

COMMONWEALTH OF MASSACHUSETTS
HOUSING APPEALS COMMITTEE

STANDING ORDER NO. 10-01

INTERLOCUTORY APPEALS

Applicable to all Matters before the Committee on February 19, 2010, and thereafter.

Effective February 19, 2010, it is hereby ORDERED that:

Pursuant to 760 CMR 56.03(8)(c), a developer or a Board may appeal a decision issued by the Department of Housing and Community Development (DHCD) regarding whether a municipality has satisfied one or more of the Methods to Measure Progress Toward Local Affordable Housing Goals defined in 760 CMR 56.03. Any such appeal shall be filed with the Committee within 20 days of receipt of DHCD's decision and shall be entitled, "In the matter of [Municipality Name] Board of Appeals and [Developer Name]." The party filing the appeal shall serve a copy of all papers on the other party and on DHCD (to the attention of the Associate Director of Community Services). DHCD shall not be a named party to the appeal. No fee is required for the appeal.

An initial Conference of Counsel shall be scheduled within 20 days of the filing of the appeal, and the parties will be notified of the hearing date. At or before the initial Conference of Counsel, the parties shall file a statement regarding whether the appeal can be decided solely on a written record of exhibits; if a party will rely on witness testimony, it shall identify in the statement the witnesses it intends to examine at the hearing. The hearing ordinarily will be conducted on an expedited basis pursuant to 760 CMR 56.05(9)(c) and 56.06(7)(e)(11).

Adopted: February 19, 2010
Effective: February 19, 2010.

Housing Appeals Committee



Werner Lohe
Chairman