

HOUSE No. 1228

By Miss Garry of Dracut, petition of Colleen M. Garry for legislation to make certain changes in the law concerning low and moderate income housing. Housing.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO LOW AND MODERATE INCOME HOUSING.

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. Section 20 of Chapter 40B of the General Laws as
2 appearing in the 2002 Official Edition, is hereby amended by
3 inserting after the word “year”, in line 39, the following:— or (3) the
4 number of housing units transferred or sold in the prior calendar year
5 at a value not exceeding the maximum sale price for a low or mod-
6 erate income person as determined by the department of housing and
7 community development exceeds 12 per cent of the total number of
8 housing units transferred or sold during the same period.

1 SECTION 2. Said Chapter 40B is hereby further amended by
2 inserting after section 23 the following section:—

3 Section 23A. The department of housing and community develop-
4 ment shall promulgate rules and regulations consistent with the pre-
5 ceding sections. Said rules and regulations shall govern the
6 application of the provisions of Sections 20, 21, 22, and 23 and shall
7 include, at a minimum:— maximum density limits, the minimum
8 percentages of subsidized low and moderate units in each proposed
9 development project in order to qualify for application of the sec-
10 tions, a provision to allow municipalities to gain credit for units par-
11 ticipating in rental voucher programs, and a methodology for
12 determining the local housing needs of a community in view of the
13 regional need for low and moderate income housing considered with
14 the number of low income persons in the municipality affected and
15 the need to protect the health and safety of the occupants of the pro-

16 posed housing or the residents of the city or town and to promote
17 superior site and building design in the character of its surroundings.