

HOUSE No. 1090

The Commonwealth of Massachusetts

PRESENTED BY:

Josh S. Cutler

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

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

An Act relative to cost certification for certain housing developments.

PETITION OF:

NAME:

Josh S. Cutler

DISTRICT/ADDRESS:

6th Plymouth

HOUSE No. 1090

By Mr. Cutler of Duxbury, a petition (accompanied by bill, House, No. 1090) of Josh S. Cutler for legislation to require audits of the costs of certain affordable housing projects. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1107 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to cost certification for certain housing developments.

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

1 Chapter 40B of the General Laws is hereby amended by adding the following new
2 section:

3 Section 31. The inspector general, in consultation with the attorney general shall enter
4 into a contract with a third party for the purposes of auditing all affordable housing projects built
5 through the comprehensive permit process since July 1, 1998 as outlined in sections 20 to 23,
6 inclusive, of chapter 40B of the General Laws, as appearing in the 2008 Official Edition. The
7 third party shall be hired through a competitive bidding process and meet minimum professional
8 qualifications as determined by the inspector general’s office.

9 All audits performed through this section shall be conducted in accordance with generally
10 accepted auditing standards, and include, but not be limited to, a review of the submitted cost

11 certification, agreements between the developer and the financing authority, purchase and sale
12 agreements, any and all documentation relating to the real estate appraisal of the relevant
13 property or properties, all reported expenses and revenues, all documentation regarding the
14 purchase, sale or lease, or tall constructed units, and any other matter requested by the inspector
15 general.

16 At the request of the third party, the inspector general's office may subpoena the
17 production of all records, reports, audits, reviews, papers, books, documents, recommendations,
18 correspondence, and any other data and material relevant to any matter under audit or
19 investigation, in accordance with section 9 of chapter 12A of the General Laws, as so appearing.