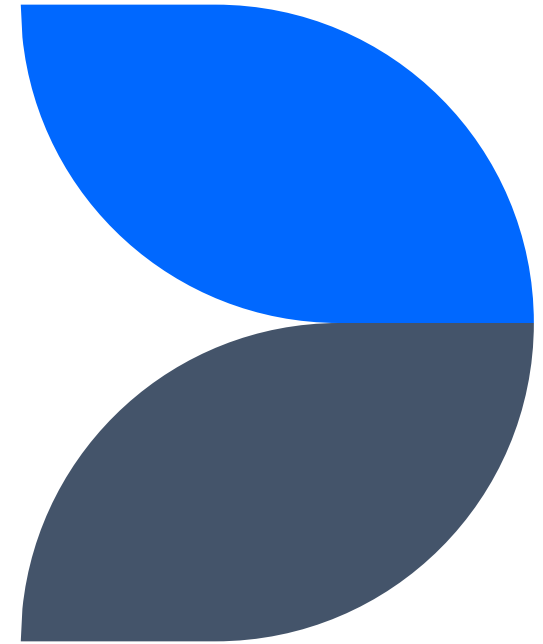


Updates to 760 CMR 5.00

Eligibility and Selection Criteria



Public Housing Notice 2025-13



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

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: September 29, 2025

Amendments to 760 CMR 5.00: Eligibility and Selection Criteria effective 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 and a copy of the amended regulation is attached to this PHN.

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.

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

01

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.

02

The amendments to 760 CMR 5.00 largely codify this existing practice.

03

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.

5.03: Definitions

Adult Caretaker. A parent, relative, legal guardian, or caretaker appointed in writing to care for a minor child(ren) pursuant to M.G.L. c. 201F or appointed by a court.

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.



Adult Caretaker

5.03 Definitions

Family (Household).

(4) Remaining Household Members.

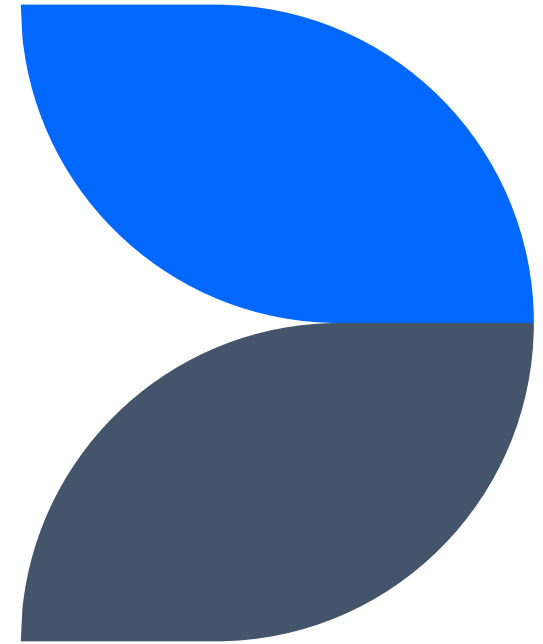
b) In the event that a household member, who has signed the lease, ceases to occupy the Unit, one or more remaining household members may be given permission for continued occupancy of the Unit, provided that:

3. (i) at least one adult household member (or emancipated minor) applies for and signs a new lease with the LHA or, (ii) if all remaining members are minors, then the Adult Caretaker appointed to care for the minor(s) applies for and signs a new lease, provided that the Adult Caretaker is screened and approved by the LHA in accordance with 760 CMR 5.08.



3. Amendments to Definition of

“Homeless Applicant”:



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);
- c. Homeless Applicant Displaced by Public Action (Urban Renewal); and
- d. Other Priority situations are described in the **Housing Situation Priority Policy**

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.

5.03 Definitions:

Housing Situation Priority Policy. EOHLC administrative guidance setting the criteria to be used by the CSO to determine the priority to be granted to applicants claiming the 4th Priority pursuant to 760 CMR 5.09(1)(d).

HOUSING SITUATION PRIORITY POLICY FOR CSO

HOUSING SITUATION PRIORITY POLICY FOR CSO

I. **STATEMENT OF POLICY.** This Executive Office of Housing and Livable Communities ("EOHLC") policy creates a fair and consistent standard to be applied to all Homeless Applicants to state-aided public housing, the Alternative Housing Voucher Program ("AHVP"), and Massachusetts Rental Voucher Program ("MRVP"). The goal is for all Homeless Applicants to be treated similarly. Requirements for evidence, documentation, and verification used by the Centralized Screening Office ("CSO") must be reasonable. Reasonable means they are realistic given the capacities and resources of applicants.

II. **DEFINITIONS.**

- "Homeless Applicant", as further explained in this policy and in the Homeless Priority 1-4 (A-C) Eligibility Checklist, is defined as an applicant:
 - (a) who either:
 - i. has been or is about to be displaced from their Primary Residence; or
 - ii. has been or is experiencing a significant immediate and direct threat to the life and safety of the applicant or a household member in their Primary Residence; and
 - (b) has not caused or substantially contributed to the displacement or threat to the life and safety of the applicant or household member, as applicable;
- "Primary Residence" is defined by 760 CMR 5.03 as a home (domicile) that all members of a household occupied with the intent to remain for at least a minimum of nine months.

III. **THE CSO SHALL GRANT PRIORITY 4 – HOUSING SITUATION PRIORITY STATUS AS FOLLOWS:**

Executive Office of Housing and Livable Communities
(EOHLC)

HOUSING SITUATION PRIORITY POLICY FOR CSO

III. THE CSO SHALL GRANT PRIORITY 4 – HOUSING SITUATION PRIORITY STATUS AS FOLLOWS:

(A) Court Ordered Eviction

A Homeless Applicant is eligible for Priority 4(A) Court Ordered Eviction when:

- the applicant has been displaced or is about to be displaced from applicant's Primary Residence; and
- neither the applicant nor any household members are at fault for the displacement, as evidenced by one of the required verification documents listed below.

To be eligible for Priority 4(A) Court Ordered Eviction, an applicant must provide the CSO with a copy of at least one of the following:

- an official eviction order or other Housing Court, District Court, or Boston Municipal Court judgment; or
- another court document requiring tenant to vacate, such as an agreement between applicant and landlord in an eviction proceeding, including but not limited to an Agreement for Judgment or Agreement of the Parties.



Housing Situation Priority Policy for CSO

09/2025

1

HOUSING SITUATION PRIORITY POLICY FOR CSO

(B) **Severe Medical Emergencies**

A Homeless Applicant is experiencing a severe medical emergency when:

- the applicant or member of the applicant household suffers from an illness or injury posing a severe and medically documented threat to life or safety; and
- applicant has provided evidence that the applicant's Primary Residence is or was the cause of the illness or injury or is an impediment to treatment or recovery.

(C) **Abusive Situation**

A Homeless Applicant is experiencing an abusive situation when:

- the applicant or member of the applicant household is a victim of abuse as defined in the Abuse Prevention Act (G.L. c.209A, §1); and
- as a result of the abuse, applicant has been displaced or is about to be displaced from applicant's Primary Residence, or applicant is currently experiencing a significant immediate and direct threat to the life and safety of the applicant or a household member associated with their Primary Residence.

The Abuse Prevention Act defines "abuse" as the occurrence of one or more of the following acts between "family or household members":

- attempting to cause or causing physical harm;
- placing another in fear of imminent serious physical harm;
- causing another to engage involuntarily in sexual relations by force, threat or duress;
- or coercive control.

"Coercive control" is defined in [Chapter 118 of the Acts of 2024](#).

"Family or household members" are individuals who are or were related by blood or marriage, have a child together, or who now or formerly resided in the same household or dated each other.

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

5.05: Application Procedures

(1) Every applicant shall use the Statewide Online Application System or application forms approved by EOHLC. The application forms shall be available at all LHAs' central offices or, upon request, by mail. LHAs shall provide reasonable assistance to applicants in completing the application forms. LHAs shall provide language and disability access throughout the application process in accordance with the LHA's reasonable accommodation policy and language access plan. When an applicant submits a paper application form at any LHA, the LHA shall accept the application and promptly enter the information thereon into the Statewide Online Application System.

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.

5.05: Application Procedures

(2) Every application entered into the Statewide Online Application System shall receive a date and timestamp for each program at each LHA to which the application is made. Applicants may return to their online applications to view their application status and to make changes at any time. Applicants may also make changes at any LHA or the CSO in person, by mail, 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.
- *5.05 Application Procedures:*
- *(3) Applicants may apply to any number of housing program types (e.g., MRVP, AHVP, Family Housing, Elderly/Disabled Housing). The maximum number of state-aided public housing selections that may be active for an individual applicant at any time is 25. EOHLC may raise this maximum number of active selections through guidance at its sole discretion. Such limitations on the number of active selections shall not apply to selections for MRVP or AHVP.*

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



“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.



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

The regulation
allows EOHLC to
raise this maximum
at its election.

The maximum does
not apply to MRVP
or AHVP.



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.

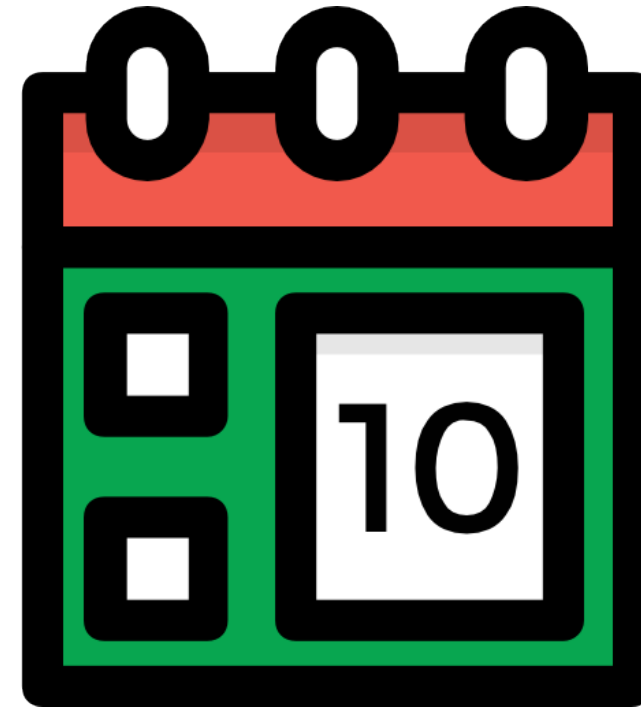
Each of the three subcategories of Priority 4 (i.e., Court Ordered Eviction, Severe Medical Emergency, Abusive Situation) count as distinct priorities.

The new regulation also allows the CSO, to change an applicant's claimed priorities. This provision will be implemented after pending CHAMP modifications. EOHLC will notify LHAs.

(3) Limit on Number of Priority Claims. An applicant may claim no more than two priority categories. EOHLC may, through guidance, specify additional circumstances in which an applicant may request to claim additional priority categories. For the purposes of this limitation on number of priority claims, subcategories of the 4th Priority contained in the Housing Situation Priority Policy issued by EOHLC in accordance with 760 CMR 11.00: Modernization and Development of State-aided Public Housing shall each count equally as distinct priorities. In the event that the CSO determines that a priority category claimed by an applicant is not the highest appropriate priority category for which an applicant is eligible, the CSO shall, with the consent of the applicant, revise the applicant's priority claim to the highest appropriate priority category.

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



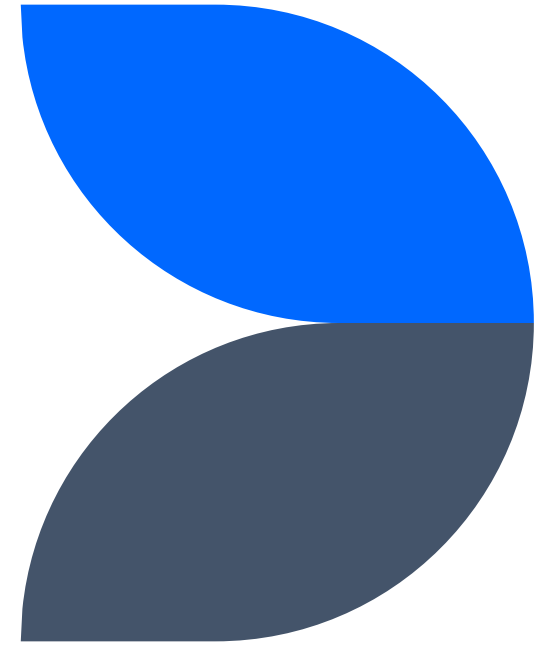
12. Amendment to 760 CMR 5.10(4)(b) Regarding Failure of Applicant to Respond to Unit Offer:

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 applicant's 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:



- 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.

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.

760 CMR 5.12(4)(a) Landlord Verification. The LHA shall require an applicant to provide the names and current addresses of all landlords (or housing providers) for applicant during the period three years prior to the date of the LHA's eligibility and qualifications screening request through the date of the final determination.

18. Amendment to 760 CMR 5.03

Appropriate Unit Size to Allow Use of Living Room for Sleeping Purposes:

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).

(d) The living room may be used for sleeping purposes by household members at the tenant's option and so long as the living room used for sleeping purposes meets the requirements of 105 CMR 410.000: Minimum Standards of Fitness for Human Habitation (State Sanitary Code: Chapter II).

Thank you!

Any Questions?

