



FACT SHEET

On October 18, 2023, Governor Healey and Lieutenant Governor Driscoll unveiled the Affordable Homes Act, a comprehensive bill to increase housing production and invest in livable communities. Here's a look at the spending proposals, policy initiatives, and executive orders inside:

CAPITAL AUTHORIZATIONS

\$1.6B for Public Housing

Supports the repair, rehabilitation, and modernization of over 43,000 public housing units across the Commonwealth; includes:

- \$150M for projects to decarbonize the public housing stock
- \$100M for Public Housing (Mixed-Income Housing Demonstration)
- \$15M for accessibility upgrades.

\$800M for Affordable Housing Trust Fund

Provides resources to create or preserve affordable housing for households whose incomes are not more than 110% of area median income; includes up to \$50M for MassDreams to create first-time homebuyer opportunities for households in Disproportionately Impacted Communities.

\$425M for Housing Stabilization and Investment Fund

Consolidates the Housing Stabilization Fund and the Community Investment and Preservation Fund; supports preservation, new construction, and rehabilitation projects.

\$275M for Sustainable and Green Housing Initiatives

Consolidates the existing Transit Oriented Housing Program and the Climate Resilient Housing Program; supports innovative solutions to accelerating/unlocking new housing solutions (e.g., office conversions, modular homes); adds language to create a new social housing pilot program.

\$200M for Housing Innovations Fund

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

\$175M for HousingWorks Infrastructure Program

Funds municipal infrastructure projects to encourage denser housing development.

\$100M for Mixed-Income Housing Fund

Formerly known as the "Workforce Housing Fund;" funds housing development for households earning up to 120% of the area median income (AMI); administered by MassHousing.

\$100M for Commonwealth Builder

Creates a permanent capital resource for an existing MassHousing program recently supported via ARPA funding; program spurs the construction of affordable single-family homes (for households 70-120% AMI) in Gateway Cities and other similar markets.

\$70M for Facilities Consolidation Fund

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

\$60M for MA Rehabilitation Commission Home Modification Program

Provides funding to modify homes of individuals or families with disabilities or seniors so that they may maintain residency or return home from institutional settings.

\$55M for Community Based Housing

An initiative to support appropriate housing for people with disabilities who are not clients of DMH or DDS.

\$50M for the Momentum Fund

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

\$50M for Neighborhood Stabilization

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

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

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

\$35M for HousingWorks Housing Choice Grant Program

Provides payments to municipalities that receive a Housing Choice designation through high housing production and/or demonstration of best practices.

\$30M for State Surplus Property Disposition

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

\$25M for HousingWorks Community Planning Grants

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

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

Provides incentive payments to municipalities who adopt smart growth housing districts, as stipulated in MGL 40R.

POLICY INITIATIVES

Statewide Housing Plan

Adds to the Executive Office of Housing and Livable Communities' (EOHLC) authorizing statute a requirement to prepare a statewide housing plan every 5 years, conducting regional outreach following robust data analysis.

Accessory Dwelling Units (ADUs) As-Of-Right

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

Local Option Transfer Fee

Allows municipalities and regional affordable housing commissions (e.g., Cape Cod Commission) to adopt a transfer fee of 0.5% - 2.0%, paid by the seller of real property, on the portion of sale proceeds over \$1M or the county median home sales price, whichever is greater. Fee used for affordable housing development.

Inclusionary Zoning by Simple Majority

Adds inclusionary zoning ordinances and bylaws to the list of zoning changes municipalities can pass by a simple majority instead of a 2/3 super majority vote of city/town legislative body.

Surplus Public Land Disposition Reforms

Creates paths to streamlined disposition of land under the control of a state agency or quasi for housing purposes.

Public Housing – Regional Housing Authorities

Remove the requirement for a Home Rule Petition if local housing authorities (LHAs) choose to regionalize with an approval from each involved LHA board and EOHLC.

Public Housing – Allowing LHAs to Borrow Against Capital Funding

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

Public Housing – Increasing Availability of Regional Capital Assistance Teams (RCATs)

Allow RCATs to expand their services and capacity by allowing payment for maintenance and operations services not envisioned in the 2014 reform legislation, as well as allow larger LHAs to join the program if they elect to pay for these services; eliminate the 3 separate advisory boards and replace with 1 advisory board covering the entire RCAT program, with bi-annual meetings.

