

SENATE No. 888

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 the Massachusetts rental voucher program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>John C. Velis</i>	<i>Hampden and Hampshire</i>	<i>1/20/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/30/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/8/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/8/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/8/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/21/2023</i>
<i>Adam Gomez</i>	<i>Hampden</i>	<i>2/22/2023</i>

SENATE No. 888

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 888) of Joan B. Lovely, John C. Velis, Michael O. Moore, Sal N. DiDomenico and other members of the General Court for legislation relative to the Massachusetts rental voucher program. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 898 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act relative to the Massachusetts rental voucher program.

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 121B of the General Laws, as appearing in the 2020 Official Edition, is hereby
2 amended by adding the following section:-

3 Section 61. (a) The department shall, subject to appropriation, establish and administer
4 through administering agencies, the Massachusetts Rental Voucher Program also known as
5 MRVP, a program of rental assistance for eligible low-income, very low-income, and extremely
6 low-income households through mobile and project-based vouchers for the purpose of obtaining
7 decent, stable, and affordable housing and promoting economically mixed housing. The
8 department shall issue the number of vouchers anticipated to completely utilize, but not exceed
9 the appropriation for this program; provided further, that the department shall establish the

10 amounts of the mobile and project-based vouchers so that the appropriation in this item shall not
11 be exceeded by payments for rental assistance and administration.

12 (b) To be eligible to receive assistance under this section, a household shall have a net
13 income that does not exceed 80 percent of the area median income, as determined by the U.S.
14 Department of Housing and Urban Development. The department may award mobile vouchers to
15 eligible households occupying MRVP project-based units that shall expire due to the non-
16 renewal of project-based rental assistance contracts. Households shall meet eligibility
17 requirements as required in this section and applicable regulations and guidance issued by the
18 department. Not less than 75 percent of the vouchers shall be targeted to households whose
19 income at initial occupancy does not exceed 30 percent of the area median income.

20 (c) A payment standard is the amount used by an administering agency to calculate the
21 maximum amount of the MRVP subsidy. Except as provided under paragraph (d), the payment
22 standard for each size of a dwelling unit in a market area shall not exceed 110 percent of the fair
23 market rent, or Small Area Fair Market Rent as established annually by the U.S. Department of
24 Housing and Urban Development, for the same size of dwelling unit in the same market area and
25 shall be not less than 100 percent of that fair market rent, except that no administering agency
26 shall be required as a result of a reduction in the fair market rent to reduce the payment standard
27 applied to a household continuing to reside in a unit for which the household was receiving
28 assistance under this section at the time the fair market rent was reduced. The department shall
29 allow administering agencies to request exception payment standards within fair market rental
30 areas subject to criteria and procedures established by the department.

31 (d) The department may require an administering agency to submit the payment standard
32 of the administering agency to the department for approval, if the payment standard is less than
33 100 percent of the fair market rent or exceeds 110 percent of the fair market rent, except that an
34 administering agency may establish a payment standard of not more than 120 percent of the fair
35 market rent where necessary as a reasonable accommodation for a person with a disability,
36 without approval of the department. An administering agency may use a payment standard that is
37 greater than 120 percent of the fair market rent as a reasonable accommodation for a person with
38 a disability, but only with the approval of the department. In connection with the use of any
39 increased payment standard established or approved pursuant to either of the preceding two
40 sentences as a reasonable accommodation for a person with a disability, the department may not
41 establish additional requirements regarding the amount of adjusted income paid by such person
42 for rent.

43 (e) A household that receives tenant-based assistance under this section, with respect to
44 any dwelling unit, shall not pay for rent more than 30 per cent of the monthly adjusted net
45 income of the household; except that households receiving tenant-based assistance under this
46 section may pay more than 30 per cent of the monthly adjusted net income of the household, at
47 their option, in excess of the payment standard for the voucher, provided that this amount may
48 not exceed 40 per cent of the monthly adjusted net income of the household in the first year of
49 occupancy; provided further that the department shall adjust household rent for those paying
50 separately for utilities.

51 (f) The rent for dwelling units for which a housing assistance payment contract is
52 established under this subsection shall be reasonable in comparison with rents charged for
53 comparable dwelling units in the private, unassisted local market.

54 (g) For each dwelling unit for which a housing assistance payment contract is established
55 under this section, the administering agency shall inspect the unit before any assistance payment
56 is made to determine whether the dwelling unit meets the minimum standards of fitness for
57 human habitation as required by the State Sanitary Code. These requirements cannot be waived.
58 Each administering agency providing assistance under this section shall, for each assisted
59 dwelling unit, make inspection not less often than biennially during the term of the housing
60 assistance payments contract for the unit to determine whether the unit is maintained in
61 accordance with the requirements of this paragraph.

62 (h) Effective as of January 1, 2022, the monthly administrative fee for all vouchers
63 administered under this section shall be not less than the administrative fee rates for the Housing
64 Choice Voucher Program, as established annually by the U.S. Department of Housing and Urban
65 Development \$80.00 per voucher, per month.

66 (i) The department shall maintain and administer a single voucher management system
67 and shall collect data on the utilization of rental vouchers in each fiscal year under this program.
68 This data shall include, but not be limited to: the location and value of each voucher-assisted
69 unit; the number and average value of mobile and project-based vouchers currently distributed in
70 the Commonwealth, in each county, and in each municipality; the household size; age of the
71 head of household and each member of the household; the race and ethnicity of each household;
72 the income and source of income of each household. The department shall report to the House
73 and Senate Committees on Ways and Means and Joint Committee on Housing annually on the
74 utilization of rental vouchers in each fiscal year under this program. The department shall collect
75 and report on the data collection as required under Chapter 334 of the Acts of 2006.

76 (j) The department shall promulgate regulations and guidance to implement this section.

77 (k) Any unspent funding appropriated for this program through budget line-item 7004-
78 9024 in any fiscal year shall not revert, but shall be made available for the purposes of the item
79 in the next fiscal year.