and moderate-income citizens, to stem urban blight through the
5 implementation of housing stabilization programs, to support housing production for the elderly,
6 disabled and homeless, to preserve housing for the elderly, homeless, low- and moderate-income
7 citizens and persons with disabilities, to develop facilities for licensed early care and education
8 and out of school time programs; and to promote economic reinvestment through the funding of
9 infrastructure improvements, the sums set forth in sections 2 to 2B, inclusive, for the several

purposes and subject to the conditions specified in this act, are hereby made available subject to the laws regulating the disbursement of public funds.

SECTION 2.

EXECUTIVE OFFICE OF EDUCATION

Department of Early Education and Care

3000-0411 For the purpose of state financial assistance in the form of grants for the Early Education and Out of School Time Capital Fund for the development of eligible facilities for licensed early care and education and out of school time programs established in section 18 of chapter 15D of the General Laws; provided, that the department of early education and care may contract with quasi-public or nonprofit entities to administer the program including, but not limited to, the Community Economic Development Assistance Corporation established in chapter 40H of the General Laws; provided further, that the department may develop or finance eligible facilities and may enter into subcontracts with nonprofit organizations established pursuant to chapter 180 of the General Laws or organizations in which such nonprofit corporations have a controlling financial or managerial interest; provided further, that the department shall consider: (i) a balanced geographic plan for such eligible facilities when issuing the funding commitments; and (ii) funding large group and school age child care centers as defined by the department; provided further, that the services made available pursuant to such grants shall not be construed as a right or entitlement for any individual or class of persons to the benefits financing; provided further, that no expenditure shall be made from this item without the prior approval of the secretary of administration and finance; and provided further, that eligibility shall be established by regulations promulgated by the department pursuant to chapter 30A of the

General Laws for the implementation, administration and enforcement of this
item..... \$50,000,000

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Office of the Secretary

7004-0069 For a program of loans or grants to assist homeowners or tenants with a
household member with blindness or severe disabilities in making modifications to their primary
residence for the purpose of improving accessibility or to allow such individuals to live
independently in the community or for construction costs to allow for the building of an
accessory unit, which shall mean a unit constructed as an additional dwelling unit separate from
the primary dwelling unit, for a person with disabilities or an elder needing assistance with
activities of daily living; provided, that not more than 10 per cent shall be used for grants to
assist landlords seeking to make modifications for a current or prospective tenant with
disabilities, who but for such a grant would be unable to maintain or secure permanent housing;
provided further, that the secretary of housing and livable communities and the secretary of
health and human services shall take all steps necessary to minimize the program's
administrative costs; provided further, that the secretary of health and human services may
contract with quasi-public or nonprofit entities to administer the program, including, but not
limited to, the Community Economic Development Assistance Corporation established in
chapter 40H of the General Laws; provided further, that the program shall be available pursuant
to income eligibility standards approved by the secretary of health and human services; provided
further, that the repayment of the loans may be delayed until the sale of the principal residence
by the homeowner; provided further, that persons residing in a development covered by section 4

of chapter 151B of the General Laws shall not be eligible for the program unless the owner can show that the modification is an undue financial burden or that the landlord is participating in the grant program to maintain or secure housing for a tenant with disabilities; provided further, that the secretary of health and human services shall consult with the Massachusetts commission for the blind and the Massachusetts rehabilitation commission to develop rules, regulations and guidelines for the program; provided further, that nothing in this item shall give rise to enforceable legal rights in any party or an enforceable entitlement to services; provided further, that funds expended from this item shall, to the maximum extent feasible, be prioritized for projects that comply with decarbonization and sustainability standards; and provided further, that the secretary of housing and livable communities shall submit quarterly reports to the house and senate committees on ways and means, the joint committee on bonding, capital expenditures and state assets and the joint committee on housing detailing the status of the program established in this item..... \$60,000,000

7004-0070 For state financial assistance in the form of loans for the development of community-based housing or supportive housing for individuals with mental illness and individuals with intellectual disabilities; provided, that the loan program shall be administered by the executive office of housing and livable communities through contracts with 1 or more of the following agencies: the Massachusetts Development Finance Agency established under chapter 23G of the General Laws, the Community Economic Development Assistance Corporation established under chapter 40H of the General Laws, operating agencies established under chapter 121B of the General Laws and the Massachusetts Housing Finance Agency established under chapter 708 of the acts of 1966; provided further, that those agencies may develop or finance community-based housing or supportive housing or may enter into subcontracts with nonprofit

organizations, established under chapter 180 of the General Laws, or organizations in which such nonprofit corporations have a controlling financial or managerial interest or for-profit organizations; provided further, that preference for the subcontracts shall be given to nonprofit organizations; provided further, that the executive office shall consider a balanced geographic plan for such community-based housing or supportive housing when issuing the loans; provided further, that the executive office shall consider development of a balanced range of housing models by prioritizing funds for integrated housing as defined by the appropriate housing and service agencies, including, but not limited to, the executive office of housing and livable communities, the department of mental health and the department of developmental services, in consultation with relevant and interested clients, clients' families, advocates and other parties as necessary; provided further, that loans issued pursuant to this item shall: (i) not exceed 50 per cent of the financing of the total development costs; (ii) not be issued unless a contract or agreement for the use of the property for such housing provides for repayment to the commonwealth at the time of disposition of the property if such property will no longer be subject to a recorded deed restriction pursuant to clause (iii) of this item; provided further, that such repayment shall: (1) be in an amount equal to the commonwealth's proportional contribution from the Facilities Consolidation Fund to the cost of the development through payments made by the state agency making the contract; and (2) not be required if the executive office of housing and livable communities, in consultation with the department of mental health and the department of developmental services, determines that relevant clients will be better served at an alternative property and the proceeds from the disposition of the property will be used, to the extent necessary for replacement of the housing at the property, to: (A) acquire such alternative property; or (B) rehabilitate such alternative property; (iii) not be issued unless the

contract or agreement for the use of the property for the purposes of such housing provides for the recording of a deed restriction in the registry of deeds or the registry district of the land court of the county in which the real property is located, for the benefit of the executive office and the departments, running with the land, that the land shall be used to provide community-based housing or supportive housing for eligible individuals as determined by the department of mental health and the department of developmental services; provided further, that the property shall not be released from such restriction unless: (1) the balance of the principal and interest for the loan has been repaid in full; (2) a mortgage foreclosure deed has been recorded; or (3) the executive office of housing and livable communities has determined, pursuant to subclause (2) of clause (ii) of this item, that repayment to the commonwealth is not required; (iv) be issued for a term not to exceed 30 years, during which time repayment may be deferred by the loan issuing authority; provided further, that if on the date the loans become due and payable to the commonwealth, an outstanding balance exists and if, on such date, the executive office of housing and livable communities, in consultation with the executive office of health and human services, determines that there still exists a need for such housing and that there is continued funding available for the provision of services to such development, the executive office of housing and livable communities may, by agreement with the owner of the development, extend the loans for such periods not to exceed 10 years, as the executive office shall determine; provided further, that the project, whether at the original property, or at an alternative property pursuant to subclause (2) of clause (ii) of this item, shall remain affordable housing for the duration of the loan term, including any extension thereof, as set forth in the contract or agreement entered into by the executive office; provided further, that in the event the terms of repayment detailed in this item would cause a project authorized by this item to become

ineligible to receive federal financial assistance which would otherwise assist in the development of that project, the executive office may waive the terms of repayment which would cause the project to become ineligible; and (v) have interest rates fixed at a rate, to be determined by the executive office, in consultation with the state treasurer; provided further, that the loans shall be provided only for projects conforming to this item; provided further, that the loans shall be issued in accordance with a facilities consolidation plan prepared by the secretary of health and human services, reviewed and approved by the executive office of housing and livable communities and filed with the secretary of administration and finance, the house and senate committees on ways and means, the joint committee on bonding, capital expenditures and state assets and the joint committee on housing; provided further, that no expenditure shall be made from this item without the prior approval of the secretary of administration and finance; provided further, that the executive office of housing and livable communities, the department of mental health and the Community Economic Development Assistance Corporation may identify appropriate financing mechanisms and guidelines for grants or loans from this item to promote private development to produce housing, provide for independent integrated living opportunities, write down building and operating costs and serve households at or below 15 per cent of the area median income for the benefit of department of mental health clients; provided further, that funds expended from this item shall, to the maximum extent feasible, be prioritized for projects that comply with decarbonization and sustainability standards; provided further, that prioritization shall be determined through objective scoring criteria in the Qualified Allocation Plan developed by the executive office of housing and livable communities; provided further, that for new construction projects, the standards set forth in the commonwealth's Opt-in Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green

146 Communities standards shall be the applicable standards for prioritization; provided further, that
147 any project proposing less than full compliance with said standards shall provide detailed
148 analysis demonstrating why full compliance would render the project infeasible notwithstanding
149 utilization of all available federal and state incentives, including rebates and tax credits; provided
150 further, that for retrofits of existing units, prioritization shall be given to projects that include
151 energy efficiency and electrification decarbonization measures, including, but not limited to,
152 electric or ground source heat pumps, net-zero developments, Passive House Institute
153 certification or an equivalent energy efficiency certification, and all-electric buildings and
154 projects that incorporate green, sustainable and climate-resilient elements; provided further, that
155 projects that include lower embodied carbon construction materials and methods shall be further
156 prioritized; provided further, that not more than \$10,000,000 may be expended from this item for
157 a pilot program of community-based housing or supportive housing loans to serve mentally ill
158 homeless individuals in the current or former care of the department of mental health; provided
159 further, that in implementing the pilot program, the executive office shall consider a balanced
160 geographic plan when establishing community-based residences; provided further, that the
161 housing services made available pursuant to such loans shall not be construed as a right or an
162 entitlement for any individual or class of persons to the benefits of the pilot program; provided
163 further, that eligibility for the pilot program shall be established by regulations promulgated by
164 the executive office; and provided further, that the executive office shall promulgate regulations
165 under chapter 30A of the General Laws to implement, administer and enforce this item,
166 consistent with the facilities consolidation plan prepared by the secretary of health and human
167 services and after consultation with the secretary and the commissioner of capital asset
168 management and maintenance.....\$70,000,000

169 7004-0071 For state financial assistance in the form of loans for the development and
170 redevelopment of community-based housing or supportive housing for persons with disabilities
171 who are institutionalized or at risk of being institutionalized and who are not eligible for housing
172 developed pursuant to item 7004-0070; provided, that the loan program shall be administered by
173 the executive office of housing and livable communities, through contracts with the
174 Massachusetts Development Finance Agency established under chapter 23G of the General
175 Laws, the Community Economic Development Assistance Corporation established under chapter
176 40H of the General Laws, operating agencies established under chapter 121B of the General
177 Laws and the Massachusetts Housing Finance Agency established under chapter 708 of the acts
178 of 1966; provided further, that the agencies may develop or finance community-based housing or
179 supportive housing or may enter into subcontracts with nonprofit organizations established under
180 chapter 180 of the General Laws or organizations in which such nonprofit corporations have a
181 controlling financial or managerial interest or for-profit organizations; provided further, that
182 preference for such subcontracts shall be given to nonprofit organizations; provided further, that
183 the executive office shall consider a balanced geographic plan for such community-based
184 housing or supportive housing when issuing the loans; provided further, that all housing
185 developed with these funds shall be integrated housing as defined by the appropriate state
186 housing and service agencies, including, but not limited to, the executive office of housing and
187 livable communities, the executive office of health and human services and the Massachusetts
188 rehabilitation commission, in consultation with relevant and interested clients, clients' families,
189 advocates and other parties as necessary; provided further, that loans issued pursuant to this item
190 shall: (i) not exceed 50 per cent of the financing of the total development costs; (ii) not be issued
191 unless a contract or agreement for the use of the property for the purposes of such housing

192 provides for repayment to the commonwealth at the time of disposition of the property if such
193 property will no longer be subject to a recorded deed restriction pursuant to clause (iii) of this
194 item; provided further, that such repayment shall: (1) be in an amount equal to the
195 commonwealth's proportional contribution from community-based housing to the cost of the
196 development through payments made by the state agency making the contract; and (2) not be
197 required if the executive office of housing and livable communities, in consultation with the
198 Massachusetts rehabilitation commission, determines that relevant clients will be better served at
199 an alternative property and the proceeds from the disposition of the property will be used, to the
200 extent necessary for replacement of the housing at the property, to: (A) acquire such alternative
201 property; or (B) rehabilitate such alternative property; (iii) not be issued unless a contract or
202 agreement for the use of the property for the purposes of such community-based housing or
203 supportive housing provides for the recording of a deed restriction in the registry of deeds or the
204 registry district of the land court of the county in which the real property is located, for the
205 benefit of the executive office, running with the land, that the land shall be used to provide
206 community-based housing or supportive housing for eligible individuals as determined by the
207 Massachusetts rehabilitation commission or other agency of the executive office of health and
208 human services; provided further, that the property shall not be released from such restrictions
209 unless: (1) the balance of the principal and interest for the loan has been repaid in full; (2) a
210 mortgage foreclosure deed has been recorded; or (3) the executive office of housing and livable
211 communities has determined, pursuant to subclause (2) of clause (ii) of this item, that repayment
212 to the commonwealth is not required; (iv) be issued for a term not to exceed 30 years during
213 which time repayment may be deferred by the loan issuing authority; provided further, that if, on
214 the date the loans become due and payable to the commonwealth, an outstanding balance exists

215 and if, on that date, the executive office of housing and livable communities, in consultation with
216 the executive office of health and human services, determines that there still exists a need for
217 such housing, the executive office may, by agreement with the owner of the development, extend
218 the loans for such periods not to exceed 10 years, as the executive office shall determine;
219 provided further, that the project, whether at the original property or at an alternative property
220 pursuant to clause subclause (2) of (ii) of this item, shall continue to remain affordable housing
221 for the duration of the loan term, including any extensions thereof, as set forth in the contract or
222 agreement entered into by the executive office; provided further, that in the event the terms of
223 repayment detailed in this item would cause a project authorized by this item to become
224 ineligible to receive federal financial assistance, which would otherwise assist in the
225 development of that project, the executive office may waive the terms of repayment which would
226 cause the project to become ineligible; and (v) have interest rates fixed at a rate, to be determined
227 by the executive office, in consultation with the state treasurer; provided further, the loans shall
228 be provided only for projects conforming to this item; provided further, that the loans shall be
229 issued in accordance with an enhancing community-based services plan prepared by the
230 secretary of health and human services, in consultation with the executive office of housing and
231 livable communities and filed with the secretary of administration and finance, the house and
232 senate committees on ways and means, the joint committee on bonding, capital expenditures and
233 state assets and the joint committee on housing; provided further, that funds expended from this
234 item shall, to the maximum extent feasible, be prioritized for projects that comply with
235 decarbonization and sustainability standards; provided further, that prioritization shall be
236 determined through objective scoring criteria in the Qualified Allocation Plan developed by the
237 executive office of housing and livable communities; provided further, that for new construction

projects, the standards set forth in the commonwealth’s Opt-in Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for prioritization; provided further, that any project proposing less than full compliance with said standards shall provide detailed analysis demonstrating why full compliance would render the project infeasible notwithstanding utilization of all available federal and state incentives, including rebates and tax credits; provided further, that for retrofits of existing units, prioritization shall be given to projects that include energy efficiency and electrification decarbonization measures, including, but not limited to, electric or ground source heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy efficiency certification, and all-electric buildings and projects that incorporate green, sustainable and climate-resilient elements; provided further, that projects that include lower embodied carbon construction materials and methods shall be further prioritized; provided further, that no expenditure shall be made from this item without the prior approval of the secretary of administration and finance; and provided further, that the executive office shall promulgate regulations pursuant to chapter 30A of the General Laws for the implementation, administration and enforcement of this item, consistent with the enhancing community-based services plan prepared by the secretary of health and human services after consultation with the secretary and the commissioner of capital asset management and maintenance.....\$55,000,000

7004-0072 For the capitalization of the Affordable Housing Trust Fund established in section 2 of chapter 121D of the General Laws; provided, that funds expended from this item shall, to the maximum extent feasible, be prioritized for projects that comply with decarbonization and sustainability standards; provided further, that prioritization shall be determined through objective scoring criteria in the Qualified Allocation Plan developed by the

261 executive office of housing and livable communities; provided further, that the executive office
262 shall consider geographic equity in awarding funds from this item; provided further, that for new
263 construction projects, the standards set forth in the commonwealth's Opt-in Specialized Energy
264 Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be
265 the applicable standards for prioritization; provided further, that any project proposing less than
266 full compliance with said standards shall provide detailed analysis demonstrating why full
267 compliance would render the project infeasible notwithstanding utilization of all available
268 federal and state incentives, including rebates and tax credits; provided further, that for retrofits
269 of existing units, prioritization shall be given to projects that include energy efficiency and
270 electrification decarbonization measures, including, but not limited to, electric or ground source
271 heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy
272 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable
273 and climate-resilient elements; provided further, that projects that include lower embodied
274 carbon construction materials and methods shall be further prioritized; provided further, that not
275 more than \$50,000,000 of the funds made available in this item may be used to create and
276 maintain opportunities for homeownership for first-time homebuyers; provided further, that
277 funds shall be expended to create and enhance access to homeownership in order to foster long-
278 term benefits for housing security, health and economic outcomes and to address a systemic
279 homeownership gap in socially disadvantaged communities and among targeted populations;
280 provided further, that funds may be expended for down payment assistance programs, mortgage
281 insurance programs and mortgage interest subsidy programs administered by the Massachusetts
282 Housing Finance Agency and the Massachusetts Housing Partnership; and provided further, that

283 funds may be expended to first-time homebuyer counseling and financial literacy
284 programs.....\$800,000,000

285 7004-0073 For state financial assistance in the form of grants or loans for the Housing
286 Stabilization and Investment Trust Fund established in section 2 of chapter 121F of the General
287 Laws and awarded only pursuant to the criteria established in said section 2 of said chapter 121F;
288 provided, that not less than 25 per cent shall be used to fund projects that preserve and produce
289 housing for families and individuals with incomes of not more than 30 per cent of the area
290 median income, as defined by the United States Department of Housing and Urban
291 Development; provided further, that if the executive office of housing and livable communities
292 has not spent the amount authorized under the bond cap for this program, at the end of each
293 fiscal year following the effective date of this act, the executive office may award the remaining
294 funds to projects that serve households earning more than 30 per cent of the area median income,
295 as defined by the United States Department of Housing and Urban Development; provided
296 further, that funds expended from this item shall, to the maximum extent feasible, be prioritized
297 for projects that comply with decarbonization and sustainability standards; provided further, that
298 prioritization shall be determined through objective scoring criteria in the Qualified Allocation
299 Plan developed by the executive office of housing and livable communities; provided further,
300 that the executive office shall consider geographic equity in awarding funds from this item;
301 provided further, that for new construction projects, the standards set forth in the
302 commonwealth's Opt-in Specialized Energy Code under 225 CMR 22.00 and 23.00 and the
303 Enterprise Green Communities standards shall be the applicable standards for prioritization;
304 provided further, that any project proposing less than full compliance with said standards shall
305 provide detailed analysis demonstrating why full compliance would render the project infeasible

306 notwithstanding utilization of all available federal and state incentives, including rebates and tax
307 credits; provided further, that for retrofits of existing units, prioritization shall be given to
308 projects that include energy efficiency and electrification decarbonization measures, including,
309 but not limited to, electric or ground source heat pumps, net-zero developments, Passive House
310 Institute certification or an equivalent energy efficiency certification, and all-electric buildings
311 and projects that incorporate green, sustainable and climate-resilient elements; provided further,
312 that projects that include lower embodied carbon construction materials and methods shall be
313 further prioritized; provided further, that not less than \$10,000,000 shall be expended for the
314 Small Properties State Acquisition Funding Pilot established in item 1599-6084 of section 2A of
315 chapter 268 of the acts of 2022; provided further, that the fund shall issue soft loans to
316 supplement other acquisition soft loans administered by municipal or other affordable housing
317 acquisition lenders on a rolling basis; provided further, that acquisitions pursuant to this pilot
318 shall follow the affordability restrictions of the affordable housing acquisition lenders; and
319 provided further, that loans under this program shall be used for the acquisition of: (i) buildings
320 of 1 to 8 units, inclusive, of residential housing for rental or ownership; or (ii) mixed-use
321 buildings for a term of not less than 30 years.....\$425,000,000

322 7004-0074 For state financial assistance in the form of grants for projects undertaken
323 pursuant to clause (j) of section 26 of chapter 121B of the General Laws; provided, that contracts
324 entered into by the executive office of housing and livable communities for those projects may
325 include, but shall not be limited to, projects providing for renovation, remodeling, reconstruction,
326 redevelopment and hazardous material abatement, including asbestos and lead paint, and for
327 compliance with state codes and laws and for adaptations necessary for compliance with the
328 Americans with Disabilities Act of 1990, the provision of day care facilities, learning centers and

329 teen service centers and the adaptation of units for families and persons with disabilities;
330 provided further, that priority shall be given to projects undertaken for the purpose of compliance
331 with state codes and laws or for other purposes related to the health and safety of residents;
332 provided further, that funds may be expended from this item to make such modifications to
333 congregate housing units as may be necessary to increase the occupancy rate of such units;
334 provided further, that the executive office shall continue to fund a program to provide predictable
335 funds to be used flexibly by housing authorities for capital improvements to extend the useful
336 life of state-assisted public housing; provided further, that not less than 25 per cent of the funds
337 made available in this item shall be used to fund projects that preserve or produce housing for
338 families and individuals with incomes of not more than 30 per cent of the area median income, as
339 defined by the United States Department of Housing and Urban Development; provided further,
340 that not less than \$99,000,000 shall be expended by the Boston Housing Authority for the
341 development of replacement public housing and additional new housing on the Faneuil Gardens
342 site owned by the Boston Housing Authority between Faneuil street and North Beacon street,
343 Boston Parcel ID 2202616000, in the city of Boston and the adjacent parcel at the southeast
344 corner of North Beacon street and Goodenough street, Boston Parcel ID 2202627000, in the city
345 of Boston; provided further, that not less than \$15,000,000 of the funds made available in this
346 item shall be used to increase accessibility of state-aided public housing for persons with
347 disabilities; provided further, that not more than \$150,000,000 of the funds made available in this
348 item may be used to fund projects that include sustainability initiatives to reduce greenhouse gas
349 emissions and make progress towards decarbonization through energy efficiency and
350 electrification decarbonization measures, including, but not limited to, electric or ground source
351 heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy

352 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable
353 and climate-resilient elements; provided further, that projects that include lower embodied
354 carbon construction materials and methods shall be further prioritized; and provided further, that
355 funds made available in this item shall, to the extent feasible, be used in accordance with the
356 Massachusetts state hazard mitigation and climate adaptation plan.....\$2,000,000,000

357 7004-0075 For state financial assistance in the form of grants for a demonstration
358 program, administered by the executive office of housing and livable communities, to
359 demonstrate cost effective revitalization methods for state-aided family and elderly-disabled
360 public housing that seek to reduce the need for future state modernization funding; provided, that
361 housing authorities with state-aided housing developments pursuant to chapter 200 of the acts of
362 1948, chapter 667 of the acts of 1954, chapter 705 of the acts of 1966, chapter 689 of the acts of
363 1974 or chapter 167 of the acts of 1987 shall be eligible to participate in the demonstration
364 program; provided further, that the executive office may exempt a recipient of demonstration
365 grants from the requirements of chapters 7C and 121B of the General Laws upon a showing by
366 the recipient that such exemptions are necessary to accomplish the effective revitalization of
367 public housing and shall not adversely affect public housing residents or applicants of any
368 income who are otherwise eligible; provided further, that the executive office may provide to
369 recipients of demonstration grants such additional regulatory relief as may be required to further
370 the objectives of the demonstration program; provided further, that funds may be made available
371 for technical assistance provided by the Community Economic Development Assistance
372 Corporation established under chapter 40H of the General Laws or the Massachusetts Housing
373 Partnership Fund established under section 35 of chapter 405 of the acts of 1985 to recipients of
374 demonstration grants and for evaluation of the demonstration; provided further, that the

375 executive office's regulations for the implementation, administration and enforcement of this
376 item shall: (i) require that selected housing authorities demonstrate innovative and replicable
377 solutions to the management, marketing or capital needs of state-aided family and elderly-
378 disabled public housing developments and contribute to the continued viability of the housing as
379 a resource for public housing eligible residents; (ii) encourage proposals that demonstrate
380 regional collaborations among housing authorities; and (iii) encourage proposals for new
381 affordable housing units on municipally-owned land, underutilized public housing sites or other
382 land owned by the housing authority; provided further, that funds expended from this item shall,
383 to the maximum extent feasible, be prioritized for projects that comply with decarbonization and
384 sustainability standards; provided further, that prioritization shall be determined through
385 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of
386 housing and livable communities; provided further, that the executive office shall consider
387 geographic equity in awarding funds from this item; provided further, that for new construction
388 projects, the standards set forth in the commonwealth's Opt-in Specialized Energy Code under
389 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the
390 applicable standards for prioritization; provided further, that any project proposing less than full
391 compliance with said standards shall provide detailed analysis demonstrating why full
392 compliance would render the project infeasible notwithstanding utilization of all available
393 federal and state incentives, including rebates and tax credits; provided further, that for retrofits
394 of existing units, prioritization shall be given to projects that include energy efficiency and
395 electrification decarbonization measures, including, but not limited to, electric or ground source
396 heat pumps, net-zero developments, Passive House Institute or equivalent energy efficiency
397 certification, and all-electric buildings and projects that incorporate green, sustainable and

climate-resilient elements; and provided further, that projects that include lower embodied carbon construction materials and methods shall be further prioritized\$200,000,000

7004-0076 For state financial assistance in the form of grants or loans for the Housing Innovations Trust Fund established in section 2 of chapter 121E of the General Laws; provided, that not less than 25 per cent of the funds made available in this item shall be used to fund projects that preserve and produce housing for families and individuals with incomes of not more than 30 per cent of the area median income, as defined by the United States Department of Housing and Urban Development; provided further, that funds expended from this item shall, to the maximum extent feasible, be prioritized for projects that comply with decarbonization and sustainability standards; provided further, that prioritization shall be determined through objective scoring criteria in the Qualified Allocation Plan developed by the executive office of housing and livable communities; provided further, that the executive office shall consider geographic equity in awarding funds from this item; provided further, that for new construction projects, the standards set forth in the commonwealth's Opt-in Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for prioritization; provided further, that any project proposing less than full compliance with said standards shall provide detailed analysis demonstrating why full compliance would render the project infeasible notwithstanding utilization of all available federal and state incentives, including rebates and tax credits; provided further, that for retrofits of existing units, prioritization shall be given to projects that include energy efficiency and electrification decarbonization measures, including, but not limited to, electric or ground source heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy efficiency certification, and all-electric buildings and projects that incorporate green, sustainable

and climate-resilient elements; and provided further, that projects that include lower embodied carbon construction materials and methods shall be further prioritized.....\$200,000,000

7004-0078 For state financial assistance in the form of no interest loans, grants, subsidies, credit enhancements and other financial assistance for innovative, sustainable and green housing initiatives; provided, that entities eligible to receive financial assistance under this item shall include qualified for-profit or nonprofit developers, community development corporations, local housing authorities, community action agencies, community-based or neighborhood-based nonprofit housing organizations, other nonprofit organizations and for-profit entities, and governmental bodies; provided further, that funds may be used to assist units occupied by and affordable to persons with incomes not more than 110 per cent of the area median income, as defined by the United States Department of Housing and Urban Development with priority given to projects that provide higher and deeper levels of affordability; provided further, that not less than 25 per cent of the occupants of housing in projects assisted by this item shall be persons whose income is not more than 60 per cent of the area median income, as defined by the United States Department of Housing and Urban Development; provided further, that financial assistance shall be awarded in a manner that promotes geographic, social, racial and economic equity; provided further, that funds expended from this item shall, to the maximum extent feasible, be prioritized for projects that comply with decarbonization and sustainability standards; provided further, that prioritization shall be determined through objective scoring criteria in the Qualified Allocation Plan developed by the executive office of housing and livable communities; provided further, that for new construction projects, the standards set forth in the commonwealth's Opt-in Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable

standards for prioritization; provided further, that any project proposing less than full compliance with said standards shall provide detailed analysis demonstrating why full compliance would render the project infeasible notwithstanding utilization of all available federal and state incentives, including rebates and tax credits; provided further, that for retrofits of existing units, prioritization shall be given to projects that include energy efficiency and electrification decarbonization measures, including, but not limited to, electric or ground source heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy efficiency certification, and all-electric buildings and projects that incorporate green, sustainable and climate-resilient elements; provided further, that projects that include lower embodied carbon construction materials and methods shall be further prioritized; provided further, that financial assistance under this item shall be to accelerate and support: (i) innovative strategies for the production of affordable and mixed-income housing developments and other market transformation activities, including but not limited to: (a) re-use of commercial space, office space, and underutilized state- or locally-controlled land or assets, including, but not limited to, brownfield or greyfield sites, or other property that the secretary of housing and livable communities has determined is suitable for sustainable residential or mixed-use development; (b) modular construction, manufactured housing, and other innovative housing models that offer development or operating cost savings, utilize advanced and applied technologies, provide efficiencies to help accelerate production and incorporate energy efficiency or energy conservation into their design, construction or rehabilitation; (c) accessory dwelling units and co-housing models; and (d) other market transformation efforts to be determined by the executive office of housing and livable communities, which may include, but shall not be limited to, any pilot program or demonstration program that is consistent with the purposes of this item;

provided further, that such strategies may include a mixed income social housing pilot program in which a local or regional housing authority or other public or quasi-public entity maintains majority ownership or control of such housing; (ii) the creation of low-income and moderate-income residential housing units and mixed use developments that include both residential housing units and commercial or retail space in close proximity to transit nodes or within neighborhood commercial areas including, but not limited to, those areas designated as main street areas and rural villages; provided further, that the program shall be administered to: (a) maximize the amount of affordable residential and mixed-use space in close proximity to transit nodes or within neighborhood commercial areas, resulting in higher density, compact development and pedestrian-friendly, inclusive and connected neighborhoods; (b) increase mass transit ridership; (c) decrease traffic congestion and reduce greenhouse gas emissions; and (d) increase economic opportunity for disadvantaged populations by making it easier for residents of affordable housing to access public transportation, including transportation supporting commutes to employment centers; provided further, that the program may be administered to include projects that have residential units above commercial space located in areas characterized by a predominance of commercial land uses, a high daytime or business population or a high concentration of daytime traffic and parking; provided further, that the financial subsidy for the commercial portion of a project shall not exceed 25 per cent of the total development cost of the commercial portion of the project or \$1,000,000, whichever is lesser; provided further, that the executive office may provide financial support to nonprofit and for-profit developers that enter into binding agreements to set aside residential units in existing market-rate, transit-oriented housing, over and above any units required to be set aside under local zoning or approvals, for rent or sale to income-qualified households at affordable rents or sale prices, as applicable; and

490 (iii) the creation and preservation of sustainable and climate resilient affordable multifamily
491 housing; provided further, that such financial assistance shall be made to: (a) incorporate
492 efficient, sustainable and climate resilient design practices in affordable residential development
493 to support positive climate mitigation outcomes; (b) reduce greenhouse gas emissions and
494 reliance on fossil fuels; (c) increase resiliency of existing housing developments to mitigate
495 impacts of climate change, including flooding and extreme temperatures; and (d) enhance
496 emergency preparedness, including sustainable means of power generation to allow for
497 sheltering vulnerable populations in place; provided further, that financial assistance provided
498 pursuant to clause (i) or clause (iii) may be administered by the executive office of housing and
499 livable communities through contracts with the Massachusetts Housing Partnership Fund,
500 established in section 35 of chapter 405 of the acts of 1985, or the Massachusetts Housing
501 Finance Agency, established in chapter 708 of the acts of 1966, or both, which may, as the case
502 may be, directly offer financial assistance for the purposes set forth herein or may enter into
503 subcontracts with nonprofit organizations, established pursuant to chapter 180 of the General
504 Laws for those purposes; provided further, that financial assistance provided pursuant to clause
505 (ii) may be administered by the executive office through contracts with said Massachusetts
506 Housing Partnership Fund; provided further, that the executive office of housing and livable
507 communities or an administering agency under contract with the executive office may establish
508 additional program requirements through regulations or policy guidelines; and provided further,
509 that funds may be made available under this item to fund, finance or refinance limited equity
510 housing cooperatives pursuant to chapter 157B of the General Laws, including assisting first-
511 time buyers to purchase shares of stock in such cooperatives\$275,000,000

512 7004-0080 For the Middle-Income Housing Fund administered by the Massachusetts
513 Housing Finance Agency..... \$100,000,000

514 SECTION 2A.

515 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

516 *Office of the Secretary*

517 1100-2518 For costs associated with planning and studies, the preparation of plans
518 and specifications, demolition, remediation, construction and relocation of utilities, construction
519 and reconstruction of infrastructure, predevelopment, and site preparation; provided, that any
520 funds received by a state agency in connection with projects funded from this item may be
521 retained by the executive office for administration and finance and expended for the purposes of
522 the project, without further appropriation, in addition to the amounts appropriated in this item;
523 provided further, that where appropriate, the commissioner of capital asset management and
524 maintenance may transfer funds authorized herein in accordance with a delegation of project
525 control and supervision process pursuant to section 5 of chapter 7C of the General Laws or for
526 the capitalization of the Surplus Real Property Disposition Trust Fund established in section 123;
527 and provided further, that funds from this item shall be distributed in furtherance of affordable
528 housing production goals and availability of sites suitable for construction or expansion of
529 housing opportunities in the commonwealth in consultation with the secretary of housing and
530 livable communities..... \$30,000,000

531 1599-1953 For local housing initiatives; provided, that not less than \$1,000,000 shall
532 be expended for the Northern Bristol County Assistance Collaborative, Inc. for development
533 costs for the Attleboro affordable senior housing project; provided further, that not less than

534 \$1,000,000 shall be expended for a new connector road in Shrewsbury for new housing units;
535 provided further, that not less than \$500,000 shall be expended for Holyoke housing authority for
536 phase III of South Holyoke homes; provided further, that not less than \$100,000 shall be
537 expended for the Care drive senior housing project in the town of Erving; provided further, that
538 not less than \$500,000 shall be expended for Worcester property insurance cancellation repair
539 program; provided further, that not less than \$100,000 shall be expended for a feasibility study to
540 explore affordable housing opportunities in the town of Orange; provided further, that not less
541 than \$100,000 shall be expended for a feasibility study to explore affordable housing
542 opportunities in the town of Winchendon; provided further, that not less than \$300,000 shall be
543 expended for the removal or securing of blighted or abandoned property on sites to be used for
544 affordable, senior, or mixed-use housing in the town of Athol; provided further, that not less than
545 \$100,000 shall be expended for the removal or securing of blighted or abandoned property on
546 sites to be used for affordable, senior, or mixed-use housing in the town of Orange; provided
547 further, that not less than \$1,000,000 shall be expended for the renovation of Cassilas Farm for
548 affordable housing units in New Marlborough; provided further, that not less than \$100,000 shall
549 be expended for a feasibility study of St. Martin Hall on the property of Shakespeare and
550 Company located in the town of Lenox; provided further, that not less than \$5,000,000 shall be
551 expended for seasonal supportive housing for the non-profit creative economy in Berkshire
552 county; provided further, that not less than \$500,000 shall be expended for capital improvements
553 to the Revere housing authority; provided further, that not less than \$200,000 shall be expended
554 for the Revere housing authority gold star families public housing development; provided
555 further, that not less than \$4,000,000 shall be expended for the construction of a new entrance
556 and exit ramp on route 1 for safety improvements and planned access to Malden, Revere and the

557 overlook development which includes mixed income housing; provided further, that not less than
558 \$1,000,000 shall be expended for the demolition of the former Winthrop middle school to
559 facilitate the development of a mixed-use property including 55 plus housing; provided further,
560 that not less than \$500,000 shall be expended for capital improvements to the Tyngsborough
561 housing authority; provided further, that not less than \$500,000 shall be expended for capital
562 improvements to the Dracut housing authority; provided further, that not less than \$250,000 shall
563 be expended to the Shrewsbury housing authority for capital improvements; provided further,
564 that not less than \$100,000 shall be expended for the design, permitting and construction of a
565 road in Bellingham connecting North Main street and Mechanic street to improve access
566 between the downtown community and the Massachusetts Bay Transit Authority terminal link by
567 improving road infrastructure to allow for 550 new units of housing; provided further, that not
568 less than \$1,000,000 shall be expended to the Malden housing authority for repairs to the
569 Springdale elderly-disabled public housing facility; provided further, that not less than
570 \$1,000,000 shall be expended for the Malden housing authority for critical infrastructure repairs
571 to the Forestdale elderly-disabled public housing facility; provided further, that not less than
572 \$500,000 shall be expended for the YWCA Malden for renovations to units within its residency
573 program for low-income women; provided further, that not less than \$500,000 shall be expended
574 for the North Star Family Services, Inc.'s journey home family housing in Leominster; provided
575 further, that not less than \$1,000,000 shall be expended for Clear Path for Veterans New
576 England, Inc. veterans housing in Leominster; provided further, that not less than \$250,000 shall
577 be expended for the Lunenburg housing authority to improve and renovate site conditions in
578 Lunenburg; provided further, that not less than \$2,000,000 shall be expended for the
579 Neighborhood of Affordable Housing, Inc. for the restoration and production of housing at the

580 Union Block building in Taunton; provided further, that not less than \$500,000 shall be
581 expended for NewVue Communities, Inc. redevelopment, renovation and or repurposing of
582 underutilized properties; provided further, that not less than \$1,000,000 shall be expended for the
583 permitting and engineering costs associated with establishing a connection to the Massachusetts
584 water resources authority for the town of Walpole through the town of Norwood; provided
585 further, that not less than \$2,000,000 shall be expended for the city of Fitchburg to assist with the
586 redevelopment, renovation and site improvement of underutilized properties to provide
587 additional housing capacity; provided further, that not less than \$250,000 shall be expended for
588 the Townsend housing authority to improve and renovate site conditions in Townsend; provided
589 further, that not less than \$100,000 shall be expended for the town of Mansfield for development
590 in the parkway from North Main street and Chauncy street; provided further, that not less than
591 \$2,000,000 shall be expended for the Worcester affordable housing trust fund; provided further,
592 that not less than \$750,000 shall be expended for improvements to the West Boylston housing
593 authority; provided further, that not less than \$250,000 shall be expended for the Groton housing
594 authority to improve and renovate site conditions in Groton; provided further, that not less than
595 \$250,000 shall be expended to the Pepperell housing authority to improve and renovate site
596 conditions in Pepperell; provided further, that not less than \$2,000,000 shall be expended for the
597 WHEAT Community Connections' housing project in the town of Clinton; provided further, that
598 not less than \$250,000 shall be expended to the town of Ashby to improve and renovate site
599 conditions in Ashby; provided further, that not less than \$1,000,000 shall be expended for
600 improvements to the Leicester housing authority; provided further, that not less than \$1,000,000
601 shall be expended for facility upgrades at Menotomy Manor and the Arlington housing authority;
602 provided further, that not less than \$250,000 shall be expended to the affordable housing trust

603 fund in Dunstable to improve and renovate site conditions in Dunstable; provided further, that
604 not less than \$1,000,000 shall be expended for elevator replacement at Chestnut Manor in the
605 town of Arlington; provided further, that not less than \$500,000 shall be expended for fire alarm
606 upgrades at the Arlington housing authority; provided further, that not less than \$350,000 shall
607 be expended for the Worcester housing authority to renovate and preserve affordable units on
608 Oberlin street; provided further, that not less than \$10,000,000 shall be expended for the
609 Springfield housing authority; provided further, that not less than \$500,000 shall be expended for
610 Meryl's Safe Haven Inc. to complete and operate supportive housing for youth aging out of the
611 foster care system; provided further, that not less than \$500,000 shall be expended for the design
612 of the Belmont housing authority's expansion project; provided further, that not less than
613 \$1,000,000 shall be expended in 5 equal amounts over a consecutive 5 year period to the
614 Merrimack Valley Housing Partnership, Inc. to support an affordable home ownership pilot
615 program to bring down mortgage rates and to increase affordability for qualifying first time
616 home buyers purchasing a home in the city of Lowell; provided further, that not less than
617 \$1,000,000 shall be expended for Inquilinos Boricuas en Acción, Inc. for redevelopment of 2 San
618 Juan street in the city of Boson for the conversion from office space to 44 units of affordable
619 housing; provided further, that not less than \$1,000,000 shall be expended for the Sudbury
620 housing trust to develop affordable housing; provided further, that not less than \$500,000 shall
621 be expended for the Lincoln affordable housing trust to acquire and maintain affordable housing;
622 provided further, that not less than \$1,000,000 shall be expended for Inquilinos Boricuas en
623 Acción, Inc. to redevelop 403 Shawmut avenue in the city of Boston; provided further, that not
624 less than \$50,000 shall be expended to the Norwell housing authority to improve and renovate
625 site conditions in Norwell; provided further, that not less than \$2,000,000 shall be expended for

626 the expansion of the Massachusetts water resources authority services to municipalities
627 bordering the Wachusett reservoir; provided further, that not less than \$50,000 shall be expended
628 to the Hanson housing authority to improve and renovate site conditions in Hanson; provided
629 further, that not less than \$50,000 shall be expended for capital improvements to the Charlton
630 housing authority; provided further, that not less than \$50,000 shall be expended for capital
631 improvements at the Dudley housing authority; provided further, that not less than \$75,000 shall
632 be expended for capital improvements at the Webster housing authority; provided further, that
633 not less than \$100,000 shall be expended for building upgrades and improvements at the West
634 Brookfield housing authority; provided further, that not less than \$75,000 shall be expended for
635 capital improvements at the Douglas housing authority; provided further, that not less than
636 \$75,000 shall be expended for improvements at the Sutton housing authority; provided further,
637 that not less than \$75,000 shall be expended for capital improvements at the Oxford housing
638 authority; provided further, that not less than \$1,000,000 shall be expended to the North Shore
639 Community Development Corporation for costs associated with the el centro project; provided
640 further, that not less than \$1,500,000 shall be expended to the city of Worcester to create safe
641 and supportive housing programming; provided further, that not less than \$500,000 shall be
642 expended to the city of Worcester's elder housing repair program to address deferred
643 maintenance concerns and housing code violations at elder-owner occupied residential
644 properties; provided further, that not less than \$1,500,000 shall be expended for the Watertown
645 housing authority for the willow park family public housing development; provided further, that
646 not less than \$1,000,000 shall be expended to the Norwood housing authority; provided further,
647 that not less than \$200,000 shall be expended for improvements and other costs for safe,
648 affordable housing and supportive services at the Merrimack Valley YMCA; provided further,

649 that not less than \$100,000 shall be expended to the town of Marshfield for site evaluation,
650 assessment and preliminary design of the 25 acre Oak street parcel for multi-family housing;
651 provided further, that not less than \$200,000 shall be expended for the housing assistance
652 program at the Greater Lawrence Community Action Council, Inc.; provided further, that not
653 less than \$30,000 shall be expended to the town of Marshfield for updates to the existing
654 Marshfield housing production plan; provided further, that not less than \$2,000,000 shall be
655 expended for a joint housing development by the Gardner housing authority, Templeton housing
656 authority and Winchendon housing authority that focuses on senior citizen housing; provided
657 further, that not less than \$500,000 shall be expended to the town of Scituate to convert the old
658 Gates middle school into senior housing; provided further, that not less than \$5,000,000 shall be
659 expended to the city of Boston for the affordable housing component of the redevelopment of the
660 Boston water and sewer commission parking lots in Roxbury; provided further, that not less than
661 \$500,000 shall be expended for the Grafton housing authority for building upgrades and general
662 improvements; provided further, that not less than \$500,000 shall be expended to the
663 Northbridge housing authority for building upgrades and improvements; provided further, that
664 not less than \$25,900 shall be expended for Scituate to update its affordable housing plan;
665 provided further, that not less than \$1,000,000 shall be expended for the Melrose housing
666 authority to make repairs to CJ McCarthy and Julian Steele facilities; provided further, that not
667 less than \$500,000 shall be expended for the Southborough housing authority for the purchase,
668 acquisition, development and site preparation of new affordable housing projects; provided
669 further, that not less than \$500,000 shall be expended for the Northborough housing authority for
670 capital improvement projects and other projects; provided further, that not less than \$500,000
671 shall be expended for the Westborough affordable housing trust for capital improvements and

672 new housing production; provided further, that not less than \$1,000,000 shall be expended to
673 Hearth Inc. for vital capital repairs across their various properties in the city of Boston; provided
674 further, that not less than \$1,500,000 shall be expended to and disbursed equally among the local
675 housing authorities of the towns of Canton, Stoughton and Avon for capital improvements to
676 public housing properties; provided further, that not less than \$500,000 shall be expended to the
677 Upton housing authority for building upgrades and general improvements; provided further, that
678 not less than \$500,000 shall be expended for veteran preference housing in the city of Fall River;
679 provided further, that not less than \$400,000 shall be expended for supportive housing for
680 homeless in the city of Fall River; provided further, that not less than \$500,000 shall be
681 expended to the Winchester housing authority for the planning, design, renovation, maintenance
682 or construction of housing; provided further, that not less than \$500,000 shall be expended for
683 the replacement of shingles and new siding for the Nashmont development of the New Bedford
684 housing authority; provided further, that not less than \$1,000,000 shall be expended for the
685 Wakefield housing authority for the development of the Hurd school into affordable housing for
686 persons with disabilities; provided further, that not less than \$500,000 shall be expended for
687 required utility upgrades at the New Bedford housing authority; provided further, that not less
688 than \$500,000 shall be expended for the demolition of the existing building and construction of a
689 parking deck at 1204 Purchase street in New Bedford; provided further, that not less than
690 \$50,000 shall be expended for the Topsfield housing authority for power washing and
691 renovations at Little Brook Village in Topsfield; provided further, that not less than \$6,100,000
692 shall be expended for the Brockton yards project in the city of Brockton; provided further, that
693 not less than \$500,000 shall be expended for the Stoneham housing authority for the planning,
694 design, renovation, maintenance or construction of housing; provided further, that not less than

695 \$500,000 shall be expended for the Amherst municipal affordable housing trust for planning the
696 development of affordable housing projects; provided further, that not less than \$2,000,000 shall
697 be expended for modernization and retrofitting at the West Broadway apartments in the South
698 Boston section of Boston; provided further, that not less than \$1,000,000 shall be expended for
699 the Amherst housing authority for maintenance or capital improvements; provided further, that
700 not less than \$25,000 shall be expended to the town of Wayland to assist the town with Chapter
701 40B monitoring costs; provided further, that not less than \$1,000,000 shall be expended for
702 improvements to properties under the control of the Wayland housing authority; provided
703 further, that not less than \$1,000,000 shall be expended for modernization and retrofitting of the
704 state-assisted South street apartments in the Jamaica Plain section of the Boston; provided
705 further, that not less than \$2,000,000 shall be expended for the deep energy retrofit of the
706 federally-assisted Mildred C. Hailey apartments in the Jamaica Plain neighborhood in Boston;
707 provided further, that not less than \$500,000 shall be expended for maintenance or capital
708 improvements at Granby housing authority; provided further, that not less than \$1,000,000 shall
709 be expended for the Natick housing authority; provided further, that not less than \$1,000,000
710 shall be expended for the Amherst housing authority to implement clean energy modifications on
711 properties in Amherst; provided further, that not less than \$2,000,000 shall be expended for the
712 modernization of the Mary Ellen McCormack development; provided further, that not less than
713 \$6,000 shall be expended for security cameras at St. Joseph Community, Inc.; provided further,
714 that not less than \$250,000 shall be expended for the North Reading housing authority; provided
715 further, that not less than \$3,000,000 shall be expended for the Needham housing authority
716 construction costs of affordable housing units at Linden street in Needham; provided further, that
717 not less than \$250,000 shall be expended for the Lynnfield housing authority; provided further,

718 that not less than \$3,000,000 shall be expended for the Franklin bridge senior housing project in
719 Franklin; provided further, that not less than \$1,000,000 shall be expended for the Chelmsford
720 housing authority for the redevelopment of the Chelmsford Arms senior housing complex;
721 provided further, that not less than \$2,000,000 shall be expended for the comprehensive
722 modernization and redevelopment of the federally-assisted heritage apartments in Boston;
723 provided further, that not less than \$500,000 shall be expended for a grant program for
724 municipalities that endeavor to establish local offices of housing stability to help tenants in
725 housing crises including, but not limited to, unaffordability, fire, natural disaster, eviction or
726 condemnation; provided further, that not less than \$2,000,000 shall be expended for the
727 construction of the transit-oriented development connector parkway in Mansfield from north
728 main street to Chauncy street; provided further, that not less than \$1,000,000 shall be expended
729 for the Resilience Hub in Northampton; provided further, that not less than \$2,000,000 shall be
730 expended for modernizing the special needs and state-assisted scattered site public housing in
731 Boston; provided further, that not less than \$50,000 shall be expended for capital improvements
732 to the Westfield housing authority; provided further, that not less than \$5,000,000 shall be
733 expended for the Brooke house, treehouse, and Harvard house projects at the Boston state
734 hospital in Boston; provided further, that not less than \$2,000,000 shall be expended for the
735 state-assisted Gallivan apartments; provided further, that not less than \$1,000,000 shall be
736 expended for the Brookline housing authority to upgrade kitchens to all-electric appliances;
737 provided further, that not less than \$200,000 shall be expended for the Brookline Community
738 Development Corporation for the development of at least 8 units of affordable housing; provided
739 further, that not less than \$50,000 shall be expended for an initial survey to develop land for
740 affordable housing in Southampton; provided further, that not less than \$2,000,000 shall be

741 expended for the redevelopment of the federally-assisted Bunker hill apartments in Charlestown;
742 provided further, that not less than \$100,000 shall be expended to the Abington housing authority
743 for building upgrades; provided further, that not less than \$500,000 shall be expended to Pioneer
744 Valley Habitat for Humanity, Inc. for the construction of a warehouse for the purpose of
745 expanding affordable housing in the Connecticut river valley; provided further, that not less than
746 \$100,000 shall be expended to the Whitman housing authority for building for building
747 upgrades; provided further, that not less than \$100,000 shall be expended to the East Bridgewater
748 housing authority for building upgrades and general improvements; provided further, that not
749 less than \$3,000,000 shall be expended for the redevelopment of the federally-assisted Patricia
750 White apartments in the Brighton section of the city of Boston; provided further, that not less
751 than \$100,000 shall be expended for improvements to the Auburn housing authority; provided
752 further, that not less than \$100,000 shall be expended for improvements to the Millbury housing
753 authority; provided further, that not less than \$100,000 shall be expended for improvements to
754 the Leicester housing authority; provided further, that not less than \$500,000 shall be expended
755 to the Springfield housing authority for security camera improvements at the riverview complex;
756 provided further, that not less than \$10,000,000 shall be expended for grants and loans to
757 developers with not more than \$2,000,000 in assets under management to facilitate affordable
758 housing production in gateway municipalities; provided further, that not less than \$1,500,000
759 shall be expended for the Thatcher street project in the city of Brockton; provided further, that
760 not less than \$500,000 shall be expended to the town of Shutesbury for testing and filtration
761 equipment associated with residential wells contaminated by per- and polyfluoroalkyl
762 substances; provided further, that not less than \$1,000,000 shall be expended to the town of
763 Ludlow for the purpose of planning, pre-development, and site preparation for certain buildings

764 located at 63 Chestnut street and 54 Windsor street to be used for affordable, senior, or mixed-
765 use housing; provided further, that not less than \$2,500,000 shall be expended for the affordable
766 housing project of the Austin street parking lots in the Charlestown neighborhood in the city of
767 Boston; provided further, that not less than \$500,000 shall be expended for veteran preference
768 housing in the city of Lowell; provided further, that not less than \$4,000,000 shall be expended
769 for affordable housing production for seniors, veterans and persons with disabilities in the town
770 of Braintree; provided further, that not less than \$2,500,000 shall be expended for housing
771 modernization, water and sewage improvements and retrofit of the Fairmount apartments in the
772 Hyde Park neighborhood of the city of Boston; provided further, that not less than \$500,000 shall
773 be expended to the Springfield Tower Square, LLC for a net-zero clean energy mixed-use
774 residential development at 1500 Main street in the city of Springfield; provided further, that not
775 less than \$500,000 shall be expended to HLRE Development, LLC for the conversion of the
776 board of trade block building into affordable and mixed-use housing in the city of Springfield;
777 provided further, that not less than \$3,000,000 shall be expended for the creation of supportive
778 housing for those with mental health and substance abuse disorders in the city of Boston;
779 provided further, that not less than \$2,000,000 shall be expended to the town of Middleton for
780 infrastructure improvements on route 114; provided further, that not less than \$10,000,000 shall
781 be expended for the Lawrence housing authority for infrastructure and maintenance repairs;
782 provided further, that not less than \$1,000,000 shall be expended for the city of Haverhill as
783 bridge funding for shovel ready housing projects; provided further, that not less than \$500,000
784 shall be expended to the Haverhill housing authority 335 Groveland supportive housing project;
785 provided further, that not less than \$5,000,000 shall be expended to the city of Boston to support
786 the acquisition of tenanted housing for the purposes of stabilization tenancies and converting

787 such property into permanent affordable housing; provided further, that not less than \$1,000,000
788 shall be expended to provide permanent supportive housing for formerly homeless individuals at
789 the 41 LaGrange street project in the city of Boston; provided further, that not less than
790 \$1,500,000 shall be expended for the New Bedford small developer go fund; provided further,
791 that not less than \$1,000,000 shall be expended for the International Veterans Care Services Inc
792 for the veterans safe haven project; provided further, that not less than \$1,500,000 shall be
793 expended for the New Bedford office of housing and community development to provide
794 financial assistance for development costs of converting commercial to residential housing;
795 provided further, that not less than \$2,000,000 shall be expended for roadway improvements to
796 increase access to new housing units in the town of Rowley; provided further, that not less than
797 \$500,000 shall be expended for the Brockton housing authority for the planning, design,
798 renovation, maintenance or construction of housing; provided further, that not less than \$500,000
799 shall be expended for the Salem affordable housing trust fund; provided further, that not less than
800 \$1,000,000 shall be expended for the West Springfield housing authority for capital
801 improvement projects and upgrades; provided further, that not less than \$100,000 shall be
802 expended for a site identification feasibility study for artist housing for the Barrington Stage
803 Company, Inc. and Berkshire Theatre Group, Inc. in the city of Pittsfield; provided further, that
804 not less than \$500,000 shall be expended to the city of Greenfield for affordable, senior or
805 mixed-use housing; provided further, that not less than \$500,000 shall be expended to Rural
806 Development, Inc. for technical assistance; provided further, that not less than \$1,000,000 shall
807 be expended to Revitalization Effort Toward New Urbanism, Inc for the production of more than
808 100 affordable housing units at Merrimack street corridor in the city of Lowell; provided further,
809 that not less than \$5,000,000 shall be expended for the Suffolk Downs project in the city of

810 Boston and the city of Revere; provided further, that not less than \$1,000,000 shall be expended
811 to the city of Everett for 4 to 8 affordable housing units; provided further, that not less than
812 \$5,000,000 shall be expended for the transit-orientated development mixed-use housing project
813 at Riverside station; provided further, that not less than \$2,000,000 shall be expended for the
814 comprehensive modernization of the state-assisted Franklin field apartments in the Dorchester
815 section of the city of Boston; provided further, that not less than \$700,000 shall be expended for
816 East Boston Community Development Corporation for repairs and maintenance of income-
817 restricted and subsidized rental properties; provided further, that not less than \$1,000,000 shall
818 be expended to the Belmont Housing Authority for capital improvements to the Sherman
819 Gardens public housing development in the town of Belmont; provided further, that not less than
820 \$500,000 shall be expended to the Watertown Housing Authority for construction of a group
821 home at 103 Nichols avenue in the city of Watertown; provided further, that not less than
822 \$6,500,000 shall be allocated to the comprehensive modernization and redevelopment of the
823 federally-assisted Patricia White apartments in the Brighton section of the city of Boston;
824 provided further, that not less than \$25,000 shall be expended to the town of Hubbardston for the
825 redevelopment of the sand pit sites in the town of Hubbardston; provided further, that not less
826 than \$100,000 shall be expended for improvements to the Holden Housing Authority; provided
827 further, that not less than \$100,000 shall be expended for improvements to the Leicester Housing
828 Authority; provided further, that not less than \$500,000 shall be expended to the West Brookfield
829 Housing Authority for building upgrades and general improvements; provided further, that not
830 less than \$1,000,000 shall be expended to the Spencer Housing Authority for facility upgrades;
831 provided further, that not less than \$2,000,000 shall be expended to the Barre Housing Authority
832 for building expansions; provided further, that not less than \$5,000,000 shall be expended to the

833 Fitchburg Redevelopment Authority for downtown housing development; provided further, that
834 not less than \$500,000 shall be expended to the Bellingham Housing Authority; provided further,
835 that not less than \$250,000 shall be expended to the Dover Housing Partnership Committee;
836 provided further, that not less than \$1,000,000 shall be expended to the Franklin Housing
837 Authority; provided further, that not less than \$500,000 shall be expended to the Medfield
838 Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the
839 Milford Housing Authority; provided further, than not less than \$500,000 hall be expended to the
840 Millis Housing Authority; provided further, that not less than \$1,000,000 shall be expended to
841 the Needham Housing Authority; provided further, than not less than \$500,000 shall be
842 expended to the Norfolk Housing Authority; provided further, than not less than \$500,000 shall
843 be expended to the Plainville Housing Authority; provided further, than not less than \$250,000
844 shall be expended to the Sherborn Housing Trust; provided further, than not less than \$500,000
845 shall be expended to the Wrentham Housing Authority; provided further, that not less than
846 \$2,500,000 shall be expended to the Boston Housing Authority for housing modernization, water
847 and sewer improvements and retrofitting the Fairmount public housing projects in the Hyde Park
848 section of the city of Boston; provided further, that not less than \$8,000,000 shall be expended to
849 the Lowell Housing Authority for the development of new affordable housing units and new
850 veterans supportive housing units; provided further, that not less than \$1,000,000 shall be
851 expended to the Brockton Housing Authority for the planning, design, renovation, maintenance
852 or construction of housing; provided further, that not less than \$4,500,000 shall be expended to
853 Westmass Area Development Corporation to support the predevelopment, demolition and
854 stabilization of properties and expenses associated with the preparation of affordable housing at
855 the Ludlow Mills in the town of Ludlow; provided further, that not less than \$15,000,000 shall

856 be expended to the Disabled American Veterans Department of Massachusetts Service Fund, Inc.
857 for the renovation, rehabilitation, construction and establishment of housing for veterans and
858 their families; provided further, that not less than \$1,000,000 shall be expended to Double Edge
859 Theatre Productions Incorporated in the town of Ashfield for the development of affordable
860 housing and workforce housing with a community space on a currently underutilized property;
861 provided further, that not less than \$1,000,000 shall be expended to Berkshire Natural Resources
862 Council, Inc. for the construction of new workforce housing and conservation of land and natural
863 resources in the town of Egremont on the 225-acre former Egremont Golf Club property;
864 provided further, that not less than \$1,000,000 shall be expended to the Community
865 Development Corporation of South Berkshire, Inc. for the redevelopment and remediation costs
866 of new housing projects at the former Thornewood Inn and 100 Bridge street in the town of
867 Great Barrington; provided further, that not less than \$500,000 shall be expended to Central
868 Berkshire Habitat for Humanity, Inc. for the creation of affordable housing projects in Berkshire
869 county in collaboration with local communities; provided further, that not less than \$1,000,000
870 shall be expended to Hilltown Community Development Corporation for the creation of new
871 housing and redevelopment of vacant properties in the rural hill towns of Berkshire, Hampden
872 and Hampshire counties; provided further, that not less than \$500,000 shall be expended to the
873 North Adams Housing Authority; provided further, that not less than \$500,000 shall be expended
874 to Westside Legends, Inc. in the city of Pittsfield for the construction of new affordable
875 homeownership units in 5 multifamily residential buildings constructed on a currently vacant lot;
876 provided further, that not less than \$500,000 shall be expended to the Southwick Housing
877 Authority; provided further, that not less than \$1,000,000 shall be expended to the Massachusetts
878 Housing Finance Agency to be administered as grants to certified sober homes for sprinklers

879 installed in accordance with the state building code; provided further, that not less than
880 \$1,000,000 shall be expended for the town of Harvard to purchase, rehabilitate and make
881 improvements to the Bromfield House located at 39 Massachusetts avenue in the town of
882 Harvard to provide public housing to immigrant families; provided further, that not less than
883 \$1,000,000 shall be expended for the Marlborough Housing Authority; provided further, that not
884 less than \$500,000 shall be expended for the Haverhill Housing Authority for construction of a
885 34-unit affordable rental multi-family development at 230 Hildale avenue in the city of
886 Haverhill; provided further, that not less than \$500,000 shall be expended for the Hudson
887 Housing Authority; provided further, that not less than \$1,500,000 shall be expended to the
888 Methuen Housing Authority for capital improvements; provided further, that not less than
889 \$1,500,000 shall be expended to Way Finders, Inc. for a multi-phase housing development on
890 South High street in the city of Holyoke; provided further, that not less than \$500,000 shall be
891 expended for the Acton Housing Authority; provided further, that not less than \$500,000 shall be
892 expended to the Easthampton Housing Authority for capital improvement projects and upgrades;
893 provided further, that not less than \$500,000 shall be expended for the Ayer Housing Authority;
894 provided further, that not less than \$1,500,000 shall be expended to the Melrose Housing
895 Authority for critical infrastructure repairs to the CJ McCarthy and Julian Steele elderly-disabled
896 public housing facilities; provided further, that not less than \$5,000,000 shall be expended for the
897 Arlington Housing Authority for envelope repairs and improvements at Menotomy Manor in the
898 town of Arlington; provided further, that not less than \$1,200,000 shall be expended to the
899 Holyoke Housing Authority for capital improvement projects and upgrades; provided further,
900 that not less than \$1,550,000 shall be expended to the Chicopee Housing Authority for capital
901 improvement projects and upgrades; provided further, that not less than \$5,000,000 shall be

902 expended to the Springfield Housing Authority for capital improvements; provided further, that
903 not less than \$2,250,000 shall be expended to New North Citizens Council, Inc. for pre-
904 development and construction activities related to the redevelopment of the former Brightwood
905 School at 471 Plainfield street in the city of Springfield; provided further, that not less than
906 \$275,000 shall be expended to Way Finders, Inc. for capital improvement projects and upgrades
907 to the Southampton Meadows apartments; provided further, that not less than \$1,000,000 shall be
908 expended to the Wakefield Housing Authority for the development of the former Hurd school
909 into affordable housing for individuals with disabilities; provided further, that not less than
910 \$500,000 shall be expended to the Westfield Housing Authority for capital improvement projects
911 and upgrades; provided further, that not less than \$1,000,000 shall be expended to the Agawam
912 Housing Authority for capital improvement projects and upgrades; provided further, that not less
913 than \$500,000 shall be expended to the Valley Community Development Corporation for design
914 and construction of solar energy systems and development at the Amherst Community Homes
915 project in the city known as the town of Amherst; provided further, that not less than \$1,000,000
916 shall be expended to the West Springfield Housing Authority for capital improvement projects
917 and upgrades; provided further, that not less than \$500,000 shall be expended for the Littleton
918 Housing Authority; provided further, that not less than \$2,000,000 shall be expended to Way
919 Finders, Inc. for the East Street and the Belchertown Road affordable housing projects in the city
920 known as the town of Amherst; provided further, that not less than \$1,000,000 shall be expended
921 to the Avon Housing Authority to make necessary capital and accessibility improvements to the
922 resident community center; provided further, that not less than \$1,000,000 shall be expended for
923 the town of Leverett for housing development or redevelopment efforts in accordance with the
924 town's comprehensive plan, existing town needs and coordination with neighboring

925 municipalities on housing developments that impact both municipalities; provided further, that
926 not less than \$500,000 shall be expended for the Maynard Housing Authority; provided further,
927 that not less than \$50,000 shall be expended to the Dedham Housing Authority for maintenance
928 and improvements; provided further, that not less than \$50,000 shall be expended to the
929 Norwood Housing Authority for maintenance and improvements; provided further, that not less
930 than \$50,000 shall be expended to the Walpole Housing Authority for maintenance and
931 improvements; provided further, that not less than \$50,000 shall be expended to the Westwood
932 Housing Authority for maintenance and improvements; provided further, that not less than
933 \$2,000,000 shall be expended to the city of Worcester for a lead abatement program; provided
934 further, that not less than \$500,000 shall be expended to Worcester Common Ground Inc., to
935 renovate 9 May street, a nonprofit affordable housing property; provided further, that not less
936 than \$2,000,000 shall be expended to the city of Worcester for an affordable housing
937 preservation program; provided further, that not less than \$2,500,000 shall be expended to the
938 Main South Community Development Corporation for the development of 100 new affordable
939 housing units; provided further, that not less than \$500,000 shall be expended for the
940 Southborough Housing Authority; provided further, that not less than \$2,500,000 shall be
941 expended to the Newton Housing Authority for window replacement, energy efficiency upgrades
942 to deteriorating existing units and the addition of new affordable units; provided further, that not
943 less than \$1,000,000 shall be expended to the Wellesley Housing Authority for infrastructure
944 updates, maintenance and accessibility projects; provided further, that not less than \$500,000
945 shall be expended for the Sudbury Housing Authority; provided further, that not less than
946 \$5,000,000 shall be expended for the development of affordable housing in the city of Lawrence
947 for unhoused families, families impacted by domestic violence, veterans and victims of human

948 trafficking; provided further, that not less than \$500,000 shall be expended for the Wayland
949 Housing Authority; provided further, that not less than \$500,000 shall be expended to the Dalton
950 Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the
951 Quincy Housing Authority for purposes including, but not limited to, planning, design,
952 engineering and construction of public housing units, site and building infrastructure repairs and
953 property acquisition; provided further, that not less than \$500,000 shall be expended to the
954 Abington Housing Authority for purposes including, but not limited to, planning, design,
955 engineering and construction of public housing units, site and building infrastructure repairs and
956 property acquisition; provided further, that not less than \$500,000 shall be expended to the
957 Hanover Housing Authority for purposes including, but not limited to, planning, design,
958 engineering and construction of public housing units, site and building infrastructure repairs and
959 property acquisition; provided further, that not less than \$500,000 shall be expended to the
960 Holbrook Housing Authority for purposes including, but not limited to, planning, design,
961 engineering and construction of public housing units, site and building infrastructure repairs and
962 property acquisition; provided further, that not less than \$500,000 shall be expended to the
963 Rockland Housing Authority for purposes including, but not limited to, planning, design,
964 engineering and construction of public housing units, site and building infrastructure repairs and
965 property acquisition; provided further, that not less than \$600,000 shall be expended for People
966 Acting in Community Endeavors, Inc. in the city of New Bedford for the rehabilitation of
967 residential units into affordable housing for renters and first-time homebuyers; provided further,
968 that not less than \$1,000,000 shall be expended for the demolition of the existing building and
969 construction of a parking deck at 1204 Purchase street in the city of New Bedford to enable local
970 housing development; provided further, that not less than \$5,000,000 shall be expended to the

971 New Bedford Housing Authority for renovations, repairs and remodeling projects to preserve
972 housing stock and improve tenant quality of living; provided further, that not less than \$500,000
973 shall be expended for Partners in Housing, Inc. for affordable senior housing at the Mendes-
974 Monteiro House in the town of Dartmouth; provided further, that not less than \$2,000,000 shall
975 be expended for the Brookline Housing Authority; provided further, that not less than \$2,500,000
976 shall be expended to the city of Salem for the redevelopment of the former historic Salem
977 superior court and county commissioner's building for mixed; provided further, that not less than
978 \$1,000,000 shall be expended to the Salem Housing Authority for purposes, including, but not
979 limited to, housing-related infrastructure improvements, unit modernization and maintenance;
980 provided further, that not less than \$1,000,000 shall be expended to the Danvers Housing
981 Authority for purposes, including, but not limited to, housing-related infrastructure
982 improvements, unit modernization and maintenance; provided further, that not less than
983 \$1,000,000 shall be expended to the Peabody Housing Authority for purposes, including, but not
984 limited to, housing-related infrastructure improvements, unit modernization and maintenance;
985 provided further, that not less than \$1,000,000 shall be expended to the Beverly Housing
986 Authority for purposes, including, but not limited to, housing-related infrastructure
987 improvements, unit modernization and maintenance; provided further, that not less than
988 \$4,500,000 shall be expended to the Malden Housing Authority for critical infrastructure repairs
989 to public housing units for seniors and individuals with disabilities; provided further, that not less
990 than \$500,000 shall be expended to the Braintree Housing Authority; provided further, that not
991 less than \$500,000 shall be expended to the Bridgewater Housing Authority; provided further,
992 that not less than \$500,000 shall be expended to the Easton Housing Authority; provided further,
993 that not less than \$500,000 shall be expended to the Milton Housing Authority; provided further,

994 that not less than \$500,000 shall be expended to the Randolph Housing Authority; provided
995 further, that not less than \$500,000 shall be expended to the Stoughton Housing Authority;
996 provided further, that not less than \$500,000 shall be expended to the West Bridgewater Housing
997 Authority; provided further, that not less than \$1,000,000 shall be expended to the Bridgewater
998 Housing Authority to support a sewer line replacement project; provided further, that not less
999 than \$1,470,000 shall be expended to Valley Community Land Trust, Incorporated for land
1000 acquisition and construction and development of affordable housing in Franklin county; provided
1001 further, that not less than \$1,000,000 shall be expended to the city of Gloucester for workforce
1002 development and affordable housing purposes; provided further, that not less than \$250,000 shall
1003 be expended for public housing redevelopment at the Monson Developmental Center in the town
1004 of Monson; provided further, that not less than \$1,000,000 shall be expended for the creation of
1005 affordable housing units in the Stevens Linen Mill public housing development project in the
1006 town of Dudley; provided further, that not less than \$500,000 shall be expended to the town of
1007 Northbridge for housing redevelopment projects; provided further, that not less than \$500,000
1008 shall be expended to the town of Upton for housing infrastructure improvements; provided
1009 further, that not less than \$1,000,000 shall be expended for sewer, septic, water, storm water
1010 management, roads, sidewalks, traffic controls and public safety infrastructure upgrades and
1011 expansions that advance projects that support housing development, preservation or
1012 rehabilitation in the town of Auburn; provided further, that not less than \$1,000,000 shall be
1013 expended for sewer, septic, water, storm water management, roads, sidewalks, traffic controls
1014 and public safety infrastructure upgrades and expansions that advance projects that support
1015 housing development, preservation or rehabilitation in the town of Grafton; provided further, that
1016 not less than \$1,000,000 shall be expended for sewer, septic, water, storm water management,

1017 roads, sidewalks, traffic controls and public safety infrastructure upgrades and expansions that
1018 advance projects that support housing development, preservation or rehabilitation in the town of
1019 Millbury; provided further, that not less than \$1,000,000 shall be expended for sewer, septic,
1020 water, storm water management, roads, sidewalks, traffic controls and public safety
1021 infrastructure upgrades and expansions that advance projects that support housing development,
1022 preservation or rehabilitation in the town of Shrewsbury; provided further, that not less than
1023 \$1,000,000 shall be expended for sewer, septic, water, storm water management, roads,
1024 sidewalks, traffic controls and public safety infrastructure upgrades and expansions that advance
1025 projects that support housing development, preservation or rehabilitation in the town of
1026 Westborough; provided further, that not less than \$2,000,000 shall be expended for sewer, septic,
1027 water, storm water management, roads, sidewalks, traffic controls and public safety
1028 infrastructure upgrades and expansions that advance projects that support housing development,
1029 preservation or rehabilitation in the city of Worcester; provided further, that not less than
1030 \$500,000 shall be expended to the town of Middleton for infrastructure improvements to support
1031 housing and public safety; provided further, that not less than \$2,000,000 shall be expended for
1032 infrastructure improvement to facilitate housing production along the United States highway
1033 route 1 corridor between the town of Topsfield and the town of Salisbury; provided further, that
1034 not less than \$500,000 shall be expended to the city of Newburyport for the development of
1035 housing at the former Brown school located at 40 Milk street in the city of Newburyport;
1036 provided further, that not less than \$250,000 shall be expended to the town of North Reading for
1037 infrastructure improvements to support housing production; provided further, that not less than
1038 \$250,000 shall be expended to the Rockport Affordable Housing Trust for the production of
1039 affordable housing; provided further, that not less than \$500,000 shall be expended to Housing

1040 Support Inc. in the city of Newburyport for the creation of housing to support populations, which
1041 may include, but shall not be limited to, low-income individuals, homeless individuals, people
1042 with disabilities, veterans and individuals in recovery in the Merrimack valley; provided further,
1043 that not less than \$1,000,000 shall be expended to the Greater Boston Community Land Trust for
1044 the acquisition, development and rehabilitation of property to be preserved for long-term
1045 affordable housing; provided further, that not less than \$7,000,000 shall be expended to
1046 Children's Services of Roxbury, Inc. to develop affordable, supportive housing for transition-
1047 aged youth facing homelessness or aging out of systems and for homeless families coping with
1048 trauma and mental health needs; provided further, that not less than \$500,000 shall be expended
1049 to the Winchester Housing Authority; provided further, that not less than \$500,000 shall be
1050 expended to the Cape Cod Chamber of Commerce for the construction of new accessory
1051 dwelling units to increase affordable workforce housing through an employer housing
1052 partnership program; provided further, that not less than \$1,000,000 shall be expended to the
1053 Housing Assistance Corporation for the construction and build-out of a regional housing
1054 resource center; provided further, that not less than \$500,000 shall be expended to the Stoneham
1055 Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the
1056 Canton Housing Authority; provided further, that not less than \$1,000,000 shall be expended to
1057 the Foxborough Housing Authority; provided further, that not less than \$1,000,000 shall be
1058 expended to the Sharon Housing Authority; provided further, that not less than \$1,000,000 shall
1059 be expended to the Norton Housing Authority; provided further, that not less than \$1,000,000
1060 shall be expended to the North Attleboro Housing Authority; provided further, that not less than
1061 \$3,000,000 shall be expended to Northern Bristol County Assistance Collaborative, Inc. for
1062 development costs for the Attleboro affordable senior housing project; provided further, that not

1063 less than \$500,000 shall be expended to the Rehoboth Housing Authority for the design and
1064 construction of new senior housing units; provided further, that not less than \$500,000 shall be
1065 expended to the Carver Housing Authority for housing improvements, including, but not limited
1066 to, modernization, energy efficiencies and sustainability; provided further, that not less than
1067 \$500,000 shall be expended to the Dighton Housing Authority for housing improvements,
1068 including, but not limited to, modernization, energy efficiencies and sustainability; provided
1069 further, that not less than \$1,000,000 shall be expended to the Middleborough Housing Authority
1070 for housing improvements, including, but not limited to, modernization, energy efficiencies and
1071 sustainability; provided further, that not less than \$500,000 shall be expended to the Raynham
1072 Housing Authority for housing improvements, including, but not limited to, modernization,
1073 energy efficiencies and sustainability; provided further, that not less than \$3,500,000 shall be
1074 expended to the Taunton Housing Authority for housing improvements, including, but not
1075 limited to, modernization, energy efficiencies and sustainability; provided further, that not less
1076 than \$500,000 shall be expended to the Wareham Housing Authority for new senior housing
1077 construction and housing improvements, including, but not limited to, modernization, energy
1078 efficiencies and sustainability; provided further, that not less than \$3,000,000 shall be expended
1079 for planning and design of water infrastructure interconnections between municipalities and
1080 other public water suppliers affected by the Ipswich river watershed to support current and future
1081 housing stock; provided further, that not less than \$750,000 shall be expended for the Simonelli
1082 Innovation Center at the Hamilton Mills building for an affordable housing development project
1083 in the town of Southbridge; provided further, that not less than \$1,000,000 shall be expended for
1084 the modernization of elevators at the Ruth Lillian Barkley development in the South End section
1085 of the city of Boston; provided further, that not less than \$1,000,000 shall be expended to the

1086 Boston Housing Authority for the modernization of the St. Botolph apartments in the city of
1087 Boston; provided further, that not less than \$1,000,000 shall be expended to Codman Square
1088 Neighborhood Development Corporation for design, construction and maintenance of affordable
1089 housing; provided further, that not less than \$1,000,000 shall be expended to South Boston
1090 Neighborhood Development Corporation for design, construction and maintenance of affordable
1091 housing; provided further, that not less than \$1,000,000 shall be expended to Caribbean
1092 Integration Community Development, Inc. for design, construction and maintenance of
1093 affordable housing; provided further, that not less \$1,000,000 shall be expended to St. Mary's
1094 Center for Women and Children, Inc. for renovation and construction of supportive housing
1095 units; provided further, that not less than \$2,000,000 shall be expended to the Boston Housing
1096 Authority for the modernization and maintenance of the Monsignor Powers apartments, West
1097 Ninth Street apartments and Foley apartments in the South Boston section of the city of Boston;
1098 provided further, that not less than \$15,000,000 shall be expended to the Boston Housing
1099 Authority for the creation of federally-assisted housing in the city of Boston pursuant to the
1100 United States Department of Housing and Urban Development's Rental Assistance
1101 Demonstration program or related federal housing programs; provided further, that not less than
1102 \$5,000,000 shall be expended to the town of Truro to complete water main extension and road
1103 work improvements related to the construction of housing at the Walsh Property project;
1104 provided further, that not less than \$1,000,000 shall be expended to the Somerset Housing
1105 Authority for critical infrastructure repairs, maintenance and capital improvement projects;
1106 provided further, that not less than \$1,000,000 shall be expended to the Swansea Housing
1107 Authority for critical infrastructure repairs, maintenance and capital improvement projects;
1108 provided further, that not less than \$1,000,000 shall be expended to the Westport Housing

1109 Authority for critical infrastructure repairs, maintenance and capital improvement projects;
 1110 provided further, that not less than \$5,000,000 shall be expended to the Fall River Housing
 1111 Authority for facility renovations and security improvements; provided further, that not less than
 1112 \$5,000,000 shall be expended to the city of Boston to automate the ground water monitoring
 1113 system; provided further, that not less than \$2,000,000 shall be expended to the city known as
 1114 the town of Winthrop for infrastructure and demolition of the former middle school located at
 1115 141 Pauline street; and provided further, that not less than \$1,000,000 shall be expended to the
 1116 city of Revere for senior housing upgrades and improvements to Revere Housing Authority
 1117 properties.....\$425,756,900

1118 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

1119 *Office of the Secretary*

1120 7004-0077 For a local capital projects grant program to support and encourage
 1121 implementation of the housing choice designation for communities that have demonstrated
 1122 housing production and adoption of housing best practices, including a grant program to assist
 1123 MBTA communities in complying with the multi-family zoning requirement in section 3A of
 1124 chapter 40A of the General Laws.....\$50,000,000

1125 7004-0079 For the Smart Growth Housing Trust Fund established in section 35AA of
 1126 chapter 10 of the General Laws.....\$20,000,000

1127 7004-0081 For a reserve to support the production of for-sale, below market housing
 1128 to expand homeownership opportunities for first-time homebuyers and socially and economically
 1129 disadvantaged individuals; provided, that grants and loans to developers shall be used to
 1130 facilitate production of affordable homeownership units for households earning not more than

1131 120 per cent of the area median income; provided further, that projects with units restricted to
1132 households with incomes of not more than 80 per cent of the area median income shall receive
1133 preference; provided further, that funds expended from this item shall, to the maximum extent
1134 feasible, be prioritized for projects that comply with decarbonization and sustainability
1135 standards; provided further, that prioritization shall be determined through objective scoring
1136 criteria in the Qualified Allocation Plan developed by the executive office of housing and livable
1137 communities; provided further, that for new construction projects, the standards set forth in the
1138 commonwealth's Opt-in Specialized Energy Code under 225 CMR 22.00 and 23.00 and the
1139 Enterprise Green Communities standards shall be the applicable standards for prioritization;
1140 provided further, that any project proposing less than full compliance with said standards shall
1141 provide detailed analysis demonstrating why full compliance would render the project infeasible
1142 notwithstanding utilization of all available federal and state incentives, including rebates and tax
1143 credits; provided further, that for retrofits of existing units, prioritization shall be given to
1144 projects that include energy efficiency and electrification decarbonization measures, including,
1145 but not limited to, electric or ground source heat pumps, net-zero developments, Passive House
1146 Institute certification or an equivalent energy efficiency certification, and all-electric buildings
1147 and projects that incorporate green, sustainable and climate-resilient elements; provided further,
1148 that projects that include lower embodied carbon construction materials and methods shall be
1149 further prioritized; provided further, that the minimum number of units for qualifying projects
1150 under the program shall be 10 units unless otherwise approved by the secretary of housing and
1151 livable communities; provided further, that funds in this item shall be distributed in a manner that
1152 promotes geographic equity; provided further, that grants may include a requirement for
1153 matching funds; provided further, that the executive office of housing and livable communities

1154 may enter into such contracts and agreements with the Massachusetts Housing Finance Agency,
1155 or such other public agencies and instrumentalities as it may determine, for the administration of
1156 such program; and provided further, that not more than 5 per cent of this item shall be used for
1157 the reasonable costs of administering the program.....\$100,000,000

1158 7004-0082 For grants and technical assistance for municipalities and regional
1159 applicants to support planning and locally-driven initiatives related to community development,
1160 housing production, workforce training and economic opportunity, childcare and early education
1161 initiatives and climate resilience initiatives, including nature-based solutions projects, that
1162 incorporate these elements, across the commonwealth within individual communities, regions or
1163 a defined subset of communities therein; provided, that funds may be expended for culturally
1164 competent and multi-lingual technical assistance and training to small businesses; provided
1165 further, that preference for such funds shall be given to businesses located in low- or moderate-
1166 income areas and owned by socially and economically disadvantaged individuals; and provided
1167 further, that grants shall be awarded in a manner that promotes geographic equity.....\$25,000,000

1168 7004-0083 For the HousingWorks infrastructure program established in section 27½
1169 of chapter 23B of the General Laws; provided, that the executive office shall consider
1170 geographic equity in awarding funds from this item\$175,000,000

1171 7004-0085 For state financial assistance to cities and towns or agencies, boards,
1172 commissions, authorities, departments or instrumentalities thereof or community development
1173 corporations or nonprofit organizations to assist in the revitalization of neighborhoods and
1174 communities with properties in blighted or substandard conditions by subsidizing the purchase
1175 price, borrowing costs or costs of demolition or renovation projects of not more than 50 units of

1176 residential rental housing or 1 to 4 units, inclusive, of home ownership residential housing that
1177 have been cited for building or sanitary code violations or that are subject to cancellation of
1178 commercial property insurance due to substandard property conditions or are otherwise blighted
1179 or substandard; provided, that contracts entered into by the executive office of housing and
1180 livable communities for those projects may include, but shall not be limited to, projects
1181 providing for demolition, renovation, remodeling, reconstruction, redevelopment and hazardous
1182 material abatement, including asbestos and lead paint, and for compliance with state codes and
1183 laws and for adaptations necessary for compliance with the Americans with Disabilities Act of
1184 1990; provided further, that preference shall be given to community development corporations
1185 and local non-profit organizations, organizations sponsoring projects that secure private funds
1186 and projects with the greatest impact on community stabilization in weak markets, including, but
1187 not limited to, rural communities and communities that have been disproportionately affected by
1188 disinvestment, foreclosure and abandonment; provided further, that financial assistance shall be
1189 awarded in a manner that promotes geographic, social, racial and economic equity; provided
1190 further, that funds expended from this item shall, to the maximum extent feasible, be prioritized
1191 for projects that comply with decarbonization and sustainability standards; provided further, that
1192 prioritization shall be determined through objective scoring criteria in the Qualified Allocation
1193 Plan developed by the executive office of housing and livable communities; provided further,
1194 that for new construction projects, the standards set forth in the commonwealth's Opt-in
1195 Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green
1196 Communities standards shall be the applicable standards for prioritization; provided further, that
1197 any project proposing less than full compliance with said standards shall provide detailed
1198 analysis demonstrating why full compliance would render the project infeasible notwithstanding

utilization of all available federal and state incentives, including rebates and tax credits; provided further, that for retrofits of existing units, prioritization shall be given to projects that include energy efficiency and electrification decarbonization measures, including, but not limited to, electric or ground source heat pumps, net-zero developments, Passive House Institute compliance or an equivalent energy efficiency certification, and all-electric buildings and projects that incorporate green, sustainable and climate-resilient elements; provided further, that projects that include lower embodied carbon construction materials and methods shall be further prioritized; provided further, that such rehabilitated housing shall remain affordable for such period as shall be established by the executive office through guidance taking into account differences in market conditions and the type of restrictions best suited to promoting community stabilization in different markets; and provided further, that an amount not to exceed 2 per cent of the amount expended may be used for administrative costs directly attributable to the purposes of this program, including costs of support personnel.....\$50,000,000

SECTION 2B.

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Office of the Secretary

7004-4784 For the Massachusetts Housing Finance Agency established in section 3 of chapter 708 of the acts of 1966, to capitalize a permanent, revolving Residential Production Momentum Fund for the purpose of accelerating the development of mixed-income and workforce multifamily housing production projects by providing financial assistance in the form of innovative, low-cost, and flexible capital funding, which may be in the form of debt, equity, or other instruments, depending on individual underwriting needs of the project; provided, that not

1221 less than 20 per cent of the units in a project that receives financial assistance under this item
1222 shall be restricted to households with incomes between 60 per cent and 120 per cent, inclusive,
1223 of the area median income; provided further, that, notwithstanding paragraph (f) of section 5 of
1224 said chapter 708, the Agency may in its discretion set the term and prepayment options for any
1225 mortgage or other loan or instrument issued to any project receiving such financial assistance
1226 based on the individual underwriting needs of the project; provided further, that such financial
1227 assistance shall be awarded in a manner that promotes geographic equity; provided further, that
1228 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects
1229 that comply with decarbonization and sustainability standards; provided further, that
1230 prioritization shall be determined through objective scoring criteria in the Qualified Allocation
1231 Plan developed by the executive office of housing and livable communities; provided further,
1232 that for new construction projects, the standards set forth in the commonwealth's Opt-in
1233 Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green
1234 Communities standards shall be the applicable standards for prioritization; provided further, that
1235 any project proposing less than full compliance with said standards shall provide detailed
1236 analysis demonstrating why full compliance would render the project infeasible notwithstanding
1237 utilization of all available federal and state incentives, including rebates and tax credits; provided
1238 further, that for retrofits of existing units, prioritization shall be given to projects that include
1239 energy efficiency and electrification decarbonization measures, including, but not limited to,
1240 electric or ground source heat pumps, net-zero developments, Passive House Institute
1241 certification or an equivalent energy efficiency certification, and all-electric buildings and
1242 projects that incorporate green, sustainable and climate-resilient elements; provided further, that
1243 projects that include lower embodied carbon construction materials and methods shall be further

1244 prioritized; and provided further, that not more than \$13,000,000 shall be expended for new
1245 affordable housing units at the 1234-1240 Soldiers Field Road Project approved by the Boston
1246 Redevelopment Authority pursuant to document number 8044 in the city of
1247 Boston.....\$50,000,000

1248 SECTION 3. The first paragraph of subsection (b) of section 1 of chapter 23B of the
1249 General Laws, as appearing in section 102 of chapter 7 of the acts of 2023, is hereby amended by
1250 inserting after clause (xvii) the following clause:-

1251 (xviii) Develop and implement, not less than once every 5 years, a written comprehensive
1252 housing plan for the commonwealth, which shall include, but not be limited to, housing supply
1253 and demand data, affordability and affordability gaps, identification of housing affordability
1254 challenges and needs by region, an analysis of local zoning and strategies to address such
1255 housing needs.

1256 SECTION 4. Section 27½ of said chapter 23B, inserted by section 117 of said chapter 7,
1257 is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the
1258 following 2 subsections:-

1259 (a) There shall be in the executive office of housing and livable communities a
1260 HousingWorks infrastructure program to: (i) issue infrastructure grants that support housing to
1261 municipalities and other public entities for design, construction, building, rehabilitation, repair
1262 and other improvements to infrastructure that support the objectives of the secretariat, including,
1263 but not limited to, sewers, utility extensions, streets, roads, curb-cuts, parking, water treatment
1264 systems, telecommunications systems, transit improvements, public parks and spaces that
1265 support planned or proposed housing improvements and pedestrian and bicycle ways; or (ii)

assist municipalities to advance projects that support housing development, preservation or rehabilitation. Preference for grants or assistance under this section shall be given to: (A) infrastructure serving locations within 0.5 miles of a transit station or transit route; (B) other eligible locations as defined in section 1A of chapter 40A; (C) multi-family zoning districts that comply with section 3A of said chapter 40A; and (D) projects that support housing in rural and small towns, as defined by the executive office.

(b) A project that uses grants to municipalities for public infrastructure provided by this section shall be procured by a municipality in accordance with chapter 7, section 39M of chapter 30, chapter 30B and chapter 149.

SECTION 5. Said chapter 23B is hereby further amended by adding the following 6 sections:-

Section 31. (a) There shall be within the executive office of housing and livable communities an office of fair housing. The secretary of housing and livable communities shall appoint a director of the office who shall serve at the pleasure of the secretary.

(b) The office shall:

(i) collaborate with state agencies on policies and strategies to: (A) advance the elimination of housing discrimination and increase access to fair housing; (B) overcome patterns of segregation; (C) foster inclusive communities without barriers that restrict access for individuals or groups protected from unlawful practices pursuant to chapter 151B; and (D) support enforcement of and compliance with all fair housing laws, including, but not limited to, said chapter 151B and the federal Fair Housing Act, 42 U.S.C. 3601 et seq.;

1287 (ii) facilitate communication and partnership among state agencies and municipalities to
1288 identify the intersections between activities of state agencies, activities of municipalities and fair
1289 housing;

1290 (iii) facilitate the development of interagency initiatives to examine and address the social
1291 and economic determinants of housing disparities, including, but not limited to: (A) equal access
1292 to quality housing; (B) housing affordability; (C) access and proximity to multimodal
1293 transportation options, including cost of such transportation; (D) air, water and land usage and
1294 quality, including, but not limited to, consideration of environmental justice principles as defined
1295 in section 62 of chapter 30; (E) employment and workforce development; (F) access to
1296 healthcare; (G) access to and quality of education; and (H) language access; and

1297 (iv) administer the Fair Housing Fund established in section 2FFFFF of chapter 29.

1298 (c)(1) Not less than every 5 years, the office shall prepare a report evaluating the progress
1299 of the commonwealth toward eliminating housing discrimination and increasing access to fair
1300 housing. The report shall comply with applicable federal requirements for analysis and reporting.
1301 Where possible, the report shall include quantifiable measures and comparative benchmarks and
1302 shall detail progress on a regional basis. The office shall hold public hearings in geographically
1303 diverse regions of the commonwealth to gather public information on the topics of the report.

1304 (2) Annually, the office shall prepare a supplemental report describing the activities and
1305 outcomes of the Fair Housing Fund established in section 2FFFFF of chapter 29.

1306 (3) Reports pursuant to this subsection shall be filed with the clerks of the house of
1307 representatives and senate and the chairs of the joint committee on housing not later than July 1

1308 in the year in which each such report is due. Each report shall be posted publicly on the office's
1309 website.

1310 Section 32. (a) For the purposes of this section "year-round housing", shall mean housing
1311 for occupancy by persons or families who occupy either rental or other housing as their principal
1312 residence for not less than 10 months a year and "attainable housing" shall mean housing that is
1313 affordable for year-round residents with incomes under a level set by the undersecretary in
1314 consultation with the seasonal communities advisory council.

1315 (b) The secretary may designate a municipality as a seasonal community; provided,
1316 however, that all municipalities in the counties of Dukes and Nantucket and all municipalities
1317 with over 35 per cent seasonal housing units in the county of Barnstable, as determined by the
1318 executive office in consultation with the Cape Cod commission established in chapter 716 of the
1319 acts of 1989 and all municipalities with more than 40 per cent seasonal housing units in the
1320 county of Berkshire, as determined by the executive office in consultation with the Berkshire
1321 regional planning commission, shall receive such designation. The executive office may
1322 designate additional municipalities as seasonal communities based on consideration of the
1323 following factors: (i) a high rate of short-term rentals in relation to the overall housing inventory;
1324 (ii) a significant population increase in seasonal visitors; (iii) an excessive disparity between the
1325 area median income and the income required to purchase the municipality's median home price;
1326 (iv) the percentage of housing stock that is used for seasonal, occasional or recreational use or is
1327 otherwise not used as a primary residence by the property's owner; and (v) high variations in the
1328 average monthly variation of employment in the sector over the full year, in relation to the
1329 municipality's minimum employment threshold. A municipality designated by the executive
1330 office as a seasonal community pursuant to this section shall accept or deny the designation by

1331 vote of its legislative body. The secretary shall consult with the advisory council established in
1332 subsection (c) to review additional municipalities under consideration to receive the seasonal
1333 community designation.

1334 (c) The executive office shall convene an advisory council to offer expertise in issues
1335 pertaining to municipal government, the hospitality industry, the tourism industry, housing law
1336 and housing development and finance in seasonal communities. The council shall consist of: the
1337 secretary or a designee, who shall serve as chair; 1 member of the senate appointed by the senate
1338 president, who represents a district in which at least 1 municipality is designated as a seasonal
1339 community; 1 member of the house of representatives appointed by the speaker of the house of
1340 representatives, who represents a district in which at least 1 municipality is designated as a
1341 seasonal community; 1 person appointed by the Massachusetts Municipal Association, Inc.; and
1342 the following persons to be appointed by the secretary: 1 person who shall be a representative of
1343 the developer community and is a resident of a municipality designated as a seasonal
1344 community; 1 person who shall be a licensed real estate agent with the board of registration of
1345 real estate brokers and salespersons and is a resident of a municipality designated as a seasonal
1346 community; 1 person to represent each regional planning agency whose jurisdiction encompasses
1347 at least 1 municipality designated as a seasonal community; 1 licensed attorney who practices in
1348 the area of land use and who is a resident of a municipality designated as a seasonal community;
1349 and 1 person who shall be a representative of the lending and banking community and who is a
1350 resident of a municipality designated as a seasonal community. The secretary may appoint
1351 additional members with knowledge and with expertise in land use law, fair housing law,
1352 municipal law and operations or the housing needs of seasonal communities. The council shall
1353 adopt by-laws to govern its affairs. The council shall provide advice and recommendations to the

1354 executive office regarding policies or programs necessary to serve the distinct needs of seasonal
1355 communities, including, but not limited to, accessing specialized or general application grant
1356 programs and best practices on incentivizing the production of attainable year-round housing in
1357 seasonal communities. Annually, not later than December 31, the council shall submit a report of
1358 any recommendations to the executive office, the clerks of the house of representatives and the
1359 senate and the joint committee on housing.

1360 The executive office shall review, on an as-needed basis, the ongoing needs of
1361 municipalities designated as seasonal communities and may deny a municipality's continued
1362 seasonal community designation based on the municipality's ongoing needs and eligibility.

1363 (d) A seasonal community may: (i) acquire year-round housing occupancy restrictions for
1364 rental or other housing; provided, however, that any such year-round housing occupancy
1365 restriction held by a city or town shall be construed as a restriction held by a governmental body
1366 with the benefit of section 26 of chapter 184; (ii) acquire and develop housing units with
1367 preference for housing seasonal community public employees that are necessary to the health
1368 and safety of maintaining a year-round community, including teachers, public works employees,
1369 public safety employees, first responders, town administrators and other employees essential for
1370 municipal operations as described under section 42(g)(9)(B) of the Internal Revenue Code; (iii)
1371 expend funds to develop, on a biannual basis, a comprehensive housing needs assessment; (iv)
1372 establish a Year-Round Housing Trust Fund, individually or with other seasonal communities, to
1373 provide for the creation and preservation of affordable and attainable housing in seasonal
1374 communities for the benefit of year-round residents; provided, however, that the executive office
1375 of housing and livable communities, in consultation with the seasonal communities advisory
1376 council established in subsection (c), shall promulgate regulations pertaining to the membership,

1377 powers and duties of the trust; and (v) expend funds designated for the creation and preservation
1378 of year-round affordable and attainable housing for individuals who, by vocation, produce or
1379 support artistic and literary activities.

1380 (e) For the purposes of this section, “tiny house” shall mean a detached structure
1381 containing a dwelling unit containing 400 square feet or less in floor area, excluding lofts. A
1382 seasonal community shall: (i) adopt by-laws or zoning ordinances to permit undersized lots to be
1383 used for the creation of attainable year-round housing; provided, however, that the lot, at the time
1384 of recording or endorsement, shall be located in a zoning district that allows for single-family
1385 residential use; provided further, that any single-family residential structure constructed on said
1386 lot shall adhere to the municipality’s floor area ratio by-laws and shall comply with all laws
1387 governing wastewater and sewer systems; and provided further, that any residential housing built
1388 upon undersized lots shall not be used as a seasonal home or short-term rental of less than 6
1389 months and shall be used as year-round housing; and (ii) adopt by-laws to permit the
1390 construction of tiny houses provided that such tiny houses are designated for use as year-round
1391 housing units and meet all requirements of the state building code and local building code. A
1392 movable tiny house shall be registered with the registry of motor vehicles, as applicable.

1393 (f) A seasonal community may increase the exemption established in section 5C of
1394 chapter 59, at the option of the board of selectmen in a town or the mayor, with the approval of
1395 the city council, in a city 50 per cent of the average assessed value of all Class One, residential
1396 parcels within such city or town; provided, however, that the exemption shall be applied only to
1397 the principal residence of the taxpayer as used by the taxpayer for income tax purposes.

1398 (g) A seasonal community designated pursuant to this section may apply to the executive
1399 office of housing and livable communities for a waiver from any of the requirements of this
1400 section. In deciding whether to grant the municipality's request for a waiver, the executive office
1401 may consider whether the requirements of this section can reasonably be carried out by existing
1402 town staff or a regional staff person performing equivalent duties.

1403 (h) The executive office shall promulgate regulations or guidance to carry out this
1404 section.

1405 Section 33. (a) As used in this section and section 34, the following words shall, unless
1406 the context clearly requires otherwise, have the following meanings:

1407 "Eligible applicant", an owner of residential property in the commonwealth who, as
1408 determined by the executive office of housing and livable communities: (i) is an owner-occupant,
1409 small landlord or larger landlord; (ii) meets any income eligibility and other requirements of the
1410 program established by the executive office; and (iii) owns a property with habitability concerns.

1411 "Existing home repair programs", financial assistance administered by governmental,
1412 quasi-governmental and nonprofit organizations, or the contractors and assignees of such
1413 entities, that provide services to repair residential housing, including, but not limited to, mixed-
1414 use projects that include residential housing.

1415 "Habitability concerns", home repairs that are required to ensure residential units are: (i)
1416 fit for human habitation; (ii) free from defective conditions and health and safety hazards,
1417 including, but not limited to, asbestos, mold, pests and lead; and (iii) free of conditions
1418 preventing installation of measures to improve energy or water efficiency, utilize renewable
1419 energy or lower utility costs.

1420 “Larger landlord”, an individual who has title to more than 1 residential unit and who
1421 does not meet the definition of owner-occupant or small landlord.

1422 “Low-income owner-occupant”, an owner-occupant with a household income of not
1423 more than 80 per cent of the area median income.

1424 “Moderate-income owner-occupant”, an owner-occupant with a household income of at
1425 least 80 per cent but not more than 135 per cent of the area median income.

1426 “Other eligible owner-occupant”, an owner-occupant who does not meet the definition of
1427 a low-income owner-occupant or moderate-income owner-occupant and leases at least 1 other
1428 residential unit in the building.

1429 “Owner-occupant”, an individual who has title to a residential building with at least 1 and
1430 not more than 3 units and who resides in at least 1 of the units as their principal residence.

1431 “Small landlord”, an individual who has title to a building with no more than 3 residential
1432 units and does not live in the building for at least 6 months of any year, or who has title to a
1433 building with 4 or more residential units; provided that, such an individual shall have financial
1434 interest in neither more than 3 buildings nor more than 15 residential units.

1435 (b) The executive office shall establish a Massachusetts healthy homes program and
1436 make reasonable efforts to coordinate with other governmental, quasi-governmental and
1437 nonprofit organizations administering programs that create a healthier environment for residents,
1438 including, but not limited to, rehabilitating existing housing or making homes lead-safe. The
1439 executive office may contract with other governmental, quasi-governmental and nonprofit
1440 organizations to administer 1 or more of these programs to address habitability concerns.

1441 (c)(1) The executive office may make grants or loans available to eligible applicants to
1442 ensure owner-occupied and rental units are free of habitability concerns.

1443 (2) Assistance in the form of grants and loans shall be provided to eligible applicants
1444 consistent with the following requirements to ensure owner-occupied and rental units are free of
1445 habitability concerns:

1446 (i) For low-income owner-occupants, the assistance shall be provided as a grant.

1447 (ii) For moderate-income owner-occupants, the assistance shall be provided as a 0 per
1448 cent interest deferred payment loan with no repayment due until sale or refinancing of the
1449 property. If the moderate-income owner-occupant continues to own the property for 3 years after
1450 receiving the loan, the loan shall be forgiven.

1451 (iii) For small landlords and other eligible owner-occupants, but not including larger
1452 landlords, the assistance shall be provided as a 0 per cent interest deferred payment loan with no
1453 repayment due until sale or refinancing of the property. Small landlords or other eligible owner-
1454 occupants, but not including larger landlords, may apply for loan forgiveness after 3 years
1455 following receipt of the loan. The executive office shall forgive the loan if the executive office
1456 determines that the small landlord or other eligible owner-occupant, but not including larger
1457 landlords, has: (A) owned the property without interruption after having received the loan; (B)
1458 addressed all habitability concerns in a timely fashion; (C) not evicted tenants, other than for
1459 cause; and (D) kept rent increases to not more than 5 per cent per year in each of the past 3 years.

1460 (iv) For larger landlords, the assistance shall be provided as a below-market-rate loan
1461 with an interest rate and repayment terms determined by the executive office. The executive
1462 office shall provide the below-market-rate loan only to a larger landlord who executes an

1463 agreement with the executive office that, for a term of 3 years, requires the landlord who owns
1464 such property to: (A) maintain ownership of the property without interruption after having
1465 received the loan; (B) address all habitability concerns in a timely fashion; (C) not evict tenants,
1466 other than for cause; and (D) keep rent increases to not more than 5 per cent per year for each of
1467 the 3 years. If a larger landlord does not comply with the requirements of the loan, the executive
1468 office may require immediate repayment of the assistance.

1469 (d) The executive office, and any entity administering the Massachusetts healthy homes
1470 program on the executive office's behalf, shall administer the Massachusetts healthy homes
1471 program consistent with guidelines and forms established by the executive office. The executive
1472 office, and any other administering entity, shall strive to, in its administration of the program,
1473 provide grants and loans to address habitability concerns and shall: (i) augment funds from other
1474 home repair programs; (ii) increase retention in workforce development programs associated
1475 with home repairs; (iii) provide technical assistance to address habitability concerns; and (iv)
1476 support outreach, including, but not limited to, minimizing cultural, linguistic or other barriers
1477 and maximizing access to program resources.

1478 (e)(1) Grants or loans from the Massachusetts healthy homes program shall not exceed
1479 \$50,000 per unit, unless the executive office waives this limit upon a determination of the
1480 necessity of such waiver; provided, that the average amount of assistance shall not exceed
1481 \$50,000 per unit.

1482 (2) Not less than 50 per cent of any funds from the Massachusetts healthy homes program
1483 shall be made to owners of buildings located in a gateway municipality as defined in section 3A
1484 of chapter 23A.

1485 (f) Annually, not later than June 30, the executive office shall report on the Massachusetts
1486 healthy homes program to the clerks of the house of representatives and the senate, the joint
1487 committee on housing and the house and senate committees on ways and means. The report shall
1488 include: (i) the number of projects completed through the Massachusetts healthy homes program
1489 addressing habitability concerns; (ii) the locations of projects completed through the
1490 Massachusetts healthy homes program throughout the commonwealth; (iii) the total amount of
1491 grants or loans authorized; (iv) the number of projects using existing home repair programs; and
1492 (v) the breakdown of landlord owned properties and owner-occupied properties with habitability
1493 concerns addressed through the Massachusetts healthy homes program. The executive office
1494 shall make the report publicly available on its website.

1495 (g) The executive office shall promulgate guidance or regulations necessary to carry out
1496 this section.

1497 Section 34. (a) There shall be within the executive office of housing and livable
1498 communities a Massachusetts healthy homes program fund. The fund shall be credited with: (i)
1499 revenue from appropriations or other money authorized by the general court and specifically
1500 designated to be credited to the fund; (ii) interest earned on such revenue; and (iii) funds from
1501 public and private sources and other gifts, grants and donations to support the habitability
1502 concerns, including, but not limited to, funds from governmental, quasi-governmental, nonprofit
1503 organizations, for-profit organizations and individuals; provided, that any funds received from
1504 private organizations and individuals shall be made without conditions and without recourse.
1505 Amounts credited to the fund shall not be subject to further appropriation and any money
1506 remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

1507 (b) The executive office shall administer the fund consistent with the requirements of the
1508 Massachusetts healthy homes program established in section 33.

1509 (c) Annually, not later than June 30, the executive office shall report on all expenditures
1510 from the Massachusetts healthy homes program fund to the clerks of the house of representatives
1511 and the senate, the joint committee on housing and the house and senate committees on ways and
1512 means. The executive office shall make the report publicly available on its website.

1513 Section 35. (a) As used in this section, the following words shall, unless the context
1514 clearly requires otherwise, have the following meanings:

1515 “Homeless”, a veteran: (i) who is undomiciled and unable to secure permanent and stable
1516 housing without special assistance, including, but not limited to, a veteran who is inappropriately
1517 housed in an institutional facility and can safely live in the community where services are
1518 provided; (ii) in a transitional housing facility without permanent domicile; (iii) in the
1519 community, released or discharged after incarceration and who is without permanent and stable
1520 housing; or (iv) who is in danger of becoming homeless due to circumstances and criteria
1521 established by the secretary, in consultation with the secretary of veterans’ services.

1522 “Qualified nonprofit organization”, a private nonprofit organization: (i) with
1523 demonstrated success in developing or operating transitional and permanent housing programs
1524 for veterans; and (ii) that is committed to ending veteran homelessness.

1525 (b) The secretary of housing and livable communities, in consultation with the secretary
1526 of veterans’ services, shall establish a veterans supportive housing program to assist qualified
1527 nonprofit organizations to develop and preserve supportive housing for eligible veterans. The

1528 qualified nonprofit organization shall provide wrap around services to meet the needs of eligible
1529 veterans.

1530 (c) Eligibility for supportive housing shall include:

1531 (i) veterans and their families, or individual veterans, who are homeless and have an
1532 unmet housing need as determined by the secretary; and

1533 (ii) veterans who have 1 or more disabilities or other life challenges, including, but not
1534 limited to: (A) serious mental illness; (B) substance use disorder; (C) living with HIV or AIDS,
1535 or another chronic condition or affliction; (D) being a victim or survivor of domestic violence;
1536 and (E) post-traumatic stress disorder.

1537 (d)(1) The secretary may contract with a qualified nonprofit organization to establish
1538 veterans supportive housing pursuant to subsection (b) for a term of not more than 5 years and
1539 may renew a contract with a qualified nonprofit organization for like terms in accordance with
1540 the procedures established by the secretary, in consultation with the secretary of veterans'
1541 services, for the development and preservation of supportive housing for veterans.

1542 (2) The secretary may award up to \$20,000 per eligible veteran pursuant to subsection (c)
1543 in a calendar year to a qualified nonprofit organization that enters into a contract pursuant to
1544 paragraph (1).

1545 (3) The qualified nonprofit organization shall secure funding for the development and
1546 preservation of any supportive housing project within 2 years from the date of the award. The
1547 secretary shall establish procedures for the repayment of funds by qualified nonprofit
1548 organizations that fail to secure funding within the 2-year period.

1549 (e) The secretary, in consultation with the secretary of veterans' services, shall
1550 promulgate rules or regulations for the administration of the veterans supportive housing
1551 program.

1552 Section 36. (a) As used in this section, the following words shall, unless the context
1553 clearly requires otherwise, have the following meanings:

1554 "Development cost", an expenditure directly related to the construction or substantial
1555 rehabilitation of a qualified conversion project, including, but not limited to, the cost of site
1556 assessment and remediation of hazardous materials; provided, however, that development cost
1557 shall not include the purchase of the property.

1558 "Executive office", the executive office of housing and livable communities.

1559 "Market rate residential unit", a residential unit priced consistently with prevailing rents
1560 or sale prices in the municipality as determined by the executive office.

1561 "Qualified conversion project", the rehabilitation of a commercial property, including,
1562 but not limited to, commercial centers, office parks and commercial buildings located on main
1563 streets or downtown municipal areas, for primary multi-unit residential use or mixed-use, which
1564 may include retail or other commercial uses, that: (i) contains not less than 2 residential units;
1565 provided, however, that the project may be a mixed-use development that includes commercial
1566 uses in addition to residential units if the building is primarily residential; (ii) contains at least 80
1567 per cent market rate residential units upon completion of the rehabilitation, to be sold or leased;
1568 (iii) prior to conversion, such building was nonresidential real property, as defined in section 168
1569 of the Internal Revenue Code, all or a portion of which was leased, or available for lease, to

1570 office tenants; and (iv) such building was initially placed in service at least 5 years before the
1571 beginning of the conversion.

1572 “Sponsors”, as defined in section 25 of chapter 23B.

1573 “Substantial rehabilitation” or “substantially rehabilitated”, the necessary major
1574 redevelopment, repair and renovation of a property, including, but not limited to, site assessment
1575 and remediation of hazardous materials, but excluding the purchase of the property, as
1576 determined by the executive office.

1577 (b) The executive office shall establish a program for qualified conversion projects,
1578 which shall be administered by the executive office. The purpose of the program shall be to
1579 assist in the conversion of commercial properties into residential properties.

1580 (c)(1) The executive office may certify 1 or more housing development projects as a
1581 qualified conversion project: (i) upon timely receipt of a project proposal requesting the
1582 designation as a qualified conversion project from a sponsor; provided, that a project proposal
1583 shall be submitted in a form and with information as determined by the executive office, and
1584 shall be supported by independently verifiable information and signed under the penalties of
1585 perjury; and (ii) if the executive office determines that the project, together with any municipal
1586 resources committed to the project, shall have a reasonable chance of increasing residential
1587 growth, diversity of housing supply, supporting economic development and promoting
1588 neighborhood stabilization as advanced in the proposal as a qualified conversion project.

1589 (2) Prior to construction, the executive office shall certify that the proposed project meets
1590 the definition of a qualified conversion project and the requirements pursuant to paragraph (1).

1591 (3) The executive office shall evaluate and either grant or deny certification of the
1592 designation as a qualified conversion project to any project proposal not later than 90 days from
1593 the date of its receipt of a complete project proposal. Approval of a project due to the executive
1594 office's failure to act within 90 days shall not constitute approval by the executive office of any
1595 tax incentives provided under chapters 62 or 63.

1596 (4) The executive office may impose a fee for the processing of applications for the
1597 certification of any project under this section.

1598 (5) Prior to construction, the executive office shall certify that all or a portion of the
1599 qualified conversion project costs are for construction or substantial rehabilitation and shall
1600 identify the development costs.

1601 (d) The executive office shall review each pending certified qualified conversion project,
1602 not yet completed, not less than once every 2 years.

1603 (e) The executive office shall review each certified qualified conversion project upon
1604 completion and certify that the project is consistent with the requirements of this section,
1605 including the development cost and qualified conversion project requirements.

1606 (f)(1) The executive office may revoke certification of a project if the executive office
1607 determines, after an independent investigation, that: (i) representations made by the sponsor in its
1608 project proposal are materially different from the conduct of the sponsor subsequent to the
1609 certification and such difference frustrates the public purposes that the certification was intended
1610 to advance; or (ii) the project no longer meets the criteria of this section.

1611 (2) Upon revocation, the commonwealth may bring a cause of action against the sponsor
1612 for the value of any economic benefit received by the sponsor prior to or subsequent to such
1613 revocation.

1614 (3) A revocation shall take effect on the first day of the tax year in which the executive
1615 office determines that a material breach commenced.

1616 (g) There shall be established a tax incentive program for certified qualified conversion
1617 projects. After certification by the executive office upon the completion of the project, pursuant
1618 to subsection (e), the executive office, in consultation with the commissioner of revenue, may
1619 award a tax credit available under subsection (ee) of section 6 of chapter 62 or section 3800 of
1620 chapter 63 of not more than 10 per cent of the development cost allocable to total units in a
1621 project, as determined by the executive office, to the sponsor of a qualified conversion project.
1622 The amount of the credit awarded shall be based on the following factors: (i) the need for
1623 residential development and diversity of housing supply in the municipality; (ii) the extent to
1624 which the certified qualified conversion project will encourage residential development,
1625 expansion of diversity of housing supply, support neighborhood stabilization and promote
1626 economic development in the zone; and (iii) the percentage of market rate residential units
1627 contained in the certified qualified conversion project. The executive office may limit a credit
1628 available to a certified qualified conversion project under subsection (ee) of section 6 of chapter
1629 62 and section 3800 of chapter 63 to a dollar amount or in any other manner deemed
1630 appropriate by the executive office.

1631 (h) Annually, not later than December 1, the executive office shall file a report detailing
1632 its findings of the review of all certified qualified conversion projects evaluated in the prior fiscal

year, including projects evaluated prior to construction, while the project is pending and upon completion, to the commissioner of revenue, the joint committee on revenue and the joint committee on housing. The report shall include, but shall not be limited to: (i) a list of qualified conversion projects that received certification; (ii) information about each qualified conversion project, including the site address, project sponsor, range of rents of the residential units, type of residential units, number of each type of residential unit, number of affordable rental units for persons whose income is not more than 60 per cent of the area median income and the number of affordable owner-occupied units for persons whose income is not more than 80 per cent of the area median income; and (iii) the total amount of development costs for which a tax credit was issued or reserved pursuant to subsection (ee) of section 6 of chapter 62 or section 38OO of chapter 63 for each certified qualified conversion project the year the credit was issued and the completion or estimated completion year of the certified qualified conversion projects.

(i) The executive office shall promulgate guidance or regulations for the administration of this section.

SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after section 2EEEEEEE, inserted by section 3 of chapter 139 of the acts of 2024, the following section:-

Section 2FFFFFFF. (a) There shall be established and set up on the books of the commonwealth a separate fund known as the Fair Housing Fund. There shall be credited to the fund: (i) revenue from appropriations or other funds authorized by the general court and specifically designated for the fund; (ii) any gifts, grants or private contributions; (iii) any interest on the fund's assets; and (iv) any other sources. Amounts credited to the fund shall be

1655 expended without further appropriation. Any balance in the fund at the close of a fiscal year shall
1656 be available for expenditure in subsequent fiscal years and shall not be transferred to any other
1657 fund or revert to the General Fund; provided, that the comptroller shall report the amount
1658 remaining in the fund at the end of each fiscal year to the house and senate committees on ways
1659 and means.

1660 (b) The fund shall be administered by the office of fair housing established in section 31
1661 of chapter 23B and funds shall be expended for the purpose of eliminating housing
1662 discrimination. Activities eligible for assistance from the fund shall include, but shall not be
1663 limited to: (i) private enforcement initiatives; (ii) education and outreach initiatives; (iii) fair
1664 housing testing; (iv) lending discrimination; (v) affirmatively furthering fair housing; and (vi)
1665 special projects.

1666 (c) Grantees eligible for assistance shall include, but shall not be limited to, fair housing
1667 assistance programs and fair housing initiative programs, as defined by the United States
1668 Department of Housing and Urban Development, any private, non-profit agency or any state-
1669 funded public housing authority.

1670 SECTION 7. Section 1A of chapter 40A of the General Laws, as appearing in the 2022
1671 Official Edition, is hereby amended by striking out the definition “Accessory dwelling unit” and
1672 inserting in place thereof the following definition:-

1673 “Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking
1674 and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable
1675 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly
1676 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient

1677 to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor
1678 area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is
1679 smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality,
1680 including, but not limited to, additional size restrictions and restrictions or prohibitions on short-
1681 term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall
1682 unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term
1683 rental.

1684 SECTION 8. Section 3 of said chapter 40A, as so appearing, is hereby amended by
1685 adding the following paragraph:-

1686 No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special
1687 permit or other discretionary zoning approval for the use of land or structures for a single
1688 accessory dwelling unit, or the rental thereof, in a single-family residential zoning district;
1689 provided, that the use of land or structures for such accessory dwelling unit under this paragraph
1690 may be subject to reasonable regulations, including, but not limited to, 310 CMR 15.000 et seq.,
1691 if applicable, site plan review, regulations concerning dimensional setbacks and the bulk and
1692 height of structures and may be subject to restrictions and prohibitions on short-term rental, as
1693 defined in section 1 of chapter 64G. The use of land or structures for an accessory dwelling unit
1694 under this paragraph shall not require owner occupancy of either the accessory dwelling unit or
1695 the principal dwelling; provided, that not more than 1 additional parking space shall be required
1696 for an accessory dwelling unit; and provided further, that no additional parking space shall be
1697 required for an accessory dwelling located not more than 0.5 miles from a commuter rail station,
1698 subway station, ferry terminal or bus station. For more than 1 accessory dwelling unit, or rental
1699 thereof, in a single-family residential zoning district there shall be a special permit for the use of

1700 land or structures for an accessory dwelling unit. The executive office of housing and livable
1701 communities may issue guidelines or promulgate regulations to administer this paragraph.

1702 SECTION 9. Section 3A of said chapter 40A is hereby amended by striking out the
1703 words “section 27”, as appearing in section 152 of chapter 7 of the acts of 2023, and inserting in
1704 place thereof the following words:- section 27½.

1705 SECTION 10. Section 6 of said chapter 40A, as appearing in the 2022 Official Edition, is
1706 hereby amended by inserting after the fourth paragraph the following paragraph:-

1707 Adjacent lots under common ownership shall not be treated as a single lot for local
1708 zoning purposes if, at the time of recording or endorsement, the lots: (i) conformed to then
1709 existing requirements of area, frontage, width, yard or depth, where each such lot has not less
1710 than 10,000 square feet of area and 75 feet of frontage; and (ii) are located in a zoning district
1711 that allows for single-family residential use. Any single-family residential structure constructed
1712 on said lot shall not exceed 1,850 square feet of heated living area, shall contain not less than 3
1713 bedrooms and shall not be used as a seasonal home or short-term rental.

1714 SECTION 11. The first paragraph of section 17 of said chapter 40A, as so appearing, is
1715 hereby amended by inserting after the fourth sentence the following sentence:- If the complaint is
1716 filed by someone other than the original applicant, appellant or petitioner, then each plaintiff,
1717 whether or not previously constituting parties in interest for notice purposes, shall also
1718 sufficiently allege and must plausibly demonstrate that measurable injury, which is special and
1719 different to such plaintiff, to a private legal interest that will likely flow from the decision
1720 through credible evidence.

1721 SECTION 12. Said section 17 of said chapter 40A, as so appearing, is hereby further
1722 amended by striking out the third paragraph and inserting in place thereof the following
1723 paragraph:-

1724 The court, in its discretion, may require a plaintiff in an action under this section
1725 appealing a decision to approve a special permit, variance or site plan to post a surety or cash
1726 bond in an amount of not more than \$250,000 to secure the payment of and to indemnify and
1727 reimburse damages and costs and expenses incurred in such an action if the court finds that the
1728 harm to the defendant or to the public interest resulting from delays caused by the appeal
1729 outweighs the financial burden of the surety or cash bond on the plaintiffs. The court shall
1730 consider the relative merits of the appeal and the relative financial means of the plaintiff and the
1731 defendant. Nothing in this section shall require bad faith or malice of a plaintiff for the court to
1732 issue a bond under this section.

1733 SECTION 13. Said section 17 of said chapter 40A, as so appearing, is hereby further
1734 amended by striking out the sixth paragraph and inserting in place thereof the following
1735 paragraph:-

1736 Costs, including reasonable attorneys' fees, in an amount to be fixed by the court may be
1737 allowed against the party appealing from the decision of the board or special permit granting
1738 authority if the court finds that the appellant or appellants acted in bad faith or with malice in
1739 making the appeal to court.

1740 SECTION 14. Said chapter 40A is hereby further amended by adding the following
1741 section:-

Section 18. (a) Notwithstanding any general or special law to the contrary, a city or town that permits or adopts inclusionary zoning, incentive zoning, a density bonus ordinance or by-law pursuant to this chapter or a housing production plan submitted to the executive office of housing and livable communities may enter into an agreement with a housing developer or residential development owner to provide a preference for affordable housing to low- or moderate-income veterans, as defined in clause Forty-third of section 7 of chapter 4. The preference shall be for up to 10 per cent of the affordable units in a particular development.

(b) The preference under this section shall be established in the applicant selection process for available affordable units. Applicants who are veterans and who apply within 90 days of the initial marketing period of the development shall receive preference for the rental of up to 10 per cent of the affordable units. After the first 90 days of the initial marketing period, if any of the units subject to the preference remain available, applicants from the general public shall be considered for occupancy. Following the initial marketing period, qualified applicants who are veterans shall be placed on a waiting list for the preference-occupied units for veterans and on any general waiting list. The veterans on the preference-occupied waiting list shall be given preference for affordable units, as the units become available, whenever the percentage of preference-occupied units falls below 10 per cent.

(c) Any agreement to provide affordable housing preferences for veterans pursuant to this section shall not affect a municipality's ability to receive credit for the unit for affordable housing pursuant to chapter 40B or any other law. The agreement may be monitored by a third party assigned by the municipality.

1763 (d) This section shall not require an increase in the existing amount of affordable units set
1764 by the city or town.

1765 (e) The city or town may require proof of veteran status and income eligibility as the city
1766 or town deems necessary.

1767 SECTION 15. Section 22 of chapter 40B of the General Laws, as appearing in the 2022
1768 Official Edition, is hereby amended by inserting after the word “ applicant”, in line 20, the
1769 following words:- ; provided, however, that the committee shall provide notice to the secretary of
1770 any such extension or other failure to perform action by the deadlines set forth in this section and
1771 the reason for such delay; provided further, that the secretary shall annually, not later than
1772 November 1, submit to the governor and the joint committee on housing a summary of such
1773 delays including, but not limited to: (i) any deadlines missed pursuant to this section for each
1774 applicable appeal; (ii) the reason for any such delay; (iii) the total number of days, from the date
1775 of the committee’s receipt of the applicant’s statement of the prior proceedings, in which the
1776 committee ultimately issued a written decision or, if such appeal is in progress at the time the
1777 report is submitted, the projected number of days beyond the deadlines listed herein as may be
1778 necessary for the committee to issue a decision; and (iv) the board that issued the denial or
1779 conditions and requirements being appealed by the applicant.

1780 SECTION 16. Chapter 40H of the General Laws is hereby amended by striking out
1781 section 9, as so appearing, and inserting in place thereof the following section:-

1782 Section 9. CEDAC shall be subject to section 16G½ of chapter 6A.

1783 SECTION 17. Section 6 of chapter 62 of the General Laws, as most recently amended by
1784 section 5 of chapter 88 of the acts of 2024, is hereby further amended by adding the following
1785 subsection:-

1786 (ee)(1) As used in this subsection, the following words shall, unless the context clearly
1787 requires otherwise, have the following meanings:

1788 “Development cost”, as defined in section 36 of chapter 23B.

1789 “Executive office”, the executive office of housing and livable communities, established
1790 pursuant to chapter 23B.

1791 “Qualified conversion project”, as defined in section 36 of chapter 23B.

1792 “Sponsors”, as defined in section 25 of chapter 23B.

1793 (2) A credit shall be allowed against the tax liability imposed by this chapter, to the
1794 extent authorized by the executive office, in consultation with the commissioner, for a qualified
1795 conversion project that has been completed and certified by the executive office pursuant to
1796 section 36 of chapter 23B. The credit shall be equal to an amount not more than 10 per cent of
1797 the qualified conversion project development costs. The credit shall be allowed for the taxable
1798 year in which the executive office provides the commissioner written notification of completion
1799 of the certified qualified conversion project. For any certified qualified conversion project,
1800 development costs applicable to this credit shall be treated for purposes of this subsection as
1801 made on the date that the executive office provides the commissioner written notification of
1802 completion of the certified qualified conversion project and any data related to the development
1803 costs.

1804 (3) A taxpayer eligible for the credit may, with prior notice to the commissioner, transfer
1805 the credit, in whole or in part, to any individual or entity with tax liabilities under this chapter or
1806 chapter 63, and the transferee shall be entitled to apply the credit against the tax liability with the
1807 same effect as if the transferee had incurred the development costs itself. Any amount of the tax
1808 credit that exceeds the tax due for a taxable year may be carried forward by the transferee, buyer
1809 or assignee in subsequent taxable years from which a certificate is initially issued by the
1810 executive office; provided, however, that in no event shall the transferee apply the credit to the
1811 tax due for any taxable year beginning more than 10 years after the taxable year in which the
1812 executive office provides the commissioner written notification of completion of the certified
1813 qualified conversion project.

1814 (4) If the credit allowable for any taxable year exceeds the taxpayer's tax liability for that
1815 tax year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion,
1816 as reduced from year to year, of the credit which exceed the tax for the taxable year; provided,
1817 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1818 beginning more than 10 years after the taxable year in which the executive office provides the
1819 commissioner written notification of completion of the certified qualified conversion project.

1820 (5) The commissioner may, as of the effective date of a revocation pursuant to subsection
1821 (f) of section 36 of chapter 23B, disallow any credits allowed under this section.

1822 (6) The commissioner, in consultation with the executive office, may adopt regulations
1823 necessary to carry out this subsection, including regulations to recapture the value of any tax
1824 credits allowed under this subsection.

1825 SECTION 18. Section 6J of said chapter 62, as appearing in the 2022 Official Edition, is
1826 hereby amended by striking out, in line 39, the figure “2027” and inserting in place thereof the
1827 following figure:- 2030.

1828 SECTION 19. Said section 6J of said chapter 62, as so appearing, is hereby further
1829 amended by striking out, in line 41, the figure “\$55,000,000” and inserting in place thereof the
1830 following figure:- \$110,000,000.

1831 SECTION 20. Section 6M of said chapter 62, as so appearing, is hereby amended by
1832 striking out, in lines 226 and 227, the words “\$12,000,000 in each of taxable years 2023 to 2025,
1833 inclusive” and inserting in place thereof the following words:- \$15,000,000 in taxable years
1834 beginning on or after January 1, 2025.

1835 SECTION 21. Said chapter 62 is hereby further amended by inserting after section 6N
1836 the following section:-

1837 Section 6O. (a) For the purposes of this section, unless the context clearly requires
1838 otherwise, the following words shall have the following meanings:

1839 “Affordability period”, the 10-year period that commences on the date of the initial sale
1840 of a single-family dwelling constructed as part of a qualified homeownership development
1841 project.

1842 “Affordability restriction”, a restriction in form and substance approved by the director
1843 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of
1844 a qualified homeownership development project during the affordability period.

1845 “Commissioner”, the commissioner of revenue.

1846 “Credit amount”, the amount computed by the director pursuant to subsection (d) before
1847 issuing an eligibility certificate.

1848 “Credit award amount”, the amount determined by the director and stipulated in the
1849 notice sent pursuant to paragraph (2) of subsection (c).

1850 “Director”, the executive director of the Massachusetts Housing Finance Agency,
1851 established pursuant to chapter 708 of the acts of 1966.

1852 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

1853 “Eligible location”, a geographic area in which a qualified homeownership development
1854 project may be located, based on criteria established in the qualified homeownership allocation
1855 plan.

1856 “Maximum credit amount”, the amount equal to 35 per cent of the lesser of: (i) the total
1857 qualified project expenditures calculated on a per single-family dwelling basis; or (ii) 80 per cent
1858 of the area median new single-family dwelling sales price, subject to such further limitations as
1859 may be established under the qualified homeownership credit allocation plan.

1860 “Project development team”, the group of entities that develops, constructs, reports,
1861 appraises, finances and services the associated properties of a qualified homeownership
1862 development project in partnership with the project development owner.

1863 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not
1864 exceeding 120 per cent of the area median income, as determined by the United States
1865 Department of Housing and Urban Development, for the location in which the single-family

1866 dwelling being purchased is located, and who satisfies any additional qualifications established
1867 by the director under the qualified homeownership credit allocation plan.

1868 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the
1869 approval of the secretary establishing: (i) criteria and metrics under which homeownership
1870 development projects shall be assessed for qualification and the geographic areas in which
1871 qualified homeownership development projects may be located; (ii) criteria for approving and
1872 ranking applications for credits; (iii) a methodology to determine applicable median new single-
1873 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to
1874 maintain affordability of each single-family dwelling that is created as part of a qualified
1875 homeownership development project and restricted for sale to qualified buyers, throughout the
1876 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)
1877 criteria governing the purchase, ownership and sale of completed qualified homeownership
1878 development project single-family dwellings; and (vii) the manner of determining qualified
1879 project expenditures.

1880 “Qualified homeownership development project”, a project to develop for sale single-
1881 family dwellings in the commonwealth that satisfies any qualifications established by the
1882 director with the approval of the secretary in the qualified homeownership credit allocation plan;
1883 provided, that the proposed project shall: (i) involve the new construction of not less than 10
1884 single-family dwellings; (ii) be located in an eligible location; and (iii) result in not less than 20
1885 per cent of the single-family dwellings being sold to qualified buyers, subject to an affordability
1886 restriction in accordance with the qualified homeownership credit allocation plan.

1887 “Qualified project expenditure”, an expenditure directly related to the construction of a
1888 qualified homeownership development project, including, but not limited to, the cost of
1889 acquiring land, site assessment and remediation of hazardous materials and as further provided in
1890 the qualified homeownership credit allocation plan; provided, however, that: (i) the director has
1891 certified that the proposed project meets the definition of a qualified homeownership
1892 development project; (ii) prior to construction, the director has certified that all or a portion of
1893 the project costs are for new construction; and (iii) after the construction of the project has been
1894 completed, the director has certified that the project has been completed in compliance with this
1895 section and the requirements and conditions of any prior certifications.

1896 “Secretary”, the secretary of housing and livable communities.

1897 “Single-family dwelling”, (i) a residential property containing not more than 4 residential
1898 units; provided, that all units shall comprise a single property, to be sold to and owned by a
1899 single homeowner; or (ii) a condominium unit in a professionally managed condominium
1900 development.

1901 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified
1902 homeownership development project or owner of a qualified homeownership development
1903 project.

1904 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

1905 (b)(1) There shall be a Massachusetts homeownership tax credit. The director, in
1906 consultation with the secretary, may authorize annually under this section and section 38PP of
1907 chapter 63 a total sum not exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in

1908 the preceding taxable year; and (iii) any Massachusetts homeownership tax credits returned to
1909 the director by a sponsor.

1910 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified
1911 homeownership development project under this section equal to the credit amount listed on the
1912 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is
1913 unused by the taxpayer or exceeds the taxpayer's tax liability under this chapter for the taxable
1914 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as
1915 reduced from year to year, of the credit which exceeds the tax for the taxable year; provided,
1916 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1917 beginning after the affordability period.

1918 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an
1919 application to the director on a form and in a manner prescribed by the director, in consultation
1920 with the secretary; provided, that said application shall include, but shall not be limited to: (i) the
1921 name and address of the sponsor; (ii) the names and addresses of all members of the project
1922 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other
1923 information as the director, in consultation with the secretary, may require pursuant to the
1924 qualified homeownership credit allocation plan.

1925 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and
1926 approve applications and award tax credits under this section for a qualified homeownership
1927 development project in accordance with the qualified homeownership credit allocation plan. The
1928 director, in consultation with the secretary, shall determine the credit amount awarded for each

1929 qualified homeownership development project, which shall not exceed the maximum credit
1930 amount.

1931 (2) The director shall send written notice of the tax credit award to the sponsor of a
1932 qualified homeownership development project. The notice shall stipulate that receipt of the tax
1933 credit is contingent upon the sale of all single-family dwellings that are required to be sold to
1934 qualified buyers and issuance of an eligibility certificate.

1935 (d)(1) Upon completion of a qualified homeownership development project for which a
1936 tax credit was awarded under this section and the sale of all single-family dwellings that are
1937 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified
1938 project expenditures certification for approval. Immediately after approving the final cost
1939 certification, the director shall compute the credit amount and issue an eligibility certificate to
1940 the project development owner. The credit amount, which shall be stated on the certificate, shall
1941 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),
1942 subject to any reduction or increase as the result of the approval of the final qualified project
1943 expenditures certification; provided, that such amount shall not exceed the maximum credit
1944 amount.

1945 (2) Each eligibility certificate shall state the credit amount, the years that comprise the
1946 affordability period, the name, address and taxpayer identification number of the sponsor and all
1947 members of the project development team, the date the certificate is issued, a unique identifying
1948 number and any additional information the director, in consultation with the secretary and the
1949 commissioner, may require. The director shall certify a copy of each eligibility certificate to the
1950 secretary and the commissioner.

1951 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development
1952 project and all single-family dwellings that are required to be sold to qualified buyers until such
1953 dwellings are sold to qualified buyers.

1954 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified
1955 homeownership development project for which a tax credit was issued under this section shall
1956 occupy such single-family dwelling as the qualified buyer's primary residence during the
1957 affordability period; provided, that a qualified buyer of a single-family dwelling that includes
1958 more than 1 residential unit need only occupy a single residential unit within the single-family
1959 dwelling as the qualified buyer's primary residence during the affordability period and may lease
1960 any additional units to third-party lessees.

1961 (3) If a single-family dwelling constructed as part of a qualified homeownership
1962 development project is sold during the affordability period, the seller shall transfer to the director
1963 an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year
1964 of the affordability period which ends before the date of such sale, subject to such additional
1965 criteria as may be established under the qualified homeownership credit allocation plan. The
1966 director shall use any amount received pursuant to a repayment under this paragraph for the
1967 purpose of providing financial assistance to first-time homebuyers and offsetting the costs of
1968 administering this section. The director may place a lien on each single-family dwelling
1969 constructed as part of a qualified homeownership development project for an amount it deems
1970 necessary to ensure potential repayment pursuant to this paragraph.

1971 (4) During the affordability period, a qualified buyer of a single-family dwelling that
1972 includes more than 1 residential unit shall not separate the ownership of individual residential
1973 units within the single-family dwelling.

1974 (f)(1) All or any portion of a tax credit issued in accordance with this section may be
1975 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to
1976 claim the credit pursuant to paragraph (2) of subsection (b) with the same effect as if the
1977 transferee had incurred the qualified project expenditures itself.

1978 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in
1979 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax
1980 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall
1981 provide to the commissioner appropriate information for proper allocation of the tax credit.

1982 (3) If the recapture of a tax credit is required pursuant to subsection (g), any statement
1983 submitted to the commissioner pursuant to paragraph (2) shall include the proportion of the tax
1984 credit required to be recaptured, the identity of each transferee subject to recapture and the
1985 amount of the tax credit previously transferred to such transferee.

1986 (g) The director, in consultation with the secretary, shall determine whether a sponsor or
1987 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to
1988 qualify for the credit; or (iii) did not qualify for the credit at the time the credit was claimed.
1989 Notwithstanding the time limitations on assessments pursuant to chapter 62C, the commissioner
1990 shall determine the taxpayer or taxpayers that claimed the credit, the tax against which the credit
1991 was claimed and the amount to be recaptured and shall make an assessment against the taxpayer
1992 or taxpayers for the amount to be recaptured under this section.

1993 (h) The director may assess application, processing and reporting fees to cover the cost of
1994 administering this section.

1995 (i) The credit under this section shall be attributed on a pro rata basis to the owners,
1996 partners or members of the legal entity entitled to the credit under this section and shall be
1997 allowed as a credit against the tax due under this chapter from such owners, partners or members
1998 in a manner determined by the commissioner.

1999 (j) The secretary, in consultation with the commissioner and director, shall adopt any
2000 rules and promulgate any regulations necessary to administer this section.

2001 SECTION 22. Subsection (b) of section 6O of said chapter 62, inserted by section 21, is
2002 hereby amended by striking out paragraph (1) and inserting in place thereof the following
2003 paragraph:-

2004 (1) There shall be a Massachusetts homeownership tax credit. The director, in
2005 consultation with the secretary, may authorize annually under this section and section 38PP of
2006 chapter 63 a total sum not exceeding: (i) the amount, if any, not authorized in the preceding
2007 taxable year; and (ii) any Massachusetts homeownership tax credits returned to the director by a
2008 sponsor.

2009 SECTION 23. Section 38R of chapter 63 of the General Laws, as appearing in the 2022
2010 Official Edition, is hereby amended by striking out, in line 38, the figure “2027” and inserting in
2011 place thereof the following figure:- 2030.

SECTION 24. Said section 38R of said chapter 63, as so appearing, is hereby further amended by striking out, in line 40, the figure “\$55,000,000” and inserting in place thereof the following figure:- \$110,000,000.

SECTION 25. Section 38EE of said chapter 63, as amended by section 233 of chapter 7 of the acts of 2023, is hereby amended by striking out, in lines 213 and 214, the words “\$12,000,000 in each of taxable years 2023 to 2025, inclusive” and inserting in place thereof the following words:- \$15,000,000 in taxable years beginning on or after January 1, 2025.

SECTION 26. Said chapter 63 is hereby further amended by inserting after section 38NN, inserted by section 7 of chapter 88 of the acts of 2024, the following 2 sections:-

Section 38OO. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Development cost”, as defined in section 36 of chapter 23B.

“Executive office”, the executive office of housing and livable communities, established pursuant to chapter 23B.

“Qualified conversion project”, as defined in section 36 of chapter 23B.

“Sponsors”, as defined in section 25 of chapter 23B.

(b) A credit shall be allowed against the tax liability imposed by this chapter, to the extent authorized by the executive office, in consultation with the commissioner, for a qualified conversion project that has been completed and certified by the executive office pursuant to section 36 of chapter 23B. The credit shall be equal to an amount not more than 10 per cent of the qualified conversion project development costs. The credit shall be allowed for the taxable

year in which the executive office provides the commissioner written notification of completion of the certified qualified conversion project. For any certified qualified conversion project, development costs applicable to this credit shall be treated for purposes of this section as made on the date that the executive office provides the commissioner written notification of completion of the certified qualified conversion project and any data related to the development costs.

(c) A taxpayer eligible for the credit may, with prior notice to the commissioner, transfer the credit, in whole or in part, to any individual or entity with tax liabilities under this chapter or chapter 62, and the transferee shall be entitled to apply the credit against the tax with the same effect as if the transferee had incurred the development costs itself. If the sponsor of the certified housing development qualified conversion project is a partnership or a limited liability company taxed as a partnership, the credit, if transferred, must be transferred by the partnership or the limited liability company. If the credit allowed to a partnership, a limited liability company taxed as a partnership or multiple owners of property are not transferred they shall be passed through to the persons designated as partners, members or owners, respectively, pro rata or pursuant to an executed agreement among the persons designated as partners, members or owners documenting an alternative distribution method without regard to their sharing of other tax or economic attributes of the entity. Credits passed through to individual partners and members shall not be transferable. Any amount of the tax credit that exceeds the tax due for a taxable year may be carried forward by the transferee, buyer or assignee subsequent taxable years from which a certificate is initially issued by the executive office; provided, however, that in no event shall the transferee apply the credit to the tax due for any taxable year beginning more than 10 years after

2055 the taxable year in which the executive office provides the commissioner written notification of
2056 completion of the certified qualified conversion project.

2057 (d) If the credit allowable for any taxable year exceeds the taxpayer's tax liability for that
2058 tax year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion,
2059 as reduced from year to year, of the credit which exceed the tax for the taxable year; provided,
2060 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
2061 beginning more than 10 years after the taxable year in which the executive office provides the
2062 commissioner written notification of completion of the certified qualified conversion project.

2063 (e) The commissioner of revenue may, as of the effective date of a revocation pursuant to
2064 subsection (f) of section 36 of chapter 23B, disallow any credits allowed under this section.

2065 (f) The commissioner, in consultation with the executive office, may adopt regulations
2066 necessary to carry out this section, including regulations to recapture the value of any tax credits
2067 allowed under this section.

2068 Section 38PP. (a) For the purposes of this section, unless the context clearly requires
2069 otherwise, the following words shall have the following meanings:

2070 "Affordability period", the 10-year period that commences on the date of the initial sale
2071 of a single-family dwelling constructed as part of a qualified homeownership development
2072 project.

2073 "Affordability restriction", a restriction in form and substance approved by the director
2074 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of
2075 a qualified homeownership development project during the affordability period.

2076 “Commissioner”, the commissioner of revenue.

2077 “Credit amount”, the amount computed by the director pursuant to subsection (d) before
2078 issuing an eligibility certificate.

2079 “Credit award amount”, the amount determined by the director and stipulated in the
2080 notice sent pursuant to paragraph (2) of subsection (c).

2081 “Director”, the executive director of the Massachusetts Housing Finance Agency,
2082 established pursuant to chapter 708 of the acts of 1966.

2083 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

2084 “Eligible location”, a geographic area in which a qualified homeownership development
2085 project may be located, based on criteria established in the qualified homeownership allocation
2086 plan.

2087 “Maximum credit amount”, the amount equal to 35 per cent of the lesser of: (i) the total
2088 qualified project expenditures calculated on a per single-family dwelling basis; or (ii) 80 per cent
2089 of the area median new single-family dwelling sales price, subject to such further limitations as
2090 may be established under the qualified homeownership credit allocation plan.

2091 “Project development team”, the group of entities that develops, constructs, reports,
2092 appraises, finances and services the associated properties of a qualified homeownership
2093 development project in partnership with the project development owner.

2094 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not
2095 exceeding 120 per cent of the area median income, as determined by the United States
2096 Department of Housing and Urban Development, for the location in which the single-family

2097 dwelling being purchased is located, and who satisfies any additional qualifications established
2098 by the director under the qualified homeownership credit allocation plan.

2099 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the
2100 approval of the secretary, establishing: (i) criteria and metrics under which homeownership
2101 development projects shall be assessed for qualification and the geographic areas in which
2102 qualified homeownership development projects may be located; (ii) criteria for approving and
2103 ranking applications for credits; (iii) a methodology to determine applicable median new single-
2104 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to
2105 maintain affordability of each single-family dwelling that is created as part of a qualified
2106 homeownership development project and restricted for sale to qualified buyers, throughout the
2107 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)
2108 criteria governing the purchase, ownership and sale of completed qualified homeownership
2109 development project single-family dwellings; and (vii) the manner of determining qualified
2110 project expenditures.

2111 “Qualified homeownership development project”, a project to develop for sale single-
2112 family dwellings in the commonwealth that satisfies any qualifications established by the
2113 director with the approval of the secretary in the qualified homeownership credit allocation plan;
2114 provided, that the proposed project shall: (i) involve the new construction of not less than 10
2115 single-family dwellings; (ii) be located in an eligible location; and (iii) result in not less than 20
2116 per cent of the single-family dwellings being sold to qualified buyers, subject to an affordability
2117 restriction in accordance with the qualified homeownership credit allocation plan.

2118 “Qualified project expenditure”, an expenditure directly related to the construction of a
2119 qualified homeownership development project, including, but not limited to, the cost of
2120 acquiring land, site assessment and remediation of hazardous materials and as further provided in
2121 the qualified homeownership credit allocation plan; provided, however, that: (i) the director has
2122 certified that the proposed project meets the definition of a qualified homeownership
2123 development project; (ii) prior to construction, the director has certified that all or a portion of
2124 the project costs are for new construction; and (iii) after the construction of the project has been
2125 completed, the director has certified that the project has been completed in compliance with this
2126 section and the requirements and conditions of any prior certifications.

2127 “Secretary”, the secretary of housing and livable communities.

2128 “Single-family dwelling”, (i) a residential property containing not more than 4 residential
2129 units; provided, that all units shall comprise a single property, to be sold to and owned by a
2130 single homeowner; or (ii) a condominium unit in a professionally managed condominium
2131 development.

2132 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified
2133 homeownership development project or owner of a qualified homeownership development
2134 project.

2135 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

2136 (b)(1) There shall be a Massachusetts homeownership tax credit. The director, in
2137 consultation with the secretary, may authorize annually under this section and section 6O of
2138 chapter 62 a total sum not exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in

2139 the preceding taxable year; and (iii) any Massachusetts homeownership tax credits returned to
2140 the director by a sponsor.

2141 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified
2142 homeownership development project under this section equal to the credit amount listed on the
2143 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is
2144 unused by the taxpayer or exceeds the taxpayer's tax liability under this chapter for the taxable
2145 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as
2146 reduced from year to year, of the credit which exceeds the tax for the taxable year; provided,
2147 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
2148 beginning after the affordability period.

2149 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an
2150 application to the director on a form and in a manner prescribed by the director, in consultation
2151 with the secretary; provided, that said application shall include, but shall not be limited to: (i) the
2152 name and address of the sponsor; (ii) the names and addresses of all members of the project
2153 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other
2154 information as the director, in consultation with the secretary, may require pursuant to the
2155 qualified homeownership credit allocation plan.

2156 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and
2157 approve applications and award tax credits under this section for a qualified homeownership
2158 development project in accordance with the qualified homeownership credit allocation plan. The
2159 director, in consultation with the secretary, shall determine the credit amount awarded for each

2160 qualified homeownership development project, which shall not exceed the maximum credit
2161 amount.

2162 (2) The director shall send written notice of the tax credit award to the sponsor of a
2163 qualified homeownership development project. The notice shall stipulate that receipt of the tax
2164 credit is contingent upon the sale of all single-family dwellings that are required to be sold to
2165 qualified buyers and issuance of an eligibility certificate.

2166 (d)(1) Upon completion of a qualified homeownership development project for which a
2167 tax credit was awarded under this section and the sale of all single-family dwellings that are
2168 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified
2169 project expenditures certification for approval. Immediately after approving the final cost
2170 certification, the director shall compute the credit amount and issue an eligibility certificate to
2171 the project development owner. The credit amount, which shall be stated on the certificate, shall
2172 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),
2173 subject to any reduction or increase as the result of the approval of the final qualified project
2174 expenditures certification; provided, that such amount shall not exceed the maximum credit
2175 amount.

2176 (2) Each eligibility certificate shall state the credit amount, the years that comprise the
2177 affordability period, the name, address and taxpayer identification number of the sponsor and all
2178 members of the project development team, the date the certificate is issued, a unique identifying
2179 number and any additional information the director, in consultation with the secretary and the
2180 commissioner, may require. The director shall certify a copy of each eligibility certificate to the
2181 secretary and the commissioner.

(e)(1) The sponsor shall maintain ownership of a qualified homeownership development project and all single-family dwellings that are required to be sold to qualified buyers until such dwellings are sold to qualified buyers.

(2) The qualified buyer of a single-family dwelling constructed as part of a qualified homeownership development project for which a tax credit was issued under this section shall occupy such single-family dwelling as the qualified buyer's primary residence during the affordability period; provided, that a qualified buyer of a single-family dwelling that includes more than 1 residential unit need only occupy a single residential unit within the single-family dwelling as the qualified buyer's primary residence during the affordability period and may lease any additional units to third-party lessees.

(3) If a single-family dwelling constructed as part of a qualified homeownership development project is sold during the affordability period, the seller shall transfer to the director an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year of the affordability period which ends before the date of such sale, subject to such additional criteria as may be established under the qualified homeownership credit allocation plan. The director shall use any amount received pursuant to a repayment under this paragraph for the purpose of providing financial assistance to first-time homebuyers and offsetting the costs of administering this section. The director may place a lien on each single-family dwelling constructed as part of a qualified homeownership development project for an amount it deems necessary to ensure potential repayment pursuant to this paragraph.

2202 (4) During the affordability period, a qualified buyer of a single-family dwelling that
2203 includes more than 1 residential unit shall not separate the ownership of individual residential
2204 units within the single-family dwelling.

2205 (f)(1) All or any portion of a tax credit issued in accordance with this section may be
2206 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to
2207 claim the credit pursuant to paragraph (2) of subsection (b) with the same effect as if the
2208 transferee had incurred the qualified project expenditures itself.

2209 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in
2210 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax
2211 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall
2212 provide to the commissioner appropriate information for proper allocation of the tax credit.

2213 (3) If the recapture of a tax credit is required pursuant to subsection (g), any statement
2214 submitted to the commissioner pursuant to paragraph (2) shall include the proportion of the tax
2215 credit required to be recaptured, the identity of each transferee subject to recapture and the
2216 amount of the tax credit previously transferred to such transferee.

2217 (g) The director, in consultation with the secretary, shall determine whether a sponsor or
2218 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to
2219 qualify for the credit; or (iii) did not qualify for the credit at the time the credit was claimed.

2220 Notwithstanding the time limitations on assessments pursuant to chapter 62C, the commissioner
2221 shall determine the taxpayer or taxpayers that claimed the credit, the tax against which the credit
2222 was claimed and the amount to be recaptured and shall make an assessment against the taxpayer
2223 or taxpayers for the amount to be recaptured under this section.

2224 (h) The director may assess application, processing and reporting fees to cover the cost of
2225 administering this section.

2226 (i) The credit under this section shall be attributed on a pro rata basis to the owners,
2227 partners or members of the legal entity entitled to the credit under this section and shall be
2228 allowed as a credit against the tax due under this chapter from such owners, partners or members
2229 in a manner determined by the commissioner.

2230 (j) The secretary, in consultation with the commissioner and director, shall adopt any
2231 rules and promulgate any regulations necessary to administer this section.

2232 SECTION 27. Subsection (b) of section 38PP of said chapter 63, as inserted by section
2233 26, is hereby amended by striking out paragraph (1) and inserting in place thereof the following
2234 paragraph:-

2235 (1) There shall be a Massachusetts homeownership tax credit. The director, in
2236 consultation with the secretary, may authorize annually under this section and section 6O of
2237 chapter 62 a total sum not exceeding: (i) the amount, if any, not authorized in the preceding
2238 taxable year; and (ii) any Massachusetts homeownership tax credits returned to the director by a
2239 sponsor.

2240 SECTION 28. Subsection (a) of section 52 of chapter 93 of the General Laws, as
2241 appearing in the 2022 Official Edition, is hereby amended by adding the following clause:-

2242 (7) Eviction records sealed pursuant to section 16 of chapter 239.

2243 SECTION 29. Section 127I of chapter 111 of the General Laws, as so appearing, is
2244 hereby amended by adding the following paragraph:-

2245 Notwithstanding the fourth paragraph, following the appointment of a receiver for a
2246 vacant residential property, the court, upon motion by the receiver with notice to the owner,
2247 mortgagee and all interested parties, may allow the sale of the property to a nonprofit entity for
2248 fair market value in its then current condition. Any such sale shall be conditioned upon the court
2249 finding that the nonprofit agrees to correct all outstanding state sanitary code violations and
2250 rehabilitate the property for sale to a first-time homebuyer whose income is not more than 120
2251 per cent of the area median income as determined by the United States Department of Housing
2252 and Urban Development; provided, that a nonprofit entity shall demonstrate to the court adequate
2253 expertise and resources necessary to rehabilitate the property and correct outstanding state
2254 sanitary code violations. Any such motion filed by a receiver pursuant to this paragraph shall be
2255 heard by the court not less than 30 days following the filing date, during which period the owner,
2256 mortgagee and any other interested parties may join a motion for leave to correct all outstanding
2257 state sanitary code violations at the property. Upon a finding by the court that the owner,
2258 mortgagee or other interested party has the intention and ability to correct all outstanding state
2259 sanitary code violations, the court shall stay the hearing on the receiver's motion for a reasonable
2260 period of time to allow the owner, mortgagee or other interested party to correct such outstanding
2261 sanitary code violations.

2262 SECTION 30. Section 11 of chapter 121B of the General Laws, as so appearing, is
2263 hereby amended by striking out paragraphs (n) and (o) and inserting in place thereof the
2264 following 3 paragraphs:-

2265 (n) To join or cooperate with 1 or more other operating agencies in the exercise, either
2266 jointly or otherwise, of any of their powers for the purpose of financing, including the issuance
2267 of bonds, notes or other obligations and the giving of security therefor, planning, undertaking,

2268 owning, constructing, operating or contracting with respect to any project or projects authorized
2269 by this chapter located within the area within which 1 or more of such authorities are authorized
2270 to exercise their powers; and for such purpose to prescribe and authorize, by resolution, any
2271 operating agency so joining and cooperating with it to act in its behalf in the exercise of any of
2272 such powers;

2273 (o) To lease energy saving systems that replace non-renewable fuels with renewable
2274 energy such as solar powered systems; and

2275 (p) To secure, with the approval of the department, in consultation with the executive
2276 office for administration and finance, indebtedness incurred for the preservation, modernization
2277 and maintenance of 1 or more of its low rent housing developments assisted under section 32 or
2278 34 by a pledge of a portion of capital funds awarded to it for improvements to be carried out
2279 pursuant to a capital improvement plan, approved by the department and in accordance with
2280 department regulations governing capital projects. The department, in consultation with the
2281 executive office for administration and finance, shall promulgate regulations to establish
2282 limitations on the percentage of awarded capital funds that may be pledged to secure
2283 indebtedness, describe permitted terms for borrowing and repayment and establish criteria for
2284 operating agencies permitted to incur indebtedness secured by a pledge of capital funds. Any
2285 pledge of future year capital funds pursuant to this section shall be subject to the availability of
2286 funds under the department's capital spending plan. All financing documents related to future
2287 year capital fund amounts shall include a statement that the credit of the commonwealth is not
2288 pledged and that the pledging of funds shall be subject to the availability of funds under the
2289 department's capital spending plan.

2290 SECTION 31. Section 26C of said chapter 121B, as amended by section 256 of chapter 7
2291 of the acts of 2023, is hereby amended by striking out the words “provided, however, that the
2292 capital assistance team shall provide services to the housing authority without requiring payment
2293 for the services by the housing authority” and inserting in place thereof the following words:-
2294 provided, however, that the capital assistance team shall provide services to a housing authority
2295 with 500 or fewer state-aided units without requiring payment for services by the housing
2296 authority; and provided further, that the capital assistance team may require payment for services
2297 provided to a housing authority with more than 500 state-aided units and for additional services
2298 not covered by this section and approved by the department.

2299 SECTION 32. Said section 26C of said chapter 121B, as so amended, is hereby further
2300 amended by striking out subsection (e) and inserting in place thereof the following subsection:-

2301 (e) There shall be a capital assistance advisory board consisting of 7 members. Each
2302 capital assistance team shall appoint 2 members to the advisory board and the department shall
2303 appoint 1 member, who shall have at least 5 years of experience as the manager of not less than
2304 200 units of privately owned housing. Only members of participating housing authorities in the
2305 region shall be eligible for appointment to the advisory board. The advisory board shall meet on
2306 an annual basis with the capital assistance team directors, host housing authority directors and
2307 the secretary of housing and livable communities, or a designee, and shall discuss issues of
2308 program performance and coordination.

2309 SECTION 33. The first paragraph of section 29 of said chapter 121B, as appearing in the
2310 2022 Official Edition, is hereby amended by striking out the first sentence and inserting in place
2311 thereof the following sentence:- The members of a housing authority shall biennially, or more

2312 frequently as required by the department, and at a time to be determined by the department, file
2313 with the department a written report for its preceding fiscal years since its last previously filed
2314 written report.

2315 SECTION 34. Said first paragraph of said section 29 of said chapter 121B, as so
2316 appearing, is hereby further amended by adding the following sentence:- Notwithstanding the
2317 foregoing, nothing in this section shall exempt a housing authority from submitting an annual
2318 plan pursuant to section 28A and this section.

2319 SECTION 35. Section 34 of said chapter 121B, as so appearing, is hereby amended by
2320 adding the following paragraph:-

2321 Notwithstanding any general or special law to the contrary, the tenants of a state-aided or
2322 federally-aided public housing project transferred or conveyed pursuant to the fourteenth
2323 paragraph shall maintain all rights pursuant to federal, state and local subsidy programs
2324 originally applicable to the project, including tenant contribution, lease terms, eviction, right to
2325 return, grievance, resident participation, preference in hiring and privacy rights, except as may be
2326 required to secure financing necessary for the feasibility of the project or to meet associated
2327 programmatic eligibility requirements after notice to affected tenants with an opportunity to
2328 comment. The redevelopment of such public housing project shall not be the basis for: (i)
2329 termination of assistance or eviction of any tenant; (ii) reduction of assistance or eviction of any
2330 tenant; or (iii) re-screening any existing tenant; provided, that no existing tenant shall be
2331 considered a new admission for any purpose, including, but not limited to, compliance with any
2332 income targeting requirements. Any such project shall have at least the same number of low rent
2333 housing units as the number of low rent housing units in the existing project. The requirements

of this paragraph shall be implemented through contracts, use agreements, regulations or other means, as determined by the department. Any contracts, use agreements, regulations or other means shall be in compliance with all applicable local, state and federal subsidy programs and shall delineate: (i) the roles of the housing authority and other agencies in monitoring and enforcing compliance, including tracking temporary and permanent displacement; (ii) how the housing authority shall rehouse tenants so there shall be no displacement from affordable housing programs operated by the housing authority; and (iii) how tenants shall be provided with technical assistance to facilitate meaningful input related to the redevelopment of the proposed project. The benefits of any contracts, use agreements, regulations or other means shall inure to any tenant who occupied a unit within the project at the time of the transfer or conveyance of the project. Protections relating to tenant contribution, lease terms, eviction, grievance, resident participation, preference in hiring and privacy rights, except as may be required to secure financing necessary for the feasibility of the project or to meet associated programmatic eligibility requirements, shall inure to both present or future tenants or applicants of the project, who shall have the right to enforce the same as third-party beneficiaries. Nothing in this section shall create a separate or new administrative process of appeal or review for any grievance governed by the lease of any tenant. Tenants shall have an opportunity for comment on a project proposed under the fourteenth paragraph and an opportunity for public comment to be organized by the owners, controlled entities, designated private entities or public housing authorities responsible for such projects with adequate notice.

SECTION 36. The third sentence of subsection (b) of section 3 of chapter 121E of the General Laws, as so appearing, is hereby amended by striking out clause (3) and inserting in place thereof the following clause:

2357 (3) issued only if a contract or agreement for the use of the property for housing purposes
2358 provides for the recording of a restriction in the registry of deeds or the registry district of the
2359 land court in the county in which the affected real property is located, for the benefit of the
2360 department, running with the land, that the land be used for providing alternative forms of rental
2361 and ownership housing; provided, that the property shall not be released from the restriction
2362 until: (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a
2363 mortgage foreclosure deed has been recorded; or (iii) there has been a disposition of the
2364 property; provided, that the department determines that relevant clients will be better served at an
2365 alternative property and the proceeds from the disposition of the property will be used, to the
2366 extent necessary for replacement of the housing at the property, for 1 or both of the following
2367 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative
2368 property;.

2369 SECTION 37. Said section 3 of said chapter 121E, as so appearing, is hereby further
2370 amended by striking out, in lines 41 to 44, inclusive, the words “, provided that the project
2371 continues to remain affordable housing as set forth in the contract or agreement entered into for
2372 the duration of the project by the department” and inserting in place thereof the following
2373 words:- ; provided, that the project, whether at the original property, or at an alternative property
2374 pursuant to clause (3), continues to remain affordable housing as set forth in the contract or
2375 agreement entered into for the duration of the project by the department.

2376 SECTION 38. Section 2 of chapter 121F of the General Laws, as so appearing, is hereby
2377 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) There shall be within the department a separate fund to be known as the Housing Stabilization and Investment Trust Fund. The department shall administer the fund and shall ensure that funds are distributed among urban, suburban and rural areas with a particular emphasis on the development of alternative forms of housing and local and regional needs. Such funds shall be used for the purpose of undertaking projects to develop and support affordable housing developments and homeownership affordability through the acquisition, preservation, new construction and rehabilitation of affordable housing, including, but not limited to, the preservation and improvement of existing privately-owned and state or federally-assisted housing. Uses of the fund may include: (i) assistance for projects to stabilize and promote reinvestment in cities and towns, including, but not limited to, preserving and improving existing privately-owned and state or federally-assisted housing and any other techniques necessary to achieve reinvestment; provided, that funds may be expended for energy audits and housing modifications to achieve energy efficiency and conservation; and (ii) assistance for housing where the expiration of federal or state low-income housing tax credits or other federal or state subsidies would lead or has led to the termination of a use agreement for low-income housing or in which a project-based rental assistance contract is expiring or has expired. The fund shall be an expendable trust fund and shall not be subject to appropriation.

SECTION 39. Said section 2 of said chapter 121F, as so appearing, is hereby further amended by striking out, in line 28, the words “nonprofit or for-profit organizations” and inserting in place thereof the following words:- eligible entities pursuant to subsection (a) of section 3.

SECTION 40. Said section 2 of said chapter 121F, as so appearing, is hereby further amended by striking out, in lines 35 to 38, inclusive, the words “or the Community Economic

2401 Development Assistance Corporation established in chapter 40H to provide assistance from the
2402 fund for projects owned or sponsored by nonprofit organizations” and inserting in place thereof
2403 the following words:- to provide assistance from the fund.

2404 SECTION 41. Section 3 of said chapter 121F, as so appearing, is hereby amended by
2405 striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

2406 (a) The fund shall finance low and no-interest loans, grants, subsidies, credit
2407 enhancements and other financial assistance for rental and ownership housing; provided, that any
2408 assistance provided shall be the minimum amount necessary to make a project feasible; provided
2409 further, that loans, grants, subsidies, credit enhancements and other financial assistance pursuant
2410 to this chapter may be provided to qualified for-profit or non-profit developers, community
2411 development corporations, local housing authorities, community action agencies, community-
2412 based or neighborhood-based non-profit housing organizations, other non-profit organizations
2413 and for-profit entities and governmental bodies; provided further, that recipients may enter into
2414 subcontracts to administer the contracts with other for-profit or nonprofit organizations; provided
2415 further, that loans, grants, subsidies, credit enhancements and other financial assistance pursuant
2416 to this chapter may be provided for the acquisition of property to provide or preserve affordable
2417 housing; provided further, that the loan program may be administered by the department through
2418 contracts with the Massachusetts Housing Partnership Fund established in section 35 of chapter
2419 405 of the acts of 1985; provided further, that the program may include acquisition, financing
2420 and other holding costs, interim management costs and operating costs and may be used by the
2421 Massachusetts Housing Partnership Fund to secure, collateralize or reserve against other
2422 financing obtained by the Massachusetts Housing Partnership Fund to support such costs; and
2423 provided further, that not less than 75 per cent of the beneficiaries of the housing shall be persons

2424 whose income is not more than 60 per cent of the area median income and not less than 13 per
2425 cent of the beneficiaries of the housing shall be persons whose income is not more than 30 per
2426 cent of the area median income.

2427 (b)(1) Activities eligible for assistance from the fund shall include, but shall not be
2428 limited to: (i) projects to develop and support affordable housing developments and
2429 homeownership affordability through the acquisition, preservation, new construction and
2430 rehabilitation of affordable housing; and (ii) the preservation of affordable housing developments
2431 that: (A) are currently, or were previously, subject to prepayment or payment of a state or
2432 federally-assisted mortgage; (B) are receiving project-based rental assistance under section 8 of
2433 the United States Housing Act of 1937, 42 U.S.C. 1437f, and the rental assistance is expiring; or
2434 (C) have received other project-based federal or state subsidies which are terminating or have
2435 terminated.

2436 (2) Property eligible for assistance shall include, but shall not be limited to, housing
2437 where the prepayment or payment of a state or federally-assisted mortgage or the expiration of
2438 federal low income housing tax credits or other federal or state subsidies would lead or has led to
2439 the termination of a use agreement for low income housing or in which a project-based rental
2440 assistance contract is expiring or has expired; provided, that a property eligible for assistance that
2441 has been acquired for the purpose of preserving or improving the property shall not lose
2442 eligibility due to actions by the purchaser to renew or extend state or federal contracts or
2443 subsidies.

2444 (3) The department, in consultation with nonprofit organizations, the Community
2445 Economic Development Assistance Corporation, the Massachusetts Housing Finance Agency

2446 and the Massachusetts Housing Partnership Fund, shall identify projects at greatest risk of
2447 prepayment, payment, termination of subsidies and use restrictions or nonrenewal of rental
2448 assistance. Funding priority shall be based on at-risk criteria to be determined by the department
2449 and set forth in regulations promulgated by the department.

2450 SECTION 42. Said section 3 of said chapter 121F, as so appearing, is hereby further
2451 amended by striking out subsection (d) and inserting in place thereof the following subsection:-

2452 (d) Prior to providing assistance, the department shall determine that: (i) the housing
2453 would not, by private enterprise alone and without government assistance, be available to lower
2454 income families and individuals; and (ii) the amount of assistance is the minimum amount
2455 necessary to make the housing development feasible. The department shall require, as a
2456 condition of receiving assistance, that: (A) the housing remain affordable for its useful life as
2457 determined by the department; and (B) with respect to rental housing, the operations of the
2458 owner and its articles of organization and by-laws, and any changes to the articles of
2459 organization and by-laws, shall be subject to regulation by the department.

2460 SECTION 43. Section 5 of said chapter 121F, as so appearing, is hereby amended by
2461 striking out, in lines 2 to 5, inclusive, the words “including, but not limited to, regulations
2462 relative to grants to cities and towns for the demolition of certain vacant and abandoned
2463 buildings and procedures for neighborhood revitalization plans”.

2464 SECTION 44. The General Laws are hereby amended by inserting after chapter 121G the
2465 following chapter:-

2466 CHAPTER 121H

2467 SUPPORTIVE HOUSING POOL FUND

2468 Section 1. As used in this chapter, the following words shall, unless the context clearly
2469 requires otherwise, have the following meanings:

2470 “Chronically homeless”, a person who has been homeless for at least 1 year or has been
2471 repeatedly homeless.

2472 “Executive office”, the executive office of housing and livable communities.

2473 “Fund”, the Supportive Housing Pool Fund established in section 2.

2474 “Permanent supportive housing”, rental housing that includes supportive services for
2475 individuals and families who may be homeless or chronically homeless, individuals and families
2476 with behavioral health needs or substance addiction needs, survivors of domestic violence,
2477 survivors of human trafficking, survivors of sexual violence, individuals and families at risk of
2478 entering or transitioning out of the foster care system, youth and young adults, seniors and
2479 veterans or other individuals with similar needs, as determined by the executive office.

2480 Section 2. (a) There shall be a Supportive Housing Pool Fund to support the production
2481 of permanent supportive housing. The fund shall be administered by the executive office directly
2482 or through contracts with 1 or more of the following administering agencies: (i) the Community
2483 Economic Development Assistance Corporation, established in chapter 40H; (ii) the
2484 Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts of
2485 1985; or (iii) the Massachusetts Housing Finance Agency, established in chapter 708 of the acts
2486 of 1966; provided, that an administering agency may directly offer financial assistance for the
2487 purposes pursuant to this section or may enter into subcontracts with non-profit organizations

2488 established pursuant to chapter 180 for those purposes; and provided further, that the
2489 administering agency may establish additional program requirements through regulations or
2490 policy guidelines.

2491 (b) There shall be credited to the fund: (i) revenue from appropriations or other money
2492 authorized by the general court and specifically designated for the fund; (ii) any gifts, grants,
2493 private contributions, repayment of loans, fees and charges imposed relative to the making of
2494 loans, grants, subsidies, credit enhancements and other financial assistance; (iii) any investment
2495 income earned on the fund's assets; and (iv) any other sources. Money remaining in the fund at
2496 the end of a fiscal year shall not revert to the General Fund.

2497 Section 3. Funds expended pursuant to this chapter shall be in the form of grants, loans or
2498 other financial assistance to projects and organizations that shall provide stable housing options
2499 and supportive services to residents of permanent supportive housing, which may include, but
2500 shall not be limited to, staffing, case management, service coordination or other tenancy-related
2501 services provided by a project sponsor or through a third party, or other services or activities that
2502 the executive office has determined are essential to the day-to-day operation of permanent
2503 supportive housing.

2504 Section 4. The executive office may promulgate regulations for the implementation,
2505 administration and enforcement of this chapter and may, in consultation with the executive office
2506 of health and human services, the executive office of elder affairs, the department of children and
2507 families and the Massachusetts office for victim assistance, issue guidelines for the fund.

2508 SECTION 45. Chapter 143 of the General Laws is hereby amended by adding the
2509 following section:-

2510 Section 101. The executive office of housing and livable communities shall promulgate
2511 regulations to ensure that no seller of a residential structure or a residential condominium unit, or
2512 an agent thereof, shall: (i) condition the acceptance of an offer to purchase on the prospective
2513 purchaser's agreement to waive, limit, restrict or otherwise forego any prospective purchaser's
2514 right to have the structure or unit inspected, except when the sale of the structure or unit is to
2515 occur at an auction conducted by an auctioneer licensed under chapter 100; or (ii) accept an offer
2516 to purchase from a prospective purchaser, or an agent thereof who, in advance of the seller's
2517 acceptance of an offer, informs the seller, either directly or indirectly, that the prospective
2518 purchaser intends to waive, in whole or in part, the prospective purchaser's right to inspection;
2519 provided, however, that the seller may accept such an offer without violating this section if the
2520 prospective purchaser is: (A) the spouse, sibling, child, parent, grandparent, grandchild, great-
2521 grandchild or great-grandparent of the seller; or (B) the former spouse of the seller and the sale
2522 of the structure or unit is being made pursuant to a judgment or order under chapter 208;
2523 provided further, that other limited exceptions may be provided for by regulation.

2524 SECTION 46. Chapter 183A of the General Laws is hereby amended by striking out
2525 section 16, as so appearing, and inserting in place thereof the following section:-

2526 Section 16. The owners of any land may submit the land under this chapter by the
2527 recording in the registry of deeds of a master deed or, if the title to the land is registered under
2528 chapter 185, by filing the master deed under said chapter 185.

2529 SECTION 47. Said chapter 183A is hereby further amended by adding the following
2530 section:-

2531 Section 24. (a) Notwithstanding any provisions in a master deed, declaration of trust or
2532 by-laws of a condominium submitted pursuant to this chapter to the contrary, the governing body
2533 of the organization of unit owners may conduct regularly scheduled or special meetings by
2534 telephonic or video conference call or other interactive electronic communication process;
2535 provided, however, that all participants shall be able to simultaneously communicate with each
2536 other during the meeting. Presence by such electronic means shall satisfy any quorum
2537 requirements. The governing body may vote on any action properly before the body and approve
2538 meeting minutes by electronic means including, but not limited to, email and video conferencing.

2539 (b) The governing body may conduct annual or special meetings of the unit owners where
2540 physical presence is not required. Such meetings may be held by telephonic or video conference
2541 call or other interactive electronic communication process as determined by the governing body.
2542 The governing body shall notify all unit owners of such meetings and provide access information
2543 for participation in such meetings. Participation by electronic means shall satisfy quorum
2544 requirements. The governing body shall take reasonable measures to ensure that unit owners can
2545 participate fully, including by reading or hearing the proceedings and posing questions or
2546 comments.

2547 (c) The governing body may allow unit owners to vote on any matter by mail-in ballot or
2548 electronic means; provided, however, that a quorum of unit owners shall be present for the vote.
2549 The governing body may promulgate and amend policies related to electronic meetings and
2550 voting, pursuant to its rule-making authority as set forth in the governing documents of the
2551 organization of unit owners. If a master deed, declaration of trust, by-law or other document of
2552 the organization of unit owners requires the signature or written consent of unit owners, unit

2553 owners may electronically submit their signatures or written consent as determined by the
2554 governing body.

2555 SECTION 48. Chapter 185 of the General Laws is hereby amended by striking out
2556 section 52 and inserting in place thereof the following section:-

2557 Section 52. (a) As used in this section, “notice of voluntary withdrawal” shall mean an
2558 instrument in writing signed and acknowledged by all owners of the land to be voluntarily
2559 withdrawn and that contains the following information: (i) names and addresses of all owners;
2560 (ii) the certificate of title number with the registration book and page numbers; (iii) a description
2561 of the land in the form contained in the certificate of title or a description incorporating by
2562 reference the lot numbers, if numbered and the land court plan, together with a reference to the
2563 certificate with which the plan is filed; and (iv) the street address of the land, if any. The notice
2564 of voluntary withdrawal shall include warning to all interest holders entitled to notice that any
2565 objection to the requested withdrawal shall be filed with the court not later than 30 days
2566 following the service of the notice or shall be waived.

2567 (b) A judgment of registration and the entry of a certificate of title shall be
2568 regarded as an agreement running with the land and binding upon the plaintiff and the
2569 plaintiff's successors in title that the land shall be and forever remain registered land and subject
2570 to this chapter unless withdrawn under this section and except as provided in section 26.

2571 (c) If all of a parcel of land, the title to which is registered under this chapter, is acquired
2572 by the commonwealth, any agency, department, board, commission or authority of the
2573 commonwealth, any political subdivision of the commonwealth or any agency, department,
2574 board, commission or authority of any political subdivision of the commonwealth, the

2575 acquisition shall be a sufficient ground for withdrawal of the registered land from this chapter.
2576 The land so acquired shall be withdrawn upon the filing with the land court of a complaint for
2577 voluntary withdrawal by the public entity and the endorsement by a justice of the land court of a
2578 notice of withdrawal by the public entity, which shall be filed in the registry district where the
2579 land is located.

2580 (d) The owners of the fee simple estate in a parcel of land, the title to which has been
2581 registered under this chapter, may voluntarily withdraw the registered land from this chapter by
2582 filing with the land court a complaint for voluntary withdrawal naming themselves as all of the
2583 owners of the fee simple estate in the entire parcel of land, and identifying any mortgagees,
2584 lessees or option holders of record having an interest in the registered land, together with a notice
2585 of voluntary withdrawal. The plaintiff shall file with the complaint documentation sufficient to
2586 establish conclusively their ownership of the fee simple estate in the entire parcel of land that is
2587 the subject of the complaint, including, but not limited to, a last-prepared certificate of title,
2588 deeds, conveyance records or other documents or instruments that demonstrate their ownership
2589 interest. The plaintiff also may file with the court written and signed assents from any interest
2590 holders entitled to notice who have agreed to the withdrawal. Upon the request of the plaintiff or
2591 the court's determination of reasonable need, the court may appoint an examiner of title, whose
2592 fees shall be paid by the plaintiff, to prepare a report sufficient to identify the current owners and
2593 all current mortgagees, lessees, or option holders with interests in the land who are entitled to
2594 notice. The court's order of appointment shall be made not later than 30 days after receipt of the
2595 complaint or request for appointment, if later made, unless the court, for good cause, determines
2596 that appointment at a later time is indicated, and shall direct such report to be prepared and filed
2597 with the court not later than 14 days after the appointment is made, unless the court, for good

2598 cause, then or thereafter allows further time. All interest holders entitled to notice who have not
2599 assented shall be served by certified mail with a file-stamped copy of the complaint and notice of
2600 voluntary withdrawal. The court may order further notice to be given, including by additional
2601 means, if the court determines it necessary or desirable to accomplish effective service. The
2602 plaintiff shall file with the court an affidavit certifying that such notice by certified mail or other
2603 means ordered by the court has been given, together with proof of service. Where the plaintiff is
2604 represented by counsel, the affidavit shall be executed by counsel.

2605 (e) If no objection has been filed by any interest holder entitled to notice not later than 30
2606 days following service, a justice of the court shall approve and endorse the notice of voluntary
2607 withdrawal not later than 30 days following receipt of all required information and
2608 documentation unless the court, for good cause, determines that further time is indicated.
2609 Notwithstanding the filing of an objection not later than 30 days, the notice of voluntary
2610 withdrawal shall be endorsed by a justice of the land court unless the court determines that there
2611 is good cause for the objection. Upon endorsement by a justice of the land court, the notice of
2612 voluntary withdrawal shall be filed for registration and noted on the memorandum of
2613 encumbrances for the certificate of title and may be recorded with the registry of deeds for the
2614 district within which the land lies, whereupon the land shall be withdrawn from this chapter and
2615 shall become unregistered land. The owners shall hold title to the land free of all liens and
2616 encumbrances, including adverse possession and prescriptive rights, existing as of the date the
2617 judicially-endorsed notice of voluntary withdrawal is noted on the memorandum of
2618 encumbrances, as though a judgment of confirmation without registration had been recorded
2619 under section 56A; provided, however, that the owners shall not hold title free of the
2620 encumbrances set forth or referred to in section 46 and those noted on the certificate of title or

2621 filed for registration before the date the endorsed notice of voluntary withdrawal is noted on the
2622 memorandum of encumbrances.

2623 (f) The chief justice of the land court or a designee may promulgate or establish rules,
2624 practices, guidelines, forms or procedures, including an appropriate filing fee for the complaint
2625 and notice of voluntary withdrawal, as necessary to implement this section.

2626 SECTION 49. Said chapter 185 is hereby further amended by striking out section 114
2627 and inserting in place thereof the following section:-

2628 Section 114. (a) No erasure, alteration or amendment shall be made upon the registration
2629 book after the entry of a certificate of title or of a memorandum thereon and the attestation of the
2630 same by the recorder or an assistant recorder without court order, except in an instance in which
2631 the assistant recorder, upon approval of the chief title examiner of the land court or their
2632 designee, determines that a clerical error or omission has been made in the entry of the certificate
2633 of title or memorandum thereon.

2634 (b) A registered owner or other person in interest may apply by complaint to the court
2635 upon the grounds that: (i) registered interests of any description, whether vested, contingent,
2636 expectant or inchoate, have terminated and ceased; (ii) new interests not appearing upon the
2637 certificate have arisen or been created; (iii) an error or omission was made in entering a
2638 certificate or any memorandum thereon; (iv) the name of any person on the certificate has been
2639 changed; (v) the registered owner has married, or if registered as married, that the marriage has
2640 been terminated; (vi) a corporation which owned registered land and has been dissolved has not
2641 conveyed the same within 3 years after its dissolution; or (vii) upon any other reasonable ground,
2642 and the court may hear and determine the complaint after notice to all parties in interest, and may

order the entry of a new certificate, the entry or cancellation of a memorandum upon a certificate, or grant any other relief upon such terms, requiring security if necessary, as it may consider proper; provided, however, that this section shall not authorize the court to open the original judgment of registration; and provided further, that nothing shall be done by the assistant recorder or ordered by the court that shall impair the title or other interest of a purchaser holding a certificate for value and in good faith, or their heirs or assigns, without their written consent.

SECTION 50. Section 15B of chapter 186 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the figure “(2)”, in line 25, the following words:- ; provided, however, that the executive office of housing and livable communities may promulgate regulations to authorize a lessor and a tenant or prospective tenant to agree to the payment of a fee in lieu of payment of a security deposit; provided further, that any such regulations shall: (A) require the lessor to utilize a fee collected to waive a security deposit to cover for unpaid rent or unit damage that applies to the tenant’s lease; (B) require that a fee so collected be: (I) entirely or partially non-refundable; provided, however, that the lessor shall disclose that the fee is non-refundable in the lease; provided further, that the tenant shall agree to the fee and acknowledge that the tenant understand that it is entirely or partially non-refundable, as the case may be, in writing; and (II) a recurring monthly fee, or payable upon any schedule and in an amount that the lessor and tenant agree upon, as authorized by the executive office; (C) limit the total sum of the fee or recurring payments, regardless of the duration of the lease and any extensions thereto, to an amount not to exceed 1 month’s rent; (D) require that the fee be made optional for both the tenant and the lessor and that the tenant be permitted to choose to pay a full security deposit rather than the fee; (E) require a lessor who offers such a fee in lieu of security deposit: (I) to offer the option of a fee in lieu of a security deposit to every prospective

2666 tenant whose application for occupancy has been approved, regardless of income, race, gender,
2667 gender identity, disability, sexual orientation, immigration status, size of household or credit
2668 score; and (II) not to consider such factors and categories when setting the amount of the fee; and
2669 (F) allow a tenant who agrees to pay a fee to waive a security deposit to opt-out of the obligation
2670 to pay such fee if such tenant pays the security deposit that would otherwise be in effect for the
2671 tenant's apartment on the day the tenant chooses to opt-out of such fee; provided further, that the
2672 sum of fees paid to waive a security deposit and the payment of the security deposit shall not
2673 exceed, in total, the amount of 1 month's rent; and provided further, that the executive office
2674 shall consult with the office of the attorney general prior to promulgating regulations authorizing
2675 a fee in lieu of a security deposit under this section.

2676 SECTION 51. Section 1 of chapter 188 of the General Laws, as appearing in the 2022
2677 Official Edition, is hereby amended by striking out, in lines 15, 21, 25, 41 and 47, each time it
2678 appears, the figure "\$500,000" and inserting in place thereof, in each instance, the following
2679 figure:- \$1,000,000.

2680 SECTION 52. Chapter 239 of the General Laws is hereby amended by adding the
2681 following section:-

2682 Section 16. (a) For the purposes of this section, the following words shall have the
2683 following meanings unless the context clearly requires otherwise:-

2684 "Consumer report", a written, oral or other communication of any information by a
2685 consumer reporting agency bearing on a person's credit worthiness, credit standing or credit
2686 capacity that is used or expected to be used or collected, in whole or in part, for the purpose of

2687 serving as a factor in establishing the person’s eligibility for rental housing or other purposes
2688 authorized under section 51 of chapter 93.

2689 “Consumer reporting agency”, an individual, partnership, corporation, trust, estate,
2690 cooperative, association, government or governmental subdivision or agency or other entity that,
2691 for monetary fees, dues or on a cooperative nonprofit basis, regularly engages, in whole or in
2692 part, in the practice of assembling or evaluating consumer credit information or other
2693 information on consumers for the purpose of furnishing consumer reports to third parties.

2694 “Court”, the trial court of the commonwealth established pursuant to section 1 of chapter
2695 211B and any departments or offices established within the trial court.

2696 “Court record”, any paper or electronic records or data in any communicable form
2697 compiled by, on file with or in the care custody or control of, the court that concern a person and
2698 relate to the nature or disposition of an eviction action or a lessor action.

2699 “Eviction action”, a summary process action under this chapter to recover possession of
2700 residential premises.

2701 “Lessor action”, any civil action brought against the owner, manager or lessor of
2702 residential premises by the tenant or occupant of such premises relating to or arising out of such
2703 property, rental, tenancy or occupancy for breach of warranty, breach of any material provision
2704 of the rental agreement or violation of any other law.

2705 “No-fault eviction”, an eviction action in which the notice to quit, notice of termination
2706 or complaint does not include an allegation of nonpayment of rent or violation of any material
2707 term of the tenancy by the tenant or occupant; provided, however, that a “no-fault eviction” shall

2708 include an action brought after termination of a tenancy for economic, business or other reasons
2709 not constituting a violation of the terms of the tenancy.

2710 (b) A person having a court record of a no-fault eviction on file in a court may petition
2711 the court to seal the court record at any time after the conclusion of the action, including
2712 exhaustion of all rights of appeal. The petition shall be on a form furnished by the trial court of
2713 the commonwealth, signed under the penalties of perjury and filed in the same court as the action
2714 sought to be sealed. If an action was active in more than 1 court during its pendency, a petition
2715 may be filed in each such court. Notice shall be given to parties to the original action. The court
2716 shall comply with the petitioner's request to seal the court record pursuant to this subsection;
2717 provided, however, that the record only pertains to a no-fault eviction and the action to which the
2718 record relates has concluded with all rights of appeal exhausted. If no objection is filed by a party
2719 within 7 days of filing the petition, such court may, in its discretion, process such petitions
2720 administratively without a hearing.

2721 (c) A person having a court record in an eviction action for nonpayment of rent on file in
2722 a court may, on a form furnished by the trial court and signed under the penalties of perjury,
2723 petition the court to seal the court record. The petition shall be filed in the same court as the
2724 action sought to be sealed. If an action was active in more than 1 court during its pendency, a
2725 petition may be filed in each such court. Notice shall be given to parties to the original action.
2726 The court shall comply with the petitioner's request to seal the court record pursuant to this
2727 subsection; provided, however, that the action to which the record relates concluded, including
2728 exhaustion of all rights of appeal, not less than 4 years before the request and no eviction action
2729 for nonpayment or lessor action has been brought against the petitioner within the
2730 commonwealth in the 4 years preceding the request; provided further, that the petitioner certifies

on the petition that the nonpayment of rent was due to an economic hardship and such economic hardship has rendered them unable to satisfy the judgment. If no objection is filed by a party, the court may, in its discretion, process such petitions administratively without a hearing. If an objection is filed by a party, within 7 days of filing the petition, the court shall conduct a hearing to determine the petitioner's compliance with the foregoing conditions and may require the petitioner to complete a financial statement on a form furnished by the trial court.

(d) A person having a court record of a fault eviction on file in a court may, on a form furnished by the trial court and signed under the penalties of perjury, petition the court to seal the court record. The petition shall be filed in the same court as the action sought to be sealed. If an action was active in more than 1 court during its pendency, a petition may be filed in each such court. Notice shall be given to parties to the original action. The court shall comply with the petitioner's request to seal the court record pursuant to this subsection; provided, however, that the action to which the record relates concluded, including exhaustion of all rights of appeal, not less than 7 years before the request and no eviction action for fault or lessor action has been brought against the petitioner within the commonwealth in the 7 years preceding the request. If no objection is filed by a party, within 7 days of filing the petition, the court may, in its discretion, process such petitions administratively without a hearing.

(e) A person having a court judgment against them in a civil action commenced pursuant to section 19 of chapter 139 on file in a court may, on a form furnished by the trial court and signed under the penalties of perjury, petition the court to seal the court record. The petition shall be filed in the same court as the action sought to be sealed. If an action was active in more than 1 court during its pendency, a petition may be filed in each such court. Notice shall be given to parties to the original action. The court shall schedule a hearing to determine whether: (i) the

2754 action to which the record relates concluded, including exhaustion of all rights of appeal, not less
2755 than 7 years before the request and no eviction action for fault, or action pursuant to said section
2756 19 of said chapter 139, has been brought against the petitioner within the commonwealth in the 7
2757 years preceding the request, and such petitioner has not been convicted of any criminal offense
2758 referenced in said section 19 of said chapter 139 during such 7-year period; and (ii) the sealing of
2759 such record is in the interest of justice and public safety. Notwithstanding any provision to the
2760 contrary, where the plaintiff did not obtain a judgment in its favor, the defendant may petition to
2761 seal the court record at any time after the conclusion of the action, including exhaustion of all
2762 rights of appeal.

2763 (e1/2) A person having a court record of an eviction action that resulted in a dismissal or
2764 final judgment in favor of the defendant may petition the court to seal the court record at any
2765 time after the conclusion of the action, which shall include exhaustion of all rights of appeal. The
2766 petition shall be on a form furnished by the trial court, signed under the penalties of perjury and
2767 filed in the same court as the action sought to be sealed was initially filed. If the action was
2768 active in more than 1 court during its pendency, a petition may be filed in each such court.
2769 Notice to parties of the original action shall not be required. The court may, in its discretion,
2770 process the petition administratively without a hearing.

2771 (f) Upon motion and for good cause shown, or as otherwise authorized by this section,
2772 court records sealed under this section may, at the discretion of the court and upon a balancing of
2773 the interests of the litigants and the public in nondisclosure of the information with the interests
2774 of the requesting party, be made available for public safety, scholarly, educational, journalistic or
2775 governmental purposes only; provided, however, that the personal identifying information of the
2776 parties involved in the action shall remain sealed unless the court determines that release of such

information is appropriate under this subsection and necessary to fulfill the purpose of the request. Nothing in this subsection shall permit the release of personal identifying information for commercial purposes.

(g) Nothing in this section shall prohibit the dissemination of information contained in a record sealed pursuant to this section as the court deems necessary or appropriate: (i) for the collection of a money judgment; (ii) to pursue a criminal investigation; (iii) to pursue a criminal prosecution; or (iv) where information in the sealed record was entered into evidence in a criminal prosecution that resulted in a criminal charge.

(h) Nothing in this section shall prohibit a person or their representative from petitioning the court to obtain access to sealed eviction records in which the person is a party.

(i) A consumer reporting agency shall not disclose the existence of, or information regarding, an eviction record sealed under this section or use information contained in a sealed court record as a factor to determine any score or recommendation to be included in a consumer report unless the court record was available for inspection with the court within 30 days of the report date. A consumer reporting agency may include in a consumer report information found in publicly available court records; provided, however, that the consumer report shall include a person's full name, whether an eviction action was a fault eviction, a no-fault eviction or a lessor action and the outcome of any eviction action if such information is contained in the publicly-available court record. Information contained in a court record sealed under this section shall be removed from the consumer report or from the calculation of any score or recommendation to be included in a consumer report within 30 days of the sealing of the court record from which it is derived. Any consumer reporting agency that violates this subsection shall be liable to the person

2799 who is the subject of the consumer report in an amount equal to the sum of any actual damages
2800 sustained by the consumer as a result of the violation and the costs of the action, including
2801 reasonable attorney's fees. The attorney general shall enforce this subsection, and the remedies
2802 provided hereunder shall not be exclusive. Nothing in this subsection shall waive the rights or
2803 remedies of any person under any other law or regulation.

2804 (j) An application used to screen applicants for housing or credit that seeks information
2805 concerning prior eviction actions of the applicant shall include the following statement: "An
2806 applicant for housing or credit with a sealed record on file with the court pursuant to section 16
2807 of chapter 239 of the General Laws may answer 'no record' to an inquiry relative to that sealed
2808 court record." No party shall be liable for any violation of the foregoing provision unless such
2809 party has first been issued a written warning from the attorney general and has failed to address
2810 the violation within 90 days of such notice.

2811 The petition provided by the court for the sealing of records as provided under this
2812 section and any order granting such petition shall contain the following notice: "An applicant for
2813 housing or credit with a sealed record on file with the court pursuant to section 16 of chapter 239
2814 of the General Laws may answer 'no record' to an inquiry relative to that sealed court record."

2815 (k) A party who obtains a judgment or enters into an agreement in an eviction action
2816 solely for nonpayment of rent shall, not more than 14 days after satisfaction of the judgment or
2817 agreement, file with the court in which the judgment or agreement was entered a notice of
2818 satisfaction of the judgment or agreement. A party that has satisfied such judgment or agreement
2819 may, upon noncompliance with this subsection by the other party, file a petition for the judgment
2820 or agreement to be deemed satisfied, with notice to the parties to such action. The court shall

comply with the petitioner's request; provided, however, that the record only pertains to an action for nonpayment of rent and the judgment or agreement has been satisfied. If no objection is filed by a party within 7 days of filing the petition, the court may, in its discretion, process such petition administratively without a hearing. Upon the filing of a notice of satisfaction of judgment or an agreement, or court judgment deeming the judgment or agreement satisfied, a party may petition the court to seal the court record pertaining to that action. The petition shall be on a form furnished by the trial court, signed under the penalties of perjury and filed in the same court as the action sought to be sealed. If an action was active in more than 1 court during its pendency, a petition may be filed in each such court. Notice shall be given to the parties to the original action. The court shall comply with the petitioner's request and seal the court record if the judgment or agreement has been satisfied and the action has concluded, with all rights of appeal exhausted and with no objection filed by a party within 7 days of filing the petition. The court may process such petitions administratively without a hearing.

SECTION 53. Section 3 of chapter 708 of the acts of 1966, as amended by section 43 of chapter 204 of the acts of 1996, is hereby further amended by striking out, in the first sentence, the words "department of housing and community development" and inserting in place thereof the following words:- executive office of housing and livable communities.

SECTION 54. The first paragraph of said section 3 of said chapter 708, as most recently amended by sections 43 and 44 of said chapter 204, is hereby further amended by striking out the third sentence and inserting in place thereof the following sentence:- Any law to the contrary notwithstanding the MHFA shall not be subject to the provisions of chapter 30A, sections 24 through 28, inclusive, of chapter 93, chapter 255E or chapter 255F of the General Laws.

2843 SECTION 55. The first sentence of the second paragraph of said section 3 of said chapter
2844 708, as amended, is hereby further amended by striking out the words “director of housing and
2845 community development” and inserting in place thereof the following words:- secretary of
2846 housing and livable communities.

2847 SECTION 56. Paragraph (b) of section 8 of said chapter 708, is hereby amended by
2848 striking out the sixth sentence, as most recently amended by chapter 34 of the acts of 2003, and
2849 inserting in place thereof the following sentence:- The aggregate principal amount of notes and
2850 bonds of the MHFA issued to make mortgage loans pursuant to section 5 and to make or
2851 purchase loans pursuant to section 5A, outstanding at any 1 time, shall not exceed the sum of
2852 \$10,800,000,000.

2853 SECTION 57. Clause (iii) of the definition of “Housing accommodation” in section 3 of
2854 chapter 527 of the acts of 1983, as appearing in section 4 of chapter 709 of the acts of 1989, is
2855 hereby amended by striking out, the first time it appears, the word “buildings” and inserting in
2856 place thereof the following words:- owner-occupied buildings.

2857 SECTION 58. Paragraph (a) of section 35 of chapter 405 of the acts of 1985 is hereby
2858 further amended by striking out the words “department of housing and community
2859 development”, as appearing in section 47 of chapter 204 of the acts of 1996, and inserting in
2860 place thereof the following words:- executive office of housing and livable communities.

2861 SECTION 59. Said paragraph (a) of said section 35 of said chapter 405 is hereby further
2862 amended by striking out the words “communities and development”, as appearing in section 36
2863 of chapter 102 of the acts of 1990, and inserting in place thereof the following words:- housing
2864 and livable communities.

2865 SECTION 60. Section 2 of chapter 52 of the acts of 1993 is hereby amended by striking
2866 out item 4000-8200, most recently amended by sections 15 to 18, inclusive, of chapter 244 of the
2867 acts of 2002, and inserting in place thereof the following item:-

2868 4000-8200 For state financial assistance to implement the recommendations of the
2869 special commission in the form of loans for the development of community-based housing for
2870 individuals with mental health or intellectual or developmental disabilities; provided, that said
2871 loan program shall be administered by the executive office of housing and livable communities
2872 through contracts with authorities which shall be limited to housing authorities and
2873 redevelopment authorities duly organized and existing in accordance with chapter 121B of the
2874 General Laws, community development corporations duly organized and existing in accordance
2875 with chapter 40F of the General Laws, the Massachusetts Housing Finance Agency, a body
2876 politic and corporate entity established by chapter 708 of the acts of 1966, as amended, the
2877 Massachusetts community economic development assistance corporation (CEDAC), a body
2878 politic and corporate entity established by chapter 40H of the General Laws, and the
2879 Massachusetts Government Land Bank, a body politic and corporate entity established by
2880 chapter 212 of the acts of 1975; provided, that said loan issuing authorities may develop or
2881 finance said community-based housing, or may enter into subcontracts with non-profit
2882 organizations established pursuant to chapter 180 of the General Laws or organizations in which
2883 such non-profit corporations have a controlling financial or managerial interest; provided,
2884 however, that said department shall take due consideration of a balanced geographic plan for
2885 such community-based housing when issuing said loans; provided further, that loans issued
2886 pursuant to this item shall be subject to the following provisions: (1) said loans shall be limited
2887 to not more than 50 per cent of the financing of the total development costs; (2) said loans shall

2888 only be issued for a community-based housing project contingent on the title to said real property
2889 reverting to the commonwealth when said loan becomes due and payable except as provided by
2890 section 3; (3) said loans shall only be issued when any contract or agreement for the use of said
2891 property for the purposes of such community-based housing provides for the recording of a
2892 restriction in the registry of deeds or the registry district of the land court of the county in which
2893 the affected real property is located, for the benefit of the said departments, running with the
2894 land, that the land be used for the purpose of providing community-based housing for eligible
2895 individuals as determined by the departments of mental health; provided, that the property shall
2896 not be released from such restrictions unless: (i) the balance of the principal and interest for the
2897 loan has been repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has
2898 been a disposition of the property; provided, that the executive office of housing and livable
2899 communities, in consultation with the department of mental health and the department of
2900 developmental services, determines that relevant clients will be better served at an alternative
2901 property and the proceeds from the disposition of the property will be used, to the extent
2902 necessary for replacement of the housing at the property, for 1 or both of the following purposes:
2903 (A) to acquire such alternative property; or (B) to rehabilitate such alternative property; (4) said
2904 loans shall be issued for a term of up to 30 years during which time repayment may be deferred
2905 by the loan issuing authority unless at the end of any fiscal year, cash collections from all sources
2906 in connection with a community-based housing project, except for contributions, donations, or
2907 grant monies, exceed 105 per cent of cash expenditures on behalf of said project, including debt
2908 service, operating expenses, and capital reserves, in which event such excess cash shall be paid
2909 to the commonwealth within 45 days of the end of said fiscal year, payable first to interest due
2910 hereunder and thereafter to principal advanced pursuant to said loan; provided, that if on the date

2911 said loans become due and payable to the commonwealth an outstanding balance exists and if, on
2912 such date, the executive office of housing and livable communities in consultation with the
2913 executive office of health and human services, determines that there still exists a need for such
2914 housing and that there is continued funding available for the provision of services to such
2915 development, said executive office may, by agreement with the owner of the development,
2916 extend the loans for such periods, each period not to extend beyond 10 years, as the executive
2917 office determines; provided, however, that the project, whether at the original property, or at an
2918 alternative property pursuant to clause (3), shall remain affordable housing for the duration of the
2919 loan term, as extended, as set forth in the contract or agreement entered into by the executive
2920 office; and provided, further, that, in the event that the terms of repayment detailed in this item
2921 would cause a project authorized by this item to become ineligible to receive federal funds which
2922 would otherwise assist in the development of that project, the secretary may waive the terms of
2923 repayment which would cause the project to become ineligible; (5) interest rates for said loans
2924 shall be fixed at a rate, to be determined by the secretary for housing and livable communities in
2925 consultation with the treasurer of the commonwealth, that shall be equal to the rate anticipated to
2926 be that paid by the commonwealth for bonds issued pursuant to section 8 of this act; which
2927 financing shall not exceed terms of 30 years; (6) said loans shall be provided only for projects
2928 conforming to the provisions of this act; and (7) said loans shall be issued in accordance with a
2929 facilities consolidation plan prepared by the secretary of health and human services, reviewed
2930 and approved by the secretary of housing and livable communities and filed with the secretary
2931 for administration and finance and the house and senate committees on ways and means;
2932 provided, that no expenditures shall be made pursuant to this item without the prior approval of
2933 the secretary for administration and finance; provided further, that not more than \$10,000,000

2934 shall be expended from this item for a pilot program of community-based housing loans to serve
2935 mentally-ill homeless individuals in the current or former care of said department of mental
2936 health; provided further, that in implementing said pilot program, said executive office shall take
2937 due consideration of a balanced geographic plan when establishing community-based residences;
2938 provided further, that said housing services made available pursuant to such loans shall not be
2939 construed as a right or an entitlement for any individual or class of persons to the benefits of said
2940 pilot program; and provided further, that eligibility for said pilot program shall be established by
2941 regulations promulgated by said executive office. The executive office of housing and livable
2942 communities shall promulgate emergency regulations pursuant to section 2 of chapter 30A of the
2943 General Laws for the implementation of the community-based housing loan program and the
2944 mentally ill homeless pilot loan program authorized by this item, consistent with the facilities
2945 consolidation plan prepared by the secretary of health and human services and after consultation
2946 with said secretary and the commissioner of the division of capital asset management and
2947 maintenance.....\$50,000,000

2948 SECTION 61. Clause (2) of item 3722-8899 of section 2 of chapter 494 of the acts of
2949 1993 is hereby amended by striking out the words “provided, that said property shall not be
2950 released from such restriction unless and until the balance of the principal and interest for said
2951 loan is repaid in full or unless and until a mortgage foreclosure deed is recorded” and inserting in
2952 place thereof the following words:- provided, that said property shall not be released from such
2953 restriction unless and until: (i) the balance of the principal and interest for said loan has been
2954 repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has been a
2955 disposition of the property; provided, further that the executive office of housing and livable
2956 communities shall determine that relevant clients will be better served at an alternative property

2957 and the proceeds from the disposition of the property shall be used, to the extent necessary for
2958 replacement of the housing at the property, for 1 or both of the following purposes: (A) to
2959 acquire such alternative property; or (B) to rehabilitate such alternative property.

2960 SECTION 62. Clause (4) of said item 3722-8899 of said section 2 of said chapter 494 is
2961 hereby amended by striking out the words “provided, that the project continues to remain
2962 affordable housing as set forth in the contract or agreement entered into for the duration of the
2963 project by the department” and inserting in place thereof the following words:- provided, that
2964 that the project, whether at the original property, or at an alternative property pursuant to clause
2965 (2), continues to remain affordable housing as set forth in the contract or agreement entered into
2966 for the duration of the project by the executive office.

2967 SECTION 63. Said item 3722-8899 of said section 2 of said chapter 494 is hereby further
2968 amended by striking out clauses (6) to (8), inclusive, and inserting in place thereof the following
2969 clause:- and (6) the executive office shall take due consideration of a balanced geographic plan
2970 for such alternative forms of housing when issuing said loans;.

2971 SECTION 64. The first paragraph of section 16 of chapter 179 of the acts of 1995 is
2972 hereby amended by striking out the words “in the form of mobile vouchers” and inserting in
2973 place thereof the following words:- in the form of either mobile vouchers or project-based
2974 vouchers.

2975 SECTION 65. The second paragraph of section 12 of chapter 257 of the acts of 1998, as
2976 amended by section 52 of chapter 235 of the acts of 2000, is hereby further amended by striking
2977 out clause (2) and inserting in place thereof the following clause:-

(2) such loans shall only be issued when a contract or agreement for the use of the property for the purposes of such housing provides for the recording of a restriction in the registry of deeds or the registry district of the land court in the county in which the affected real property is located, for the benefit of the executive office of housing and livable communities, running with the land, that the land be used for the purpose of providing alternative forms of rental and ownership housing. Such property shall not be released from such restriction until: (i) the balance of the principal and interest for any such loan has been repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has been a disposition of the property; provided, that the executive office shall determine that relevant clients will be better served at an alternative property and the proceeds from the disposition of the property will be used, to the extent necessary for replacement of the housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative property;.

SECTION 66. Clause (3) of said section 12 of said chapter 257 , as so amended, is hereby further amended by striking out the words “, provided that the project continues to remain affordable housing as set forth in the contract or agreement entered into for the duration of the project by the department” and inserting in place thereof the following words:- ; provided, that the project, whether at the original property, or at an alternative property pursuant to clause (2), continues to remain affordable housing as set forth in the contract or agreement entered into for the duration of the project by the executive office.

SECTION 67. Said section 12 of said chapter 257, as so amended, is hereby further amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the following

3000 clause:- and (5) said executive office shall take due consideration of a balanced geographic plan
3001 for such alternative forms of housing when issuing such loans.

3002 SECTION 68. The second paragraph of section 5 of chapter 244 of the acts of 2002 is
3003 hereby amended by striking out clause (2) and inserting in place thereof the following clause:-

3004 (2) such loans shall only be issued when a contract or agreement for the use of the
3005 property for the purposes of such housing provides for the recording of a restriction in the
3006 registry of deeds or the registry district of the land court in the county in which the affected real
3007 property is located, for the benefit of the executive office of housing and livable communities,
3008 running with the land, that the land be used for the purpose of providing alternative forms of
3009 rental and ownership housing. Such property shall not be released from such restriction until: (i)
3010 the balance of the principal and interest for any such loan has been repaid in full; (ii) a mortgage
3011 foreclosure deed has been recorded; or (iii) there has been a disposition of the property;
3012 provided, that the executive office shall determine that relevant clients will be better served at an
3013 alternative property and the proceeds from the disposition of the property will be used, to the
3014 extent necessary for replacement of the housing at the property, for 1 or both of the following
3015 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative
3016 property;.

3017 SECTION 69. Said second paragraph of said section 5 of said chapter 244 is hereby
3018 further amended by striking out, in clause (3), the words “provided that the project continues to
3019 remain affordable housing as set forth in the contract or agreement entered into for the duration
3020 of the project by the department” and inserting in place thereof the following words:- ; provided,
3021 that the project, whether at the original property, or at an alternative property pursuant to clause

(2), continues to remain affordable housing as set forth in the contract or agreement entered into for the duration of the project by the executive office.

SECTION 70. Said second paragraph of said section 5 of said chapter 244 is hereby further amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the following clause:- and (5) said executive office shall take due consideration of a balanced geographic plan for such alternative forms of housing when issuing such loans.

SECTION 71. Clause (3) of item 4000-8200 of section 2E of chapter 290 of the acts of 2004, as amended by section 20 of chapter 6 of the acts of 2005, is hereby amended by striking out the words “provided, that the property shall not be released from such restrictions until the balance of the principal and interest for the loan is repaid in full or until a mortgage foreclosure deed is recorded” and inserting in place thereof the following words:- provided, that the property shall not be released from such restrictions unless: (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) the executive office of housing and livable communities has determined, pursuant to clause (2), that repayment to the commonwealth is not required.

SECTION 72. Clause (4) of said item 4000-8200 of said section 2E of said chapter 290, as so amended, is hereby amended by striking out the words “provided, however, that the project shall continue to remain affordable housing for the duration of the loan term, as extended, as set forth in the contract or agreement entered into by the department” and inserting in place thereof the following words:- provided, however, that the project, whether at the original property, or at an alternative property pursuant to clause (3), shall continue to remain affordable housing for the

3043 duration of the loan term, as extended, as set forth in the contract or agreement entered into by
3044 the executive office.

3045 SECTION 73. Said item 4000-8200 of said section 2E of said chapter 290, as so
3046 amended, is hereby further amended by striking out clauses (6) and (7).

3047 SECTION 74. Said item 4000-8200 of said section 2E of said chapter 290, as so
3048 amended, is hereby further amended by striking out the figure “(8)” and inserting in place thereof
3049 the following figure:- (6).

3050 SECTION 75. Said item 4000-8200 of said section 2E of said chapter 290, as so
3051 amended, is hereby further amended by striking out the figure “(9)” and inserting in place thereof
3052 the following figure:- (7).

3053 SECTION 76. Said item 4000-8200 of said section 2E of said chapter 290, as so
3054 amended, is hereby further amended by striking out the figure “(10)” and inserting in place
3055 thereof the following figure:- (8).

3056 SECTION 77. Item 4000-8201 of said section 2E of said chapter 290 is hereby amended
3057 by striking out clause (2) and inserting in place thereof the following clause:-

3058 (2) said loans shall be issued only when any contract or agreement for the use of said
3059 property for the purposes of such housing provides for repayment to the commonwealth at the
3060 time of disposition of the property if such property will no longer be subject to a recorded deed
3061 restriction pursuant to clause (3); provided, however, that such repayment shall be an amount
3062 equal to the commonwealth’s proportional contribution from this item to the cost of the
3063 development through payments made by the state agency making the contract; provided, further,

3064 that such repayment shall not be required if the executive office of housing and livable
3065 communities, in consultation with the Massachusetts rehabilitation commission, determines that
3066 relevant clients will be better served at an alternative property and the proceeds from the
3067 disposition of the property will be used, to the extent necessary for replacement of the housing at
3068 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
3069 (B) to rehabilitate such alternative property.

3070 SECTION 78. Clause (3) of said item 4000-8201 of said section 2E of said chapter 290 is
3071 hereby amended by striking out the words “provided further, that the property shall not be
3072 released from such restrictions until the balance of the principal and interest for the loan is repaid
3073 in full or until a mortgage foreclosure deed is recorded” and inserting in place thereof the
3074 following words:- provided further, that the property shall not be released from such restrictions
3075 unless: (A) the balance of the principal and interest for the loan has been repaid in full; (B) a
3076 mortgage foreclosure deed has been recorded; or (C) the executive office of housing and livable
3077 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not
3078 required.

3079 SECTION 79. Clause (4) of said item 4000-8201 of said section 2E of said chapter 290 is
3080 hereby amended by striking out the words “provided, however, that the project shall continue to
3081 remain affordable housing for the duration of the loan term, as extended, as set forth in the
3082 contract or agreement entered into by the department” and inserting in place thereof the
3083 following words:- provided, however, that the project, whether at the original property, or at an
3084 alternative property pursuant to clause (2), shall continue to remain affordable housing for the
3085 duration of the loan term, as extended, as set forth in the contract or agreement entered into by
3086 the executive office.

3087 SECTION 80. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
3088 further amended by striking out clauses (6) and (7).

3089 SECTION 81. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
3090 further amended by striking out the figure “(8)” and inserting in place thereof the following
3091 figure:- (6).

3092 SECTION 82. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
3093 further amended by striking out the figure “(9)” and inserting in place thereof the following
3094 figure:- (7).

3095 SECTION 83. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
3096 further amended by striking out the figure “(10)” and inserting in place thereof the following
3097 figure:- (8).

3098 SECTION 84. Item 4000-8200 of said section 2E of said chapter 290, as amended by
3099 section 20 of chapter 6 of the acts of 2005, is hereby further amended by striking out clause (2)
3100 and inserting in place thereof the following clause:- (2) such loans shall be issued only when any
3101 contract or agreement for the use of the property for such housing provides for repayment to the
3102 commonwealth at the time of disposition of the property if such property will no longer be
3103 subject to a recorded deed restriction pursuant to clause (3); provided, however, that such
3104 repayment shall be an amount equal to the commonwealth’s proportional contribution from the
3105 Facilities Consolidation Fund to the cost of the development through payments made by the state
3106 agency making the contract; provided further, that such repayment shall not be required if the
3107 executive office of housing and livable communities, in consultation with the department of
3108 mental health and the department of developmental services, determines that relevant clients will

3109 be better served at an alternative property and the proceeds from the disposition of the property
3110 shall be used, to the extent necessary for replacement of the housing at the property to: (i)
3111 acquire such alternative property; or (ii) rehabilitate such alternative property;.

3112 SECTION 85. Item 7004-7013 of said section 2E of said chapter 290, as amended by
3113 section 21 of chapter 6 of the acts of 2005, is hereby further amended by inserting after the figure
3114 “2002” the following words:- , as amended.

3115 SECTION 86. Section 5 of chapter 293 of the acts of 2006 is hereby amended by
3116 inserting after the definition of “Economic development project” the following definition:-

3117 “Eligible housing increment”, a new residential unit that may either be a single-family
3118 house or 1 dwelling unit in a building or development containing 2 or more dwelling units,
3119 which dwelling units may be rental units or units in a condominium or cooperative, or a
3120 combination of any of the foregoing, and that is created as part of an economic development
3121 project and pursuant to an infrastructure development assistance agreement approved by the
3122 secretary under this act.

3123 SECTION 87. Said section 5 of said chapter 293 is hereby further amended by striking
3124 out the definition of “New revenue” and inserting in place thereof the following definition:-

3125 “New revenue”, revenue derived from a commercial or residential component of an
3126 economic development project by the creation of any eligible new jobs or eligible housing
3127 increments or by new economic activity that would otherwise not have taken place in the
3128 commonwealth on said commercial component or on, or as a result of, said residential
3129 component, as each may be more fully defined by any rules, regulations or guidelines
3130 promulgated by the secretary or the commissioner.

3131 SECTION 88. The definition of “New state tax revenues” in said section 5 of said chapter
3132 293 is hereby amended by inserting after the word “components” the following words:- or on
3133 account of the residential components.

3134 SECTION 89. Said section 5 of said chapter 293, is hereby further amended by inserting
3135 after the definition of “Public infrastructure improvements” the following definition:-

3136 “Residential component”, any component of an economic development project
3137 comprising 1 or more eligible housing increments, as more fully described in, or determined in
3138 accordance with, a certified economic development project.

3139 SECTION 90. Clause (iv) of subsection (a) of section 7 of said chapter 293 is hereby
3140 amended by inserting after the words “each commercial” the following words:- or residential.

3141 SECTION 91. Said clause (iv) of said subsection (a) of said section 7 of said chapter 293
3142 is hereby further amended by inserting after the words “all commercial” the following words:-
3143 and residential.

3144 SECTION 92. Clause (i) of subsection (c) of said section 7 of said chapter 293 is hereby
3145 amended by inserting after the word “commercial” the following words:- and residential.

3146 SECTION 93. Subsection (e) of said section 7 of said chapter 293, inserted by section 7
3147 of chapter 129 of the acts of 2008, is hereby amended by inserting after the word “met” the
3148 following words:- , and with respect to projects which include a residential component, shall give
3149 priority to projects within any MBTA community as defined in section 1A of chapter 40A of the
3150 General Laws; provided, that such MBTA community is in compliance with the requirements of
3151 section 3A of said chapter 40A.

3152 SECTION 94. Subsection (a) of section 10 of said chapter 293, as amended by section 10
3153 of said chapter 129, is hereby further amended by inserting after the words “the commercial” the
3154 following words:- or residential.

3155 SECTION 95. Said subsection (a) of said section 10 of said chapter 293, as so amended,
3156 is hereby further amended by inserting after the words “each commercial”, each time they
3157 appear, the following words:- or residential.

3158 SECTION 96. Subsection (b) of said section 10 of said chapter 293, as amended by
3159 section 11 of said chapter 129, is hereby further amended by inserting after the word
3160 “commercial”, each time it appears, the following words:- or residential.

3161 SECTION 97. Subsection (c) of said section 10 of said chapter 293 is hereby amended by
3162 inserting after the words “commercial components”, each time they appear, the following
3163 words:- or residential components.

3164 SECTION 98. Item 7004-0029 of section 2 of chapter 119 of the acts of 2008 is hereby
3165 amended by striking out clause (2) and inserting in place thereof the following clause:-

3166 (2) be issued only when a contract or agreement for the use of the property for such
3167 housing provides for repayment to the commonwealth at the time of disposition of the property if
3168 such property will no longer be subject to a recorded deed restriction pursuant to clause (3);
3169 provided, however, that such repayment shall be in an amount equal to the commonwealth’s
3170 proportional contribution from the Facilities Consolidation Fund to the cost of the development
3171 through payments made by the state agency making the contract; provided, further, that such
3172 repayment shall not be required if the executive office of housing and livable communities, in
3173 consultation with the department of mental health and the department of developmental services,

3174 determines that relevant clients will be better served at an alternative property and the proceeds
3175 from the disposition of the property will be used, to the extent necessary for replacement of the
3176 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative
3177 property; or (B) to rehabilitate such alternative property.

3178 SECTION 99. Clause (3) of said item 7004-0029 of said section 2 of said chapter 119 is
3179 hereby amended by striking out the words “provided, that the property shall not be released from
3180 such restriction until the balance of the principal and interest for the loan has been repaid in full
3181 or until a mortgage foreclosure deed has been recorded” and inserting in place thereof the
3182 following words:- provided, that the property shall not be released from such restriction unless:
3183 (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a mortgage
3184 foreclosure deed has been recorded; or (iii) the executive office of housing and livable
3185 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not
3186 required.

3187 SECTION 100. Clause (4) of said item 7004-0029 of said section 2 of said chapter 119 is
3188 hereby amended by striking out the words “provided, however, that the project shall remain
3189 affordable housing for the duration of the loan term, including any extension thereof, as set forth
3190 in the contract or agreement entered into by the department” and inserting in place thereof the
3191 following words:- provided, however, that the project, whether at the original property, or at an
3192 alternative property pursuant to clause (3), shall remain affordable housing for the duration of the
3193 loan term, including any extension thereof, as set forth in the contract or agreement entered into
3194 by the executive office.

3195 SECTION 101. Clause (5) of said item 7004-0029 of said section 2 of said chapter 119 is
3196 hereby amended by striking out the following words:- provided further, that expenditures from
3197 this item shall not be made for the purpose of refinancing outstanding mortgage loans for
3198 community-based housing in existence prior to the effective date of this act; provided further,
3199 that community-based housing projects developed pursuant to this item shall not be refinanced
3200 during the term of any loan issued pursuant to this item unless the balance of the principal and
3201 interest for such loan has been repaid in full at the time of such refinancing; provided further,
3202 that the community-based housing projects may be refinanced if the refinancing would result in a
3203 reduction of costs paid by the commonwealth; provided further, that a refinanced loan shall be
3204 due and payable on a date not later than the date on which the original loan was due and payable,
3205 except in accordance with clause (4) when necessary to effect extraordinary repairs or
3206 maintenance which shall be approved by the commissioner of mental retardation or the
3207 commissioner of mental health, as the case may be, and the department;.

3208 SECTION 102. Item 7004-0030 of said section 2 of said chapter 119 is hereby amended
3209 by striking out clause (2) and inserting in place thereof the following clause:-

3210 (2) be issued only when a contract or agreement for the use of the property for the
3211 purposes of such housing provides for repayment to the commonwealth at the time of disposition
3212 of the property if such property will no longer be subject to a recorded deed restriction pursuant
3213 to clause (3); provided, however, that such repayment shall be in an amount equal to the
3214 commonwealth's proportional contribution from community-based housing to the cost of the
3215 development through payments made by the state agency making the contract; provided, further,
3216 that such repayment shall not be required if the executive office of housing and livable
3217 communities, in consultation with the Massachusetts rehabilitation commission, determines that

3218 relevant clients will be better served at an alternative property and the proceeds from the
3219 disposition of the property will be used, to the extent necessary for replacement of the housing at
3220 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
3221 (B) to rehabilitate such alternative property;.

3222 SECTION 103. Clause (3) of said item 7004-0030 of said section 2 of said chapter 119 is
3223 hereby amended by striking out the words “provided further, that the property shall not be
3224 released from such restrictions until the balance of the principal and interest for the loan has been
3225 repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place
3226 thereof the following words:- provided further, that the property shall not be released from such
3227 restrictions unless: (A) the balance of the principal and interest for the loan has been repaid in
3228 full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing
3229 and livable communities has determined, pursuant to clause (2), that repayment to the
3230 commonwealth is not required.

3231 SECTION 104. Clause (4) of said item 7004-0030 of said section 2 of said chapter 119 is
3232 hereby amended by striking out the words “provided, however, that the project shall continue to
3233 remain affordable housing for the duration of the loan term, including any extensions thereof, as
3234 set forth in the contract or agreement entered into by the department” and inserting place thereof
3235 the following words:- provided, however, that the project, whether at the original property, or at
3236 an alternative property pursuant to clause (2), shall continue to remain affordable housing for the
3237 duration of the loan term, including any extensions thereof, as set forth in the contract or
3238 agreement entered into by the executive office.

3239 SECTION 105. Said item 7004-0030 of said section 2 of said chapter 119 is hereby
3240 further amended by striking out clause (5) and inserting in place thereof the following clause:-

3241 (5) have interest rates fixed at a rate, to be determined by the executive office, in
3242 consultation with the state treasurer; provided, that the loans shall be issued in accordance with
3243 an enhancing community-based services plan prepared by the secretary of health and human
3244 services, in consultation with the executive office and filed with the secretary for administration
3245 and finance and the house and senate committees on ways and means and the joint committee on
3246 housing; provided further, that no expenditure shall be made from this item without the prior
3247 approval of the secretary for administration and finance; provided further, that the executive
3248 office shall promulgate regulations pursuant to chapter 30A of the General Laws for the
3249 implementation, administration and enforcement of this item, consistent with the enhancing
3250 community-based services plan prepared by the secretary of health and human services after
3251 consultation with the secretary and the commissioner of capital asset management and
3252 maintenance.

3253 SECTION 106. Sections 30, 36 and 98 of chapter 238 of the acts of 2012 are hereby
3254 repealed.

3255 SECTION 107. Item 7004-0040 of section 2 of chapter 129 of the acts of 2013 is hereby
3256 amended by striking out clause (ii) and inserting in place thereof the following clause:-

3257 (ii) be issued only when a contract or agreement for the use of the property for such
3258 housing provides for repayment to the commonwealth at the time of disposition of the property if
3259 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);
3260 provided, however, that such repayment shall be in an amount equal to the commonwealth's

3261 proportional contribution from the Facilities Consolidation Fund to the cost of the development
3262 through payments made by the state agency making the contract; provided, further, that such
3263 repayment shall not be required if the executive office of housing and livable communities, in
3264 consultation with the department of mental health and the department of developmental services,
3265 determines that relevant clients will be better served at an alternative property and the proceeds
3266 from the disposition of the property will be used, to the extent necessary for replacement of the
3267 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative
3268 property; or (B) to rehabilitate such alternative property;.

3269 SECTION 108. Clause (iii) of said item 7004-0040 of said section 2 of said chapter 129
3270 is hereby amended by striking out the words “provided, however, that the property shall not be
3271 released from such restriction until the balance of the principal and interest for the loan has been
3272 repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place
3273 thereof the following words:- provided, however, that the property shall not be released from
3274 such restriction unless: (A) the balance of the principal and interest for the loan has been repaid
3275 in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing
3276 and livable communities has determined, pursuant to clause (ii), that repayment to the
3277 commonwealth is not required.

3278 SECTION 109. Clause (iv) of said item 7004-0040 of said section 2 of said chapter 129
3279 is hereby amended by striking out, in clause (iv), the words “provided further, that the project
3280 shall remain affordable housing for the duration of the loan term, including any extension
3281 thereof, as set forth in the contract or agreement entered into by the department” and inserting in
3282 place thereof the following words:- provided further, that the project, whether at the original
3283 property, or at an alternative property pursuant to clause (ii), shall remain affordable housing for

3284 the duration of the loan term, including any extension thereof, as set forth in the contract or
3285 agreement entered into by the executive office.

3286 SECTION 110. Item 7004-0041 of said section 2 of said chapter 129 is hereby amended
3287 by striking out clause (ii) and inserting in place thereof the following clause:-

3288 (ii) be issued only when a contract or agreement for the use of the property for the
3289 purposes of such housing provides for repayment to the commonwealth at the time of disposition
3290 of the property if such property will no longer be subject to a recorded deed restriction pursuant
3291 to clause (iii); provided, however, that such repayment shall be in an amount equal to the
3292 commonwealth's proportional contribution from community-based housing to the cost of the
3293 development through payments made by the state agency making the contract; provided, further,
3294 that such repayment shall not be required if the executive office of housing and livable
3295 communities, in consultation with the Massachusetts rehabilitation commission, determines that
3296 relevant clients will be better served at an alternative property and the proceeds from the
3297 disposition of the property will be used, to the extent necessary for replacement of the housing at
3298 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
3299 (B) to rehabilitate such alternative property;.

3300 SECTION 111. Clause (iii) of said item 7004-0041 of said section 2 of said chapter 129
3301 is hereby amended by striking out the words "provided, however, that the property shall not be
3302 released from such restrictions until the balance of the principal and interest for the loan has been
3303 repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place
3304 thereof the following words:- provided however, that the property shall not be released from
3305 such restrictions unless: (A) the balance of the principal and interest for the loan has been repaid

3306 in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing
3307 and livable communities has determined, pursuant to clause (ii), that repayment to the
3308 commonwealth is not required.

3309 SECTION 112. Clause (iv) of said item 7004-0041 of said section 2 of said chapter 129
3310 is hereby amended by striking out the words “provided, however, that the project shall continue
3311 to remain affordable housing for the duration of the loan term, including any extensions thereof,
3312 as set forth in the contract or agreement entered into by the department” and inserting place
3313 thereof the following words:- provided, however, that the project, whether at the original
3314 property, or at an alternative property pursuant to clause (ii), shall continue to remain affordable
3315 housing for the duration of the loan term, including any extensions thereof, as set forth in the
3316 contract or agreement entered into by the executive office.

3317 SECTION 113. Item 7004-0050 of section 2 of chapter 99 of the acts of 2018 is hereby
3318 amended by striking out clause (ii) and inserting in place thereof the following clause:-

3319 (ii) not be issued unless a contract or agreement for the use of the property for such
3320 housing provides for repayment to the commonwealth at the time of disposition of the property if
3321 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);
3322 provided, however, that such repayment shall be in an amount equal to the commonwealth’s
3323 proportional contribution from the Facilities Consolidation Fund to the cost of the development
3324 through payments made by the state agency making the contract; provided, further, that such
3325 repayment shall not be required if the executive office of housing and livable communities, in
3326 consultation with the department of mental health and the department of developmental services,
3327 determines that relevant clients will be better served at an alternative property and the proceeds

3328 from the disposition of the property will be used, to the extent necessary for replacement of the
3329 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative
3330 property; or (B) to rehabilitate such alternative property.

3331 SECTION 114. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further
3332 amended by striking out the words “until the balance of the principal and interest for the loan has
3333 been repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place
3334 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has
3335 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive
3336 office of housing and livable communities has determined, pursuant to clause (ii) of this item,
3337 that repayment to the commonwealth is not required.

3338 SECTION 115. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further
3339 amended by striking out the words “shall remain affordable housing for the duration of the loan
3340 term, including any extension thereof, as set forth in the contract or agreement entered into by
3341 the department” and inserting in place thereof the following words:-, whether at the original
3342 property, or at an alternative property pursuant to clause (ii), shall remain affordable housing for
3343 the duration of the loan term, including any extension thereof, as set forth in the contract or
3344 agreement entered into by the executive office.

3345 SECTION 116. Item 7004-0051 of said section 2 of said chapter 99 is hereby amended
3346 by striking out clause (ii) and inserting in place thereof the following clause:-

3347 (ii) not be issued unless a contract or agreement for the use of the property for the
3348 purposes of such housing provides for repayment to the commonwealth at the time of disposition
3349 of the property if such property will no longer be subject to a recorded deed restriction pursuant

3350 to clause (iii); provided, however, that such repayment shall be in an amount equal to the
3351 commonwealth's proportional contribution from community-based housing to the cost of the
3352 development through payments made by the state agency making the contract; provided, further,
3353 that such repayment shall not be required if the executive office of housing and livable
3354 communities, in consultation with the Massachusetts rehabilitation commission, determines that
3355 relevant clients will be better served at an alternative property and the proceeds from the
3356 disposition of the property will be used, to the extent necessary for replacement of the housing at
3357 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
3358 (B) to rehabilitate such alternative property;.

3359 SECTION 117. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further
3360 amended by striking out the words "until the balance of the principal and interest for the loan has
3361 been repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place
3362 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has
3363 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive
3364 office of housing and livable communities has determined, pursuant to clause (ii), that repayment
3365 to the commonwealth is not required.

3366 SECTION 118. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further
3367 amended by striking out the words "shall continue to remain affordable housing for the duration
3368 of the loan term, including any extensions thereof, as set forth in the contract or agreement
3369 entered into by the department" and inserting place thereof the following words:-, whether at the
3370 original property, or at an alternative property pursuant to clause (ii), shall continue to remain
3371 affordable housing for the duration of the loan term, including any extensions thereof, as set
3372 forth in the contract or agreement entered into by the executive office.

SECTION 119. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Development cost”, an expenditure directly related to the construction or substantial rehabilitation of a municipal conversion project, including the cost of site assessment and remediation of hazardous materials, but excluding the purchase of the property.

“Executive office”, the executive office of housing and livable communities.

“Substantial rehabilitation”, the necessary major redevelopment, repair and renovation of a property, including, but not limited to, site assessment and remediation of hazardous materials, but excluding the purchase of the property, as determined by the executive office.

(b) The executive office shall establish a municipal conversion project competitive grant program for municipalities to apply for grants to assist with the development costs of converting commercial property into residential housing, including, but not limited to, commercial buildings located on main streets or in downtown municipal areas, commercial centers and office parks.

(c)(1) A municipality may apply to the executive office for funds for the development costs of capital projects to convert commercial properties.

(2) The executive office shall determine the criteria for the award of grants to municipalities pursuant to subsection (b), including, but not limited to, criteria for: (i) the substantial rehabilitation to convert a building for primary multi-unit residential use; (ii) the amount of market rate units, upon completion of the conversion, to be sold or leased; and (iii) additional factors to be considered, including, but not limited to: (A) proximity to transportation and transit; and (B) parking, if applicable.

(3) The executive office shall review applications from a municipality for a grant for the development costs of municipal conversion projects, on a form prescribed by the executive office.

(d) The executive office shall promulgate rules or regulations for administering the grant program, including, but not limited to, regulations pertaining to: (i) criteria pursuant to paragraph (2) of subsection (c); (ii) the amounts of each award of funds to a municipality; (iii) the use of funds for conversion projects; (iv) the eligibility of developers to conduct such projects; and (v) the revocation of a grant for an uncompleted project.

(e) Annually, not later than December 1, the executive office shall report to the clerks of the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on housing and the joint committee on bonding, capital expenditures and state assets on amounts awarded to municipalities for qualified projects pursuant to subsection (b), delineated by municipality and including for each qualified project, the total grant amount, a description of the project and the status of the project.

SECTION 120. Notwithstanding any general or special law, rule or regulation to the contrary, the architectural access board established in section 13A of chapter 22 of the General Laws shall determine the value of any multiple dwelling as defined in 521 CMR 5.00 that is owned, constructed or renovated by a housing authority as defined in section 1 of chapter 121B of the General Laws by setting a replacement cost that is determined by and reflected in the executive office of housing and livable communities' Capital Planning System survey and database for state-funded public housing. For such dwellings that are not included in the survey and database, the replacement cost shall be calculated by the executive office based on the

3416 replacement cost for comparable dwellings that are included in the survey and database. The
3417 executive office shall supplement the survey and database on file with the architectural access
3418 board for any such dwelling by preparing and filing documentation identifying the replacement
3419 cost for the dwelling and the method by which it was calculated.

3420 SECTION 121. (a) As used in this section and sections 122 and 123, the following words
3421 shall have the following meanings unless the context clearly requires otherwise:

3422 “Affordable housing purposes”, development of multi-family housing, of which either: (i)
3423 not less than 25 per cent shall be affordable to households with incomes at or below 80 per cent
3424 of the area median income, adjusted for household size; or (ii) not less than 20 per cent shall be
3425 affordable to households with incomes at or below 50 per cent of the area median income,
3426 adjusted for household size; provided, that affordable housing purposes may include subsequent
3427 conveyance by a public agency, as defined in section 1 of chapter 7C of the General Laws, other
3428 than a state agency, with a restriction for affordable housing purposes.

3429 “Commissioner”, the commissioner of capital asset management and maintenance.

3430 “Housing purposes”, development of housing for use as the primary residence of the
3431 occupant including, but not limited to, market rate housing, affordable housing and public
3432 housing; provided, however, that housing purposes may include subsequent conveyance by a
3433 public agency, other than a state agency, with a restriction for housing purposes; provided
3434 further, that housing purposes shall include affordable housing purposes.

3435 “Public agency”, as defined in section 1 of chapter 7C of the General Laws; provided,
3436 however, that “public agency” shall include the Massachusetts Department of Transportation, the
3437 Massachusetts Bay Transportation Authority and the University of Massachusetts Building

3438 Authority; provided further, that “public agency” shall not include cities, towns or counties or
3439 any boards, committees, commissions or other instrumentalities thereof, or any agency that is a
3440 state agency as defined in said section 1 of said chapter 7C.

3441 “Public institution of higher education”, as defined in section 5 of chapter 15A of the
3442 General Laws.

3443 “Real property”, as defined in said section 1 of chapter 7C of the General Laws.

3444 “Real property of the commonwealth”, real property of a state agency consistent with
3445 chapter 7C of the General Laws.

3446 “Secretary”, the secretary for administration and finance.

3447 “State agency”, as defined in section 1 of chapter 7C of the General Laws; provided,
3448 however, that “state agency” shall not include counties.

3449 “Surplus real property”, (i) real property of the commonwealth that has been determined
3450 by the commissioner to be surplus: (A) to the current and foreseeable needs of the
3451 commonwealth pursuant to clause (i) of paragraph (2) of subsection (b); or (B) to the current and
3452 foreseeable needs of a state agency pursuant to section 33 or 34 of chapter 7C of the General
3453 Laws; or (ii) real property of a public agency to be surplus to the current and foreseeable needs
3454 of the public agency, as determined by the public agency; provided, however, that “surplus real
3455 property” shall not include property subject to Article XCVII of the Amendments to the
3456 Constitution of the Commonwealth.

(b)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may sell, lease for a term not to exceed 99 years, transfer or otherwise dispose of surplus real property for housing purposes.

(2)(i) The commissioner may, in consultation with the secretary and the secretary of housing and livable communities, determine whether real property of the commonwealth is surplus real property and shall be disposed of for housing purposes; provided, however, that prior to determining that the real property is surplus real property, the commissioner shall provide a suitable written notice and inquiry to the state agency with care and control of the real property with a date certain required for any response. If no written response is timely received from the state agency specifying a current or foreseeable need for the real property, the commissioner shall declare such real property as surplus real property and dispose of such surplus real property for housing purposes. If a written response is timely received from the state agency specifying a current or foreseeable need for the real property, the commissioner shall, in consultation with the secretary, the secretary of housing and livable communities and such state agency, determine whether the real property shall be declared surplus real property and disposed of for housing purposes.

(ii) Notwithstanding sections 32 to 37, inclusive, of said chapter 7C or any other general or special law to the contrary, if any real property of the commonwealth is determined to be surplus to the current needs, but not to the foreseeable needs, of any state agency, the commissioner shall take such necessary action to ensure that any disposition of the real property is temporary and maintains the commissioner's ability to make such real property available to a state agency as needed.

3479 (iii) Notwithstanding sections 32 to 37, inclusive, of said chapter 7C or any other general
3480 or special law to the contrary, the commissioner may, in consultation with the secretary and the
3481 secretary of housing and livable communities, make real property of the commonwealth that has
3482 been determined to be surplus to the current needs, but not the foreseeable needs, of any state
3483 agency available for a period of time not to exceed the foreseeable need of any state agency for
3484 housing and related purposes to municipalities, public agencies and nonprofit organizations for
3485 nominal consideration.

3486 (3) The president of a public institution of higher education may, with the approval of the
3487 commissioner of higher education, determine that property of any such public institution of
3488 higher education is surplus to the current and foreseeable needs of such institution and the
3489 commissioner may dispose of such property for housing purposes, provided that the institution's
3490 board of trustees does not disapprove of such determination within 60 days after the president's
3491 determination.

3492 (4)(i) The governor may identify parcels of land owned or controlled by a public agency
3493 and any buildings or improvements thereon as potential surplus real property by submitting a
3494 written notice to the public agency. Not later than 30 days after receipt of the notice, the public
3495 agency shall determine whether such real property is surplus to its current and foreseeable needs.
3496 If the public agency determines that the real property is not surplus to its current and foreseeable
3497 needs, such public agency shall respond in writing not later than 30 days after receipt of a request
3498 by the governor, specifying the reason for its determination.

3499 (ii) The commissioner may, in consultation with the secretary and the secretary of
3500 housing and livable communities, enter into agreements with a public agency to dispose of

3501 surplus real property of the public agency for housing purposes; provided, however, that the
3502 commissioner shall not be required to determine if the real property of the public agency is
3503 surplus to the current and foreseeable needs of the commonwealth and shall not be required to
3504 provide written notice and inquiry to any public agency.

3505 (c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or
3506 any other general or special law to the contrary, the commissioner may amend a use restriction
3507 held by the commonwealth for general municipal purposes or for any other purpose, except those
3508 purposes subject to Article XCVII of the Amendments to the Constitution of the Commonwealth,
3509 including housing purposes.

3510 (d)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or
3511 any other general or special law to the contrary, if the commissioner, in consultation with the
3512 secretary and the secretary of housing and livable communities, determines that real property is
3513 surplus real property pursuant to clause (i) of paragraph (2) of subsection (b) or the
3514 commissioner enters into an agreement with a public agency pursuant to clause (ii) of paragraph
3515 (4) of said subsection (b), the commissioner shall: (i) provide written notice, for each city or
3516 town in which the property is located, to the city manager in the case of a city under Plan E form
3517 of government, the mayor and city council in the case of all other cities, the chair of the board of
3518 selectmen or the select board in the case of a town, the county commissioners, the chair of the
3519 zoning board of appeals, the chair of the planning board, the regional planning agency and the
3520 members of the general court representing the city or town in which the property is located. The
3521 notice shall include a statement that the proposed reuse of the property is for housing purposes,
3522 with a date certain for any response which shall be not less than 30 days from the date of such
3523 notice; (ii) following the date certain set forth in the notice, declare the real property available for

3524 disposition and identify all reuse restrictions including, but not limited to, a restriction for
3525 housing purposes; and (iii) ensure that any deed, lease or other disposition agreement shall: (A)
3526 set forth all reuse restrictions including, but not limited to, a restriction for housing purposes; (B)
3527 provide for effective remedies on behalf of the commonwealth; and (C) provide, in the event of a
3528 failure to comply with the reuse restrictions by the grantee, lessee or other recipient, that title or
3529 such lesser interest that may have been conveyed may revert to the commonwealth. The
3530 commissioner shall, in identifying reuse restrictions for such property, consider in good faith any
3531 comments presented by local officials and members of the general court representing each city or
3532 town in which the property is located.

3533 (2) The commissioner shall, in consultation with the secretary of housing and livable
3534 communities, dispose of surplus real property: (i) by utilizing appropriate competitive processes
3535 and procedures; or (ii) through a sales-partnership agreement with the municipality wherein said
3536 real property is located; provided, however, that the sales-partnership agreement shall require the
3537 municipality to utilize appropriate competitive processes and procedures; provided further, that
3538 the sales-partnership agreement may require the municipality to utilize said competitive
3539 processes and select a developer prior to disposition of the real property; provided further, that
3540 the commissioner may transfer the real property directly to the selected developer pursuant to the
3541 sale-partnership agreement; and provided further, that the sales-partnership agreement may
3542 provide for payment to the municipality in an amount not to exceed 50 per cent of the net sales
3543 price paid to the commonwealth, as determined by the commissioner. A competitive process
3544 pursuant to clause (i) may include, but shall not be limited to, absolute auction, sealed bids and
3545 requests for price and development proposals. The commissioner may accept any consideration
3546 for surplus real property disposed of pursuant to this section deemed appropriate by the

3547 commissioner and the secretary of housing and livable communities. The commissioner shall
3548 prioritize disposition of surplus real property for affordable housing purposes.

3549 (3) Not less than 30 days before the date of an auction or the date on which bids or
3550 proposals or other offers to purchase or lease surplus real property are due, the commissioner
3551 shall place a notice in the central register published by the state secretary pursuant to section 20A
3552 of chapter 9 of the General Laws stating the availability of such property, the nature of the
3553 competitive process and other information deemed relevant, including the time and location of
3554 the auction, the submission of bids or proposals and the opening thereof. The commissioner shall
3555 not be required to place said notice if the property is conveyed: (i) to a municipality or developer
3556 selected by a municipality in accordance with paragraph (2); or (ii) for nominal consideration in
3557 accordance with clause (i) of paragraph (2) of subsection (e).

3558 (4) All surplus real property conveyed pursuant to this section shall be conveyed with a
3559 restriction for housing purposes. The deed or other instrument conveying the surplus real
3560 property shall provide that said real property shall be used for housing purposes.

3561 (5) The commissioner shall place a notice in the central register identifying the
3562 municipality, public agency, individual or firm selected as party to the real property transaction,
3563 along with the amount of such transaction. If the commissioner accepts an amount below the
3564 value calculated pursuant to paragraph (1) of subsection (e), the commissioner shall include the
3565 justification therefor, specifying the difference between the calculated value and the price
3566 received.

3567 (e)(1) The commissioner shall establish the value of surplus real property using
3568 customarily accepted appraisal methodologies. The value shall be calculated for: (i) the highest

3569 and best use of the property as may be encumbered; and (ii) subject to uses, restrictions and
3570 encumbrances defined by the commissioner. If the commonwealth retains responsibility for
3571 maintaining the property, the terms shall not provide for payment of less than the annual
3572 maintenance costs.

3573 (2)(i) Notwithstanding paragraph (1), the commissioner may, in consultation with the
3574 secretary and the secretary of housing and livable communities, dispose of surplus real property
3575 for nominal consideration; provided, however, that any such surplus real property shall be
3576 conveyed with a restriction for affordable housing purposes. The deed or other instrument
3577 conveying the surplus real property shall provide that the property shall be used solely for
3578 affordable housing purposes and may include a reversionary clause that stipulates that if the
3579 parcel ceases at any time to be used for affordable housing purposes, title to the parcel shall, at
3580 the election of the commonwealth, revert to the commonwealth.

3581 (ii) Notwithstanding any time limits established in section 7 of chapter 184A of the
3582 General Laws or any general or special law to the contrary, the reversionary clause may be
3583 enforceable.

3584 (iii) The commissioner may, in consultation with the secretary and the secretary of
3585 housing and livable communities, amend a use restriction held by the commonwealth to include
3586 housing purposes.

3587 (f) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or
3588 any other general or special law to the contrary, the commissioner may, in consultation with the
3589 secretary, the secretary of housing and livable communities and the state agency with care and

3590 control of real property, transfer care and control of real property between state agencies for
3591 housing purposes.

3592 (g)(1) No agreement for the sale, lease, transfer or other disposition of surplus real
3593 property and no deed executed by or on behalf of the commonwealth shall be valid unless such
3594 agreement or deed contains the following certification, signed by the commissioner:

3595 “The undersigned certifies under penalties of perjury that I have fully complied with the
3596 Affordable Homes Act of 2024 in connection with the property described herein.”

3597 (2) No agreement for the sale, lease, transfer or other disposition of surplus real property
3598 shall be valid unless the purchaser or lessee has executed and filed with the commissioner the
3599 statement required by section 38 of chapter 7C of the General Laws.

3600 (h) The grantee or lessee of any surplus real property shall be responsible for all costs
3601 relating to the conveyance, including, but not limited to, appraisals, surveys, plans, recordings
3602 and any other expenses, as shall be deemed necessary by the commissioner.

3603 (i) The commissioner shall deposit the proceeds from any disposition of real property
3604 pursuant to this section into the surplus real property disposition fund established in section 123.

3605 (j) The commissioner may, in consultation with the secretary of housing and livable
3606 communities, promulgate regulations to implement this section.

3607 SECTION 122. (a) Notwithstanding chapter 40A of the General Laws or any other
3608 general or special law or local zoning or municipal ordinance or by-law to the contrary, a city or
3609 town shall permit the residential use of real property conveyed by the commissioner pursuant to
3610 section 121 for housing purposes as of right, as defined in section 1A of said chapter 40A,

3611 notwithstanding any use limitations otherwise applicable in the zoning district in which the real
3612 property is located including, but not limited to, commercial, mixed-use development or
3613 industrial uses. A city or town may impose reasonable regulations concerning the bulk and
3614 height of structures and determining yard sizes, lot area, setbacks, open space and building
3615 coverage requirements and a city or town may require site plan review; provided however, that
3616 the city or town shall permit not less than 4 units of housing per acre.

3617 (b) Real property conveyed by the commissioner pursuant to section 121 shall include,
3618 but not be limited to, the amendment of use restrictions held by the commonwealth to allow for
3619 the use of such real property for housing purposes.

3620 (c) The secretary of housing and livable communities may promulgate regulations to
3621 implement this section.

3622 SECTION 123. (a) There is hereby established a Surplus Real Property Disposition Trust
3623 Fund to be administered by the secretary for administration and finance.

3624 (b) The fund shall be credited with: (i) the proceeds realized from the disposition of
3625 surplus real property and the amendment of use restrictions pursuant to section 121; (ii) any
3626 appropriation, grant, gift or other contribution made to the fund; and (iii) any interest earned on
3627 money in the fund. Amounts credited to the fund shall not be subject to further appropriation and
3628 any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund
3629 and shall be available for expenditure in the subsequent fiscal year.

3630 (c) Amounts credited to the fund may be: (i) transferred by the secretary to the state
3631 agency that had care and control of the land conveyed pursuant to section 121 if the real property
3632 was conveyed for fair market value consideration in an amount equal to the net proceeds of the

3633 disposition; (ii) transferred by the secretary to the state agency that had care and control of the
3634 real property conveyed pursuant to section 121 if the real property was conveyed for
3635 consideration less than fair market value in an amount equal to \$10,000 per unit of housing
3636 permitted by the city or town in which the real property is located or the net proceeds of the
3637 disposition, whichever is greater; (iii) transferred by the secretary to a municipality in accordance
3638 with a sales partnership agreement pursuant to section 121; or (iv) expended for costs associated
3639 with the disposition of real property pursuant to section 121 including, but not limited to,
3640 demolition, site preparation and environmental remediation; provided, that all money transferred
3641 to a state agency pursuant to clauses (i) and (ii) shall be expended by the agency for capital
3642 facility projects as defined in section 1 of chapter 7C of the General Laws; provided further, that
3643 all net proceeds from the disposition of surplus real property of a public agency other than a state
3644 agency, as determined by the commissioner of capital asset management and maintenance, shall
3645 be transferred to such public agency.

3646 SECTION 124. (a) Notwithstanding any general or special law to the contrary, not later
3647 than 120 days after the expiration of affordability restrictions on housing units assisted under
3648 items 7004-0070 and 7004-0071 of section 2, the executive office of housing and livable
3649 communities or its assignee, who shall be a qualified developer selected pursuant to the terms of
3650 said items 7004-0700 and 7004-0071 under the guidelines of the executive office, shall have an
3651 option to purchase any such housing units at their current appraised value, reduced by any
3652 remaining obligation of the owner, upon the expiration of the affordability restrictions. The
3653 executive office or its assignee shall only purchase or acquire such housing units to preserve or
3654 provide affordable housing. The executive office or its assignee shall hold such purchase option
3655 for the first 120 days after the expiration of the affordability restrictions. Failure to exercise the

3656 purchase option within 120 days after the expiration of the affordability restriction shall
3657 constitute a waiver of the purchase option by the executive office or its assignee.

3658 (b) Not later than 30 days after the expiration of an affordability restriction pursuant to
3659 subsection (a), the owner and the executive office shall each designate a professional in the field
3660 of multi-unit residential housing. Each professional shall select an impartial appraiser. Not later
3661 than 60 days after the expiration of the affordability restriction, the 2 impartial appraisers shall
3662 determine the current appraised value in accordance with recognized professional standards. If
3663 there is a difference in the valuations, the valuations shall be added together and divided by 2 to
3664 determine the current appraised value of the units.

3665 (c) No sale, transfer or other disposition of the property shall be completed until either the
3666 purchase option period has expired or the owner has been notified, in writing, by the executive
3667 office or its assignee that the option will not be exercised. The option shall be exercised only by
3668 written notice signed by a designated representative of the executive office or its assignee, sent to
3669 the owner by certified mail at the address specified in the notice of intention and recorded with
3670 the registry of deeds or the registry district of the land court of the county in which the affected
3671 real property is located, within the option period. If the purchase option has been assigned to a
3672 qualified developer selected pursuant to said items 7004-0070 and 7004-7071 of said section 2,
3673 the written notice shall state the name and address of the developer and the terms and conditions
3674 of the assignment.

3675 (d) Before any sale, transfer or other disposition of property for which the executive
3676 office has not previously exercised an option to purchase, an owner shall offer the executive
3677 office or its assignee, who shall be a qualified developer selected pursuant to said items 7004-

0070 and 7004-0071 of said section 2, a first refusal option to meet a bona fide offer to purchase the units. The owner shall provide to the executive office or its assignee written notice by regular and certified mail, return receipt requested, of the owner's intention to sell, transfer or otherwise dispose of the property. The executive office or its assignee shall hold the first refusal option for the first 120 days after receipt of the owner's written notice of intent to transfer the property. Failure to respond to the written notice of intent to sell, transfer or otherwise dispose of the property within the 120-day period shall constitute a waiver of the right of first refusal by the executive office. No sale, transfer or other disposition of the property shall be completed until either the first refusal option period has expired or the owner has been notified in writing by the executive office or its assignee that the option will not be exercised. The option shall be exercised only by written notice signed by a designated representative of the executive office or its assignee, sent to the owner by certified mail at the address specified in the notice of intention and recorded with the registry of deeds or the registry district of the land court of the county in which the affected real property is located, within the option period. If the first refusal option has been assigned to a qualified developer selected pursuant to said items 7004-0070 and 7004-0071 of said section 2, the written notice shall state the name and address of the developer and the terms and conditions of the assignment.

(e) An affidavit before a notary public that the notice of intent was mailed on behalf of an owner shall conclusively establish the manner and time of the giving of notice to sell, transfer or otherwise dispose of the property. The affidavit and notice that the option shall not be exercised shall be recorded with the registry of deeds or the registry district of the land court in the county in which the affected real property is located. Each notice of intention, notice of exercise of the purchase option or first refusal option and notice that the purchase option or first refusal option

3701 shall not be exercised shall contain the name of the recorded owner of the property and a
3702 reasonable description of the property to be sold or converted. Each affidavit signed before a
3703 notary public shall have attached to it a copy of the notice of intention to which it relates. The
3704 notices of intention shall be mailed to the relevant parties in the care of the keeper of the records
3705 for the party in question. Upon notifying the owner in writing of its intention to exercise its
3706 purchase option or first refusal option during the 120-day period, the executive office or its
3707 assignee shall have an additional 120 days, beginning on the date the purchase option period or
3708 first refusal option period expires, to purchase the units. The time periods may be extended by
3709 mutual agreement between the executive office or its assignee and the owner of the property.
3710 Any extension agreed upon shall be recorded in the registry of deeds or the registry district of the
3711 land court of the county in which the affected real property is located. Within a reasonable time
3712 after requesting an extension, the owner shall make available to the executive office or its
3713 assignee any information that is reasonably necessary for the executive office to exercise its
3714 option.

3715 SECTION 125. Notwithstanding any general or special law to the contrary, a private
3716 entity engaged in a construction, development, renovation, remodeling, reconstruction,
3717 rehabilitation or redevelopment project receiving funds pursuant to this act shall properly classify
3718 individuals employed on the project and shall comply with all laws concerning workers'
3719 compensation insurance coverage, unemployment insurance, social security taxes and income
3720 taxes with respect to all such employees. All construction contractors engaged by a private entity
3721 on any such project shall furnish documentation to the appointing authority showing that all
3722 employees employed on the project have hospitalization and medical benefits that meet the

3723 minimum requirements of the commonwealth health insurance connector established in chapter
3724 176Q of the General Laws.

3725 SECTION 126. (a) Notwithstanding any general or special law to the contrary, there shall
3726 be a special commission to study and make recommendations on creating affordable and healthy
3727 senior housing. The commission's recommendations shall include, but not be limited to,
3728 strategies to better align housing, homecare and healthcare policy and programs to increase
3729 access and opportunity for residents to age in their community, including examining the benefit
3730 of providing incentives to young families to house elder adult family members to limit loneliness
3731 in adult populations, assist young families and limit the overall cost to the commonwealth.

3732 (b) The commission shall consist of: the secretary of housing and livable communities or
3733 a designee, who shall serve as chair; the secretary of health and human services or a designee;
3734 the secretary of elder affairs or a designee; the chairs of the joint committee on elder affairs or
3735 their designees; the chairs of the joint committee on housing or their designees; 1 member
3736 appointed by the minority leader of the house of representatives; 1 member appointed by the
3737 minority leader of the senate; 1 member appointed by the secretary of housing and livable
3738 communities who shall represent an affordable housing financing agency; 1 member
3739 representing Citizens Housing and Planning Association, Inc.; 1 member representing the Mass
3740 Home Care Association; 1 member representing MassPACE, Inc.; 1 member representing
3741 Massachusetts Association of Councils on Aging, Inc.; 1 member representing LeadingAge
3742 Massachusetts, Inc.; 1 member representing Massachusetts Senior Action Council, Inc; 1
3743 member representing AARP Massachusetts; 1 member representing 2Life Communities Inc.; 1
3744 member representing Hebrew SeniorLife, Inc.; and 2 members appointed by the governor who

3745 shall represent nonprofit housing developers with experience developing affordable senior rental
3746 housing.

3747 (c) The study shall include, but not be limited to: (i) mapping out the economic profile of
3748 older adults; (ii) determining gaps in services to older adults; (iii) identifying best practices for
3749 creating supportive senior housing with sustainable funding; (iv) determining strategies for
3750 connecting and streamlining services supporting older adults in their community, including
3751 identifying federal waivers or other actions to support integration of such services; (v)
3752 identifying partners to create opportunities for supportive housing development that incorporates
3753 health care infrastructure and service; (vi) estimating the costs and potential impact of programs
3754 and recommending comprehensive strategies; (vii) recommendations for creating academic
3755 partnerships to document and evaluate program innovations; (viii) an analysis of the projected
3756 demand for senior housing in the 5 years following the first meeting of the commission; (ix)
3757 recommendations to ensure senior housing is physically accessible and compliant with the
3758 Americans with Disabilities Act; (x) a review of barriers to necessary housing modifications and
3759 potential funding sources; (xi) recommendations to encourage development of senior housing in
3760 areas within reasonable walking distance of amenities and public transportation; (xii) an
3761 evaluation of age-restricted housing and intergenerational housing with respect to costs, tenant
3762 preferences, accessibility and safety; (xiii) analysis of models of community-based housing that
3763 provide medical support, including residential care homes, rest homes and small house nursing
3764 homes; and (xiv) recommendations for design and infrastructure features including, but not
3765 limited to, increased ventilation and functional outdoor space for the purpose of preventing the
3766 spread of contagious diseases.

(d) The commission shall file a report of the study with the clerks of the senate and house of representatives, the joint committee on elder affairs and the joint committee on housing not later than June 30, 2025

SECTION 127. (a) Notwithstanding any general or special law to the contrary, there shall be a special commission to study and make recommendations on accessibility in housing for persons with disabilities and seniors to increase the ability of individuals to live in a safe, dignified and healthy environment in their residences. The special commission shall consider the scope and positive impacts of longstanding accessibility standards.

(b) The commission shall consist of: the secretary of housing and livable communities, or a designee, who shall serve as chair; the executive director of the architectural access board established in section 13A of chapter 22 of the General Laws, or a designee; the chairs of the joint committee on housing; the executive director of the Massachusetts office on disability established in section 185 of chapter 6 of the General Laws, or a designees; a representative appointed by the statewide Independent Living Council; a representative of the Institute for Human Centered Design, Inc.; a representative of NAIOP Massachusetts, Inc.; a representative of the Disability Law Center, Inc.; a representative of the Arc Massachusetts, Inc.; and a representative of the Massachusetts Association for Mental Health, Inc.

(c) The commission shall: (i) examine accessibility features in residential housing that benefit persons with disabilities and seniors, including, but not limited to, features for individuals with physical, sensory, intellectual, mental health and neurodivergent disabilities; and (ii) review the definition of accessibility in housing for persons with disabilities and seniors. The commission shall review and consider the potential financial barriers and any impacts on

programs and consider the impact of climate change on housing for people with disabilities The commission shall make recommendations, if any, including any recommendations related to 780 CMR.

(d) Not later than June 30, 2025, the commission shall file a report and recommendations, if any, with the clerks of the house of representatives and the senate and the joint committee on housing.

SECTION 128. (a) There is hereby established a special commission to study and make recommendations on expanding the supply of housing available and affordable to tenants with a household income of not more than 30 per cent of the area median income, adjusted for household size, as periodically determined by the United States Department of Housing and Urban Development. The commission shall review and evaluate federal, state and local subsidies that support the creation of housing for such tenants and make recommendations to increase the supply of housing that is available and affordable to households earning not more than 30 per cent of the area median income.

(b) The commission shall review and consider the following: (i) the number of deeply subsidized rental units targeted at families with incomes at or below 30 per cent of the area median income and the percentage of those units that are accessible to persons with disabilities; (ii) the number of families with such incomes per deeply subsidized rental unit; (iii) the gap between median rents and the rent affordable to families with such incomes and an analysis of whether existing housing subsidies are sufficient to bridge such gap; (iv) the ratio of households with such incomes to unsubsidized units available at rents up to 50 per cent of such income; (v) housing market factors such as vacancy rates, rate of rent increases and conversion of rental

3811 housing to homeownership units; (vi) the impact of non-housing subsidies, including, but not
3812 limited to, the earned income tax credit on cost burdens for working families; (vii) barriers to
3813 accessing available housing, including racial and ethnic disparities in housing access; and (viii)
3814 any other factors that the commission deems relevant.

3815 (c) The commission shall consist of the secretary of housing and livable communities, or
3816 their designee, who shall serve as chair; the chairs of the joint committee on housing, or their
3817 designees; the minority leader of the house of representatives, or a designee; the minority leader
3818 of the senate, or a designee; the secretary of administration and finance, or a designee; the
3819 secretary of health and human services, or a designee; a representative of the Citizens' Housing
3820 and Planning Association, Inc.; a representative of the Massachusetts Housing Partnership; a
3821 representative of the Massachusetts Housing Finance Agency; a representative of the
3822 Community Economic Development Assistance Corporation; a representative of the
3823 Massachusetts Law Reform Institute; a representative of the Massachusetts Association of
3824 Community Development Corporations; a representative of the Regional Housing Network; and
3825 5 members appointed by the governor, 1 of whom shall be a representative of a local housing
3826 authority, 1 of whom shall be a representative of an advocacy organization representing tenants,
3827 1 of whom shall have expertise in affordable housing finance, 1 of whom shall have expertise in
3828 nonprofit affordable housing development and 1 of whom shall have expertise in development of
3829 permanent supportive housing.

3830 (d) Not later than June 30, 2025, the commission shall file its recommendations with the
3831 clerks of the house of representatives and the senate and the joint committee on housing.

3832 SECTION 129. (a) As used in this section, the following words shall have the following
3833 meanings unless the context clearly requires otherwise:

3834 “Borrower”, a mortgagor of a mortgage loan.

3835 “Creditor”, a person or entity that holds or controls, partially, wholly, indirectly, directly
3836 or in a nominee capacity, a mortgage loan securing an owner-occupied residential property
3837 including, but not limited to, an originator, holder, investor, assignee, successor, trust, trustee,
3838 nominee holder, mortgage electronic registration system or mortgage servicer, including the
3839 Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation;
3840 provided, however, that “creditor” shall also include any servant, employee or agent of a
3841 creditor.

3842 “Creditor’s representative”, a person who has the authority to negotiate and approve the
3843 terms of and modify a mortgage loan, under a servicing agreement.

3844 “Modified mortgage loan”, a mortgage modified from its original terms including, but not
3845 limited to, a loan modified under: (i) the Home Affordable Modification Program; (ii) the
3846 Federal Deposit Insurance Corporation’s Loan Modification Program; (iii) any modification
3847 program that a lender uses that is based on accepted principles and the safety and soundness of
3848 the institution and authorized by the National Credit Union Administration, the division of banks
3849 or any other instrumentality of the commonwealth; (iv) the Federal Housing Administration; or
3850 (v) a similar federal loan modification plan.

3851 “Mortgage loan”, a loan to a natural person made primarily for personal, family or
3852 household purposes secured wholly or in part by a mortgage on residential property.

3853 “Residential property”, real property located in the commonwealth on which there is a
3854 dwelling with accommodations for not more than 4 separate households and occupied, or to be
3855 occupied, in whole or in part by the obligor on the mortgage debt; provided, however, that
3856 “residential property” shall be limited to the principal residence of a person; provided further,
3857 that “residential property” shall not include an investment property or a residence, other than a
3858 primary residence, or residential property taken in whole or in part as collateral for a commercial
3859 loan.

3860 (b) There shall be, subject to appropriation, a foreclosure mediation pilot program
3861 administered by the Massachusetts Office of Public Collaboration at the University of
3862 Massachusetts at Boston to be offered to borrowers and creditors, by agreement, in not more than
3863 5 communities disproportionately impacted by high rates of foreclosure. The Massachusetts
3864 Office of Public Collaboration shall develop and accept applications from interested
3865 communities and shall select communities most negatively impacted by high rates of foreclosure.

3866 (c) A creditor in a community participating in the pilot may, concurrently with the notice
3867 sent to the borrower of residential property under section 35A of chapter 244 of the General
3868 Laws, give notice to the borrower of the borrower’s right to participate in the foreclosure
3869 mediation program by attaching to the right to cure default notice: (i) notice of the availability of
3870 foreclosure mediation, in such form as the Massachusetts Office of Public Collaboration
3871 prescribes; and (ii) a foreclosure mediation request form, in such form as the Massachusetts
3872 Office of Public Collaboration prescribes. A borrower electing to participate in foreclosure
3873 mediation shall submit the foreclosure mediation request form to the creditor not more than 15
3874 days after receipt of the notice.

3875 (d) An in-person mediation session shall be conducted by a neutral third-party mediator
3876 between the borrower, the borrower's representative or housing counselor and the creditor's
3877 representative, who shall have the authority to negotiate an alternative to foreclosure including,
3878 but not limited to: (i) a modified mortgage loan; (ii) a reduction in principal; (iii) a reduction in
3879 interest rate; or (iv) an increase in the amortization period of the mortgage loan; provided,
3880 however, that an alternative form of meeting may be mutually agreed upon by the mortgagor, the
3881 mortgagee and the mediator.

3882 (e) If a borrower elects to participate in the foreclosure mediation program, a creditor
3883 shall not accelerate the note or otherwise initiate foreclosure proceedings unless the mediator has
3884 certified that the creditor participated in the foreclosure mediation program in good faith and
3885 made all reasonable efforts to find an alternative to foreclosure and any agreement is in full
3886 compliance with all state and federal guidelines.

3887 (f) The borrower's or creditor's rights or defenses in the foreclosure action shall not be
3888 waived by participating in the foreclosure mediation program.

3889 (g) Nothing in this section shall require a creditor to modify a mortgage or change the
3890 terms of payment of a mortgage.

3891 SECTION 130. Notwithstanding any general or special law to the contrary, the
3892 unexpended and unencumbered balances of the bond-funded authorizations in the following
3893 accounts shall cease to be available for expenditure 180 days after the effective date of this act:
3894 3000-0410, 7002-8032, 7004-0049, 7004-0050, 7004-0051, 7004-0052, 7004-0053, 7004-0055,
3895 7004-0056, 7004-0057, 7004-0058, 7004-0059, 7004-0060, 7004-0061, 7004-0062, 7004-0064,
3896 7004-0065, 7004-0066, 7004-0067, 7004-8016, 7004-8026.

SECTION 131. To meet the expenditures necessary in carrying out sections 2 and 2A, inclusive, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$5,110,756,900. All bonds issued by the commonwealth as aforesaid shall be designated on their face, The Affordable Homes Act of 2024, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2059. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth. An amount not to exceed 2 per cent of the authorizations may be expended by the executive office of housing and livable communities for administrative costs directly attributable to the purposes of this act, including costs of clerical and support personnel. The secretary of housing and livable communities shall file an annual spending plan detailing, by subsidiary, all personnel costs and any administrative costs charged to expenditures made pursuant to this act with the fiscal affairs division within the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on bonding, capital expenditures and state assets and the joint committee on housing.

SECTION 132. To meet the expenditures necessary in carrying out section 2B, the state treasurer shall, upon request of the governor, issue and sell bonds in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$50,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face The Affordable

3920 Homes Act of 2024, and shall be issued for a maximum term of years, not exceeding 30 years, as
3921 the governor may recommend to the general court pursuant to section 3 of Article LXII of the
3922 Amendments to the Constitution; provided, however, that all such bonds shall be payable not
3923 later than June 30, 2059. All interest and payments on account of principal on such obligations
3924 shall be payable from the General Fund. Bonds and interest thereon issued under the authority of
3925 this section shall, notwithstanding any other provision of this act, be general obligations of the
3926 commonwealth. An amount not to exceed 2 per cent of the authorizations may be expended by
3927 the executive office of housing and livable communities for administrative costs directly
3928 attributable to the purposes of this act, including costs of clerical and support personnel. The
3929 secretary of housing and livable communities shall file an annual spending plan with the fiscal
3930 affairs division, the house and senate committees on ways and means, the house and senate
3931 committees on bonding, capital expenditures and states assets and the joint committee on
3932 housing which details, by subsidiary, all personnel costs and any administrative costs charged to
3933 expenditures made pursuant to this act.

3934 SECTION 133. Not later than 90 days after the effective date of this act, the secretary of
3935 housing and livable communities, in consultation with the secretary of veterans' services, shall
3936 promulgate rules or regulations pursuant to subsection (e) of section 35 of chapter 23B of the
3937 General Laws, inserted by section 5.

3938 SECTION 134. The executive office of housing and livable communities shall report on
3939 all expenditures from the Massachusetts healthy homes program established pursuant to section
3940 33 of chapter 23B of the General Laws, inserted by section 5, and the Massachusetts healthy
3941 homes program fund established pursuant to section 34 of said chapter 23B, inserted by section
3942 5, to the clerks of the house of representatives and the senate, the joint committee on housing and

3943 the house and senate committees on ways and means not later than 18 months after the effective
3944 date of this act. The report shall include: (i) the number of projects completed through the
3945 Massachusetts healthy homes program addressing habitability concerns; (ii) the locations
3946 throughout the commonwealth; (iii) the total amount of grants or loans authorized; (iv) the
3947 number of projects using existing home repair programs; and (v) the breakdown of landlord-
3948 owned properties and owner-occupied properties. The executive office shall make the report
3949 publicly available on its website.

3950 SECTION 135. Not later than 180 days after the effective date of this act, the executive
3951 office of housing and livable communities shall promulgate guidance or regulations pursuant to
3952 subsection (g) of section 33 of chapter 23B of the General Laws, as inserted by section 5.

3953 SECTION 136. The executive office of housing and livable communities shall
3954 promulgate guidance or regulations pursuant to subsection (h) of section 32 of chapter 23B of the
3955 General Laws and section 101 of chapter 143 of the General Laws not later than December 15,
3956 2024.

3957 SECTION 137. Section 36 of chapter 23B of the General Laws, inserted by section 5,
3958 subsection (ee) of section 6 of chapter 62 of the General Laws, inserted by section 17, and
3959 section 38OO of chapter 63 of the General Laws, inserted by section 26, are hereby repealed.

3960 SECTION 138. Section 119 is hereby repealed.

3961 SECTION 139. Sections 121 to 123, inclusive, are hereby repealed.

3962 SECTION 140. Section 36 of chapter 23B of the General Laws, inserted by section 5,
3963 subsection (ee) of section 6 of chapter 62 of the General Laws, inserted by section 17, sections

3964 20, 21, and 25 and sections 38OO and 38PP of chapter 63 of the General Laws, inserted by
3965 section 26, shall take effect for tax years beginning on or after January 1, 2025.

3966 SECTION 141. Sections 19 and 24 shall be effective for tax years beginning on or after
3967 January 1, 2024.

3968 SECTION 142. Sections 22, 27, 137 and 138 shall take effect on January 1, 2030.

3969 SECTION 143. Sections 8, 46, 48 and 49 shall take effect 180 days after the effective
3970 date of this act.

3971 SECTION 144. Section 52 shall take effect 270 days after the effective date of this act.

3972 SECTION 145. Section 139 shall take effect on June 30, 2030; provided, however, that
3973 the commissioner of capital asset management and maintenance may complete any transaction
3974 for which agreements have been signed and delivered on or before June 30, 2030.