Public Housing – EOHLC Flexibility to Set Schedule for Agreed-Upon Procedure Audits (to align with LHA performance management reviews)

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

Public Housing – c. 149 exemption technical fix

Amends the Public Housing filed-sub bid exemption to clarify that the exemption applies to both redevelopment and new development of housing units and removes an extra transfer of ownership between entities before final disposition.

Public Housing – Tenant Protections in LHA Redevelopment

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

Alternative Housing Voucher Program (AHVP)

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

Facilities Consolidation Fund (FCF) – Technical Changes to Prior Authorizations

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

Community Based Housing (CBH) – Technical Changes to Prior Authorizations

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

Housing Innovations Fund (HIF) – Technical Changes to Prior Authorizations

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

Updating MassHousing/Mass Housing Partnership Enabling Acts with EOHLA

Amends the MassHousing and Massachusetts Housing Partnership enabling acts to replace DHCD with EOHLA.

Amending General Laws to incorporate the Capital Improvement and Preservation Fund (Mass General Law 121G) into the Housing Stabilization Fund (Mass General Law 121F)

Combines two EOHLA capital funds into one chapter of the General Laws (Housing Stabilization Fund and the Capital Improvement and Preservation Fund).

Supportive Housing Pool Fund

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

Receivership Reforms for Affordable Housing

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

Eviction Sealing

Provides a process for tenants to petition the court to seal an eviction record for: (i) no-fault evictions: after conclusion of the case; (ii) solely non-payment evictions: no other eviction action within past 3 years and judgment for underlying eviction has been satisfied; and (iii) all other fault evictions: 7 years from conclusion of the matter and 3 years without any other eviction case filed against the tenant. Also prohibits consumer reporting agencies from disclosing information in a sealed eviction record.

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

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

Commission on Making MA an Age-Friendly State

Creates a Commission to recommend policy, programs, financial and other investments to expand the supply of sustainable, broadly affordable supportive senior housing and address other elder care issues.

Extremely Low-Income (ELI) Housing Commission

Creates a commission to recommend policy, programs, and other investments to expand the supply of housing that is affordable to ELI households (those households earning less than 30% of the Area Median Income).

Seasonal Communities Designation

Creates the framework for designating communities with substantial seasonal variations in employment and housing needs, as a critical initial step to developing programs targeting seasonal communities; creates a Seasonal Communities Coordinating Council to provide advice and recommendations to EOHLC regarding regulations governing designation of cities and towns as seasonal communities.

Place Community Economic Development Assistance Corporation (CEDAC) under EOHLC oversight rather than EOED; Repeal CEDAC reporting requirement under EOED Office of Performance Management and Oversight

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

Proposed Changes Related to HWIP Statute (technical amendments)

Technical amendments to the new HousingWorks Infrastructure Program to align with grants that support housing.

Establishing the Office of Fair Housing

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

MassDOT and MBTA Transit-Oriented Development (TOD)

Streamlines procurement requirements for the development or rehabilitation of MassDOT/MBTA controlled facilities associated with the sale or lease of property.

TAX CREDITS

Homeowner Production Tax Credit

New credit to incentivize production of homeownership units targeting households with incomes of up to 120% AMI; credit helps cover the gap between the development costs and the state's estimate of the value of the finished home.

Community Investment Tax Credit (CITC)

Eliminates CITC's 2025 sunset and expands statewide cap on donations from \$12M to \$15M; under CITC, individuals donating \$1,000 or more to a Community Development Corporation or nonprofit Community Support Organizations that has been awarded CITC receive a credit of 50% of their contribution.

EXECUTIVE ORDERS

Housing Advisory Council

Calls for immediate work to develop a statewide housing plan and creates an advisory council to oversee and advise the development of the plan.

Unlocking Housing Production Commission

Creates a commission to identify ways to streamline housing production and recommend policy, programs, and other investments to improve the development environment and expand the supply of housing.

Identifying Surplus Public Land for Housing

Directs EOHLC and DCAMM, with guidance and direction from the Lieutenant Governor, to develop an expanded inventory of government-controlled property suitable for housing. Calls on state agencies to provide subject matter expertise, information and data to assist.