



Commonwealth of Massachusetts
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ◆ Karyn E. Polito, Lieutenant Governor ◆ Janelle Chan, Undersecretary

Public Housing Notice 2019-15

To: All LHA Executive Directors
From: Amy Stitely, Associate Director, Division of Public Housing
Subject: Blanket Waiver of 760 CMR 6.04 and 760 CMR 6.05: Rent Determination for Retroactive TAFDC Payments Due to Repeal of Family Cap Rule
Date: May 17, 2019

On Thursday, April 25, 2019, Massachusetts repealed the “Family Cap Rule,” which previously limited the number of children that could be added to the Transitional Aid to Families with Dependent Children (TAFDC) grant once a case was active. As a result, several thousand children became eligible for inclusion in their existing household’s TAFDC grants and retroactive payments are now being made to existing eligible clients.

In order to avoid unintended negative consequences on impacted TAFDC households and to reduce administrative burdens on Local Housing Authorities (LHAs), the Department of Housing and Community Development (DHCD) is, with this notice, waiving 760 CMR 6.04 : Rent Determination, and 760 CMR 6.05: Determination of Gross Household Income and Net Household Income to the extent needed in order to exclude, as income for rent determination purposes, any **retroactive** TAFDC grants that may get issued to households currently living in state-aided public housing.

This waiver only applies to the **retroactive** payments made as a result of the repeal of the “Family Cap Rule.” Moving forward, any ongoing increases to existing household TAFDC grants are to be included in rent re-determination.

If you have questions, please contact Laura Taylor, Director of the Bureau of Housing Management.