Commonwealth of Massachusetts
DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT
Mitt Romney, Governor ◆ Kerry Healey, Lt. Governor ◆ Jane Wallis Gumble, Director

Public Housing Notice 2004-02

Memorandum

To: All Local Housing Authorities and Regional Non-Profit Housing Agencies
From: Jane W. Gumble, Director
Subject: Veterans Definition
Date: March 26, 2004

It has recently come to my attention that housing authorities and regional non-profit housing agencies that administer state-aided or state-assisted programs may now be accepting applications from service men and women who are returning from active military service in the Iraq conflict and who have been honorably discharged from service. Veteran's preference should be granted to these applicants and eligible family members.

The DHCD regulation, Eligibility and Selection Criteria (760 CMR 5.00), provides that the definition of "veteran" is set out in M.G.L. Chapter 121B Section 1. The definition of "veteran" in the cited statute is "any person who is a veteran as defined in clause 43rd of Section 7 of Chapter 4" and includes a "spouse, surviving spouse, parent or other dependent of such person." The 43rd clause of Section 7 contains a definition of a "Persian Gulf veteran" as an individual who performed wartime service during the period commencing August 2, 1990 and ending on a date to be determined by presidential proclamation or executive order and concurrent resolution of the Congress of the United States.

There has been no end date established for the mission in the Persian Gulf, and hence the view of DHCD's legal office is that the service men and women who have served in the conflict in Iraq are "veterans" as defined in the statute for purposes of the eligibility and tenant selection regulation.

Please contact your Housing Management Specialist with any questions or concerns on this matter.