



Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lieutenant Governor ♦ Chrystal Kornegay, Undersecretary

**Public Housing Notice 2017-06**

To: Local Housing Authorities  
From: Cate Mingoya: Director of Policy and Program Development  
Date: February 15, 2017  
Re: Clarification on Board Member Election

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This notice provides clarification regarding the election of housing authority board members in towns. In 2014, there was a change to Massachusetts law that reduced the number of board members elected by voters of the town from four members down to three. The fourth elected member must be a tenant who is elected by tenants; however, in order for these tenant-elections to be carried out, the Department of Housing and Community Development must promulgate regulations on the tenant-election process. The regulations are currently being reviewed for approval and are expected to be promulgated by the late spring of 2017. This misalignment between the law and the timing of the regulations has caused confusion regarding this spring's town elections.

Therefore, The Office of the Secretary of the Commonwealth has issued the following guidance on how to proceed to all towns:

- If your town election is more than 64 days away from the date of this memo, do NOT include the position of local housing authority board member on the ballot if there is a seat set to expire this spring. This is consistent with the provisions of law relative to reducing the number of members of an elected board and provides notice to any incumbents or other potential candidates that the position will no longer be elected by the voters. This timing is consistent with the provisions of section 10 of chapter 41 of the General Laws and provides sufficient notice to incumbents and potential candidates to seek other elected positions. Specifically, this would ensure candidates have 15 days to collect signatures for other elected positions.
- If your town election is within 64 days of this memo, proceed in the normal course and include the expiring 2017 local housing authority board member position on the ballot.

We would also like to note that special legislation would be needed in order to provide more clarification of the process of only electing 3 members through the town elections. It should also be noted that the fact that the board may have a current member who is a tenant is not

relevant to this election process. The tenant member who will be elected pursuant to the new regulations will be a tenant who is elected by the local housing authority tenants.

If you have questions about this memo, please reach out to the Office of the Secretary of the Commonwealth by calling 617.727.2828.

