



Commonwealth of Massachusetts

EXECUTIVE OFFICE OF HOUSING & LIVABLE COMMUNITIES

Maura T. Healey, Governor ◆ Kimberley Driscoll, Lieutenant Governor ◆ Edward M. Augustus Jr., Secretary

PHN 2025-13 Amendment No. 1

To: All LHA Executive Directors

From: Fatima Razzaq, Acting Director Division of Public Housing

Re: Amendments to 760 CMR 5.00 Effective 9/26/25

Date: 10/27/25

Amendments to 760 CMR 5.00: Eligibility and Selection Criteria go into effect on September 26, 2025. These amendments largely codify the regulatory changes currently in effect pursuant to EOHLC's regulatory waivers allowing for centralized screening of applicant claimed priorities and preferences. A summary of the regulatory changes is below. This Amendment No. 1 adds paragraphs 17 and 18.

Please note that some of the regulatory changes outlined below authorize future EOHLC actions. As these changes are implemented, EOHLC will issue specific guidance to LHAs.

SUMMARY OF AMENDMENTS

1. Amendments Related to Centralized Screening of Applicant Claimed Priorities and Preferences:

Since 2023, the Centralized Screening Office (CSO), operated by Archipelago Strategies Group (ASG), has made all priority/preference eligibility determinations pursuant to an EOHLC regulatory waiver. The amendments to 760 CMR 5.00 largely codify this existing practice. A new definition of "Centralized Screening Office (CSO)" was added to 760 CMR 5.03 and the regulation was amended throughout to explain the CSO's role in the tenant selection process.

2. New Definition of "Adult Caretaker":

A new definition of "Adult Caretaker" was added to 760 CMR 5.03 and a corresponding change was made to the definition of "Family (Household)" to clarify that an Adult Caretaker may qualify to be a remaining household member if screened and approved by an LHA in accordance with 760 CMR 5.08.

3. Amendments to Definition of "Homeless Applicant":

Previously, 760 CMR 5.03 contained a single definition of "Homeless Applicant" which applied to all claimed homeless priorities. The amendments eliminate the general definition of "Homeless Applicant" and replace it with the following definitions:

- a. Homeless Applicant Displaced by Natural Forces;
- b. Homeless Applicant Displaced by Public Action (Sanitary Code Violations); and
- c. Homeless Applicant Displaced by Public Action (Urban Renewal).

By breaking the Homeless Applicant definition into separate definitions, the regulation provides a clearer explanation of what is required for Homeless Applicants claiming any of the first three priorities.

4. New Definition of “Housing Situation Priority Policy”:

Previously, 760 CMR 5.00 did not contain a definition of “Housing Situation Priority Policy”. Because the regulation refers to Housing Situation Priority Policy throughout, a new definition was added.

5. Amendments to the Definition of “Local Resident”:

The definition of “Local Resident” contained in 760 CMR 5.03 was amended to replace reference to an undefined “principal residence” with the regulatorily defined “Primary Residence”. Additionally, the definition previously **required** a homeless applicant be determined homeless in order to select a community for local resident preference. The definition has been amended to **allow an applicant who has claimed** any of the four homeless priorities to select a community for local resident preference.

6. Amendment to the Definition of “Primary Residence”:

The definition of “Primary Residence” contained in 760 CMR 5.03 was amended for clarity. It now reads:

Primary Residence. A home (domicile) that all members of a household occupied with the intent to remain indefinitely or, at a minimum, for nine months.

7. Amendment to 760 5.05(1) regarding LHA Language and Disability Access Requirements:

760 CMR 5.05(1) was amended to reiterate LHAs’ responsibilities in providing language and disability access to applicants.

8. Amendment to 760 CMR 5.05(2) regarding Application Changes:

760 CMR 5.05(2) was amended to allow applicants to make application changes with the CSO or LHAs via telephone or email.

9. The regulation at 760 CMR 5.05(3) Sets a Maximum of 25 Housing Selections:

A new provision in the regulation was added at 760 CMR 5.05(3) that limits each applicant to 25 or fewer active housing selections on their application. The regulation allows EOHLC to raise this maximum at its election. The maximum does not apply to MRVP or AHVP. 25 or fewer active housing selections refers to the number of LHAs selected, not programs selected at LHAs. This provision will be implemented after pending CHAMP modifications. EOHLC will notify LHAs.

10. The regulation at 760 CMR 5.09(3) Sets a Limit on Priority Claims:

A new provision in the regulation was added at 760 CMR 5.09(3) that limits each applicant to claiming no more than two priorities. The regulation allows EOHLC to specify additional circumstances in which an applicant may request to claim additional priorities. For purposes of the limitation, each of the three subcategories of Priority 4 (i.e., Court Ordered Eviction, Severe Medical Emergency, Abusive Situation) count as distinct priorities. The new regulation also allows the CSO, with the consent of an applicant, to change an applicant's claimed priorities if the CSO determines that a priority category claimed by the applicant is not the highest appropriate category for which the applicant may be eligible. This provision will be implemented after pending CHAMP modifications. EOHLC will notify LHAs.

11. Amendment to 760 CMR 5.10(4)(a) Increasing Time Period for Applicant to Accept Unit Offer:

760 CMR 5.10(4)(a) was amended to increase the time an applicant has to accept a unit offer from seven to ten days.

12. Amendment to 760 CMR 5.10(4)(b) Regarding Failure of Applicant to Respond to Unit Offer:

Previously, an applicant was only removed from all waiting lists if they **failed to accept** three unit offers in a five year period. 760 CMR 5.10(4)(b) was amended so that an applicant who fails to **respond** to three unit offers in five years is removed from all waiting lists. This provision will be implemented after pending CHAMP modifications. EOHLC will notify LHAs.

13. The "regulation at 760 CMR 5.12(5) Allows EOHLC to Set Verification Timelines:

A new provision to the regulation was added at 760 CMR 5.12(5) that allows EOHLC to issue guidance setting timelines for applicant responses and completing verification.

14. Amendment to 760 CMR 5.13(4) Allowing Applicants to Request EOHLC Review by Email:

Previously, the regulation at 760 CMR 5.13(4) directed applicants to request EOHLC review of tenant selection decisions by mail. The regulation was amended to allow applicants to request EOHLC review via email.

15. Amendment to 760 CMR 5.14(1) Streamlining the Removal of Applicants from Waitlists:

760 CMR 5.15(1) was amended so that applicants who have not contacted an LHA or the CSO or logged into CHAMP for two years will have their application made inactive if they fail to respond to EOHLC correspondence within thirty days. If an application is made inactive, the applicant can have their application restored to waiting lists, in the same position it would have been but for the application being made inactive, if they contact an LHA, the CSO, or log into CHAMP.

16. Modernizing Language/Housekeeping Edits:

EOHLC used the regulatory amendment process as an opportunity to modernize some of the language used in the regulation:

- references to “the department” were replaced with “EOHLC”;
- references to “sex” were replaced with “gender”;
- references to “handicap” were replaced with “disability”;
- certain defined words that were not capitalized were capitalized for consistency; and
- an outdated term was removed from 760 CMR 5.07(3).

17. Landlord References Reduced to Three Years from Five Years

Previously, the regulation at 760 CMR 5.12(4)(a) required applicants to provide landlord references for **all household members** for the previous **five** years. The regulation was amended to only require applicants to provide landlord references for **applicant** for the previous **three** years.

18. Amendment to Definition of Appropriate Unit Size

Previously, the definition of Appropriate Unit Size at 760 CMR 5.03 stated that “Only bedrooms may be used for sleeping purposes”. The regulation was amended to permit sleeping in living rooms “so long as the living room used for sleeping purposes meets the requirements of 105 CMR 410.00” (the State Sanitary Code).