

# **760 CMR 34**

## **760 CMR 34.00:**

### **PARTICIPATION OF NON-PROFIT CORPORATIONS IN THE CHAPTER 705 FAMILY HOUSING PROGRAM**

34.01: Purpose and Scope

34.02: Procedure for Providing Public Notice of the Availability of Funds

34.03: Selection Criteria and Ranking of Projects

#### **34.01: Purpose and Scope**

760 CMR 34.00 specify the procedures the Department of Community Affairs will follow in the selection of non-profit corporations for the purpose of developing and managing Chapter 705 family housing where the department will act as a housing authority pursuant to St. 1980, c. 490, § 11. That section authorizes the department to act as a housing authority "in a city where the department finds that the purpose of providing adequate housing for families of low income and the need for neighborhood revitalization would best be served...".

Under such circumstances, regulations are required to specify:

- (a) a procedure for providing public notice of the availability of funds; and
- (b) a ranking of priority for projects according to criteria for selection.

#### **34.02: Procedures for Providing Public Notice of the Availability of Funds**

The department shall provide notice of the availability of funds pursuant to St.1980, c. 490,§ 11, in the following manner:

- (a) a copy of a notice (or a copy of a request for proposals) indicating the availability of funds, and where application for such funds can be obtained, shall be sent by mail to the last known address of any non-profit corporation which the department determines to be interested in the development and management of housing for families of low income in cities of the Commonwealth, and to any other non-profit corporation that requests in writing that it be sent a copy of such notice; and
- (b) a copy of the notice provided for in (a) above shall also be sent to the mayors of all cities in the Commonwealth. In addition, a notice indicating the availability of funds shall be published at least once in such newspaper of general or statewide circulation as the department may select.

#### **34.03: Selection Criteria and Ranking of Projects Minimum Requirements**

Any non-profit corporation applying for funds to develop and manage Chapter 705 family housing shall at a minimum meet the following requirements:

- (a) be a non-profit corporation formed in accordance with the provisions of M.G.L. c. 180; and
- (b) provide the department with a written statement signed by the mayor of the city in which the proposed project is to be located indicating the approval of the mayor to a project being undertaken in the city; and
- (c) provide the department with an attested copy of a majority vote of the city council in which the proposed project is to be located indicating the approval of the city council to a project being undertaken in the city; and
- (d) provide the department with a written statement from the board of directors of the non-profit corporation, or an official designated by the board of directors to act on their behalf, stating that the corporation agrees to comply with such requirements as the department may set forth in a request for proposals for the Chapter 705 family housing program.

#### Selection Criteria

In ranking projects in order of priority for available funding, the department shall consider the following criteria:

- (a) the extent to which the non-profit corporation has housing management and development experience. Experience with management of leased housing, housing rehabilