

## Commonwealth of Massachusetts

## DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

Charles D. Baker, Governor Karyn E. Polito, Lt. Governor Jennifer D. Maddox, Undersecretary

## REGULATORY WAIVER

## 760 CMR 56.00 – COMPREHENSIVE PERMIT; LOW OR MODERATE INCOME HOUSING

Waiver of Filing and Service Requirements of 760 CMR 56.06(6)

The Comprehensive Permit Regulation, 760 CMR 56.00, which implements G.L. c. 40B, §§ 20-23, authorizes the Department of Housing and Community Development (DHCD) to waive certain of its provisions if, in the judgment of DHCD, strict compliance will result in an undue hardship and will be inconsistent with the purposes of M.G.L. c.40B, §§ 20 through 23, 760 CMR 56.08(2).

With respect to filing and service of papers in appeals to the Housing Appeals Committee, 760 CMR 56.06(6) states:

- (a) <u>Filing</u>. For the purpose of proceedings under 760 CMR 56.06 only, filings with the Committee shall be made by first class mail, overnight delivery, or hand delivery. (See 760 CMR 56.06(1)(c)).
- (b) <u>Service upon Parties and Other Persons</u>. All pleadings, correspondence, or documents of any sort filed with the Committee by a party, intervener, interested person, or other person shall be served simultaneously by first-class mail, overnight delivery, or hand delivery upon all the parties, interveners, and interested persons.

In the judgment of DHCD, the above filing and service requirements, mandating U.S. Mail, overnight mail or hand delivery, result in undue hardship and are inconsistent with the purposes of M.G.L. c.40B, §§ 20 through 23. Therefore, effective immediately, all filings with the Housing Appeals Committee shall be made by electronic transmission in accordance with policies and procedures established by standing order of the Committee. Parties may choose to file in accordance with 760 CMR 56.06(6)(a) in addition to electronic filing.

Service upon parties and other persons may be satisfied by electronic transmission.

This waiver shall take effect immediately.

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Jennifer D. Maddoy, Undersecretary

Date 3/23/2020

**Housing Appeals Committee Contact:** 

DHCDHousingAppealsCommittee@mass.gov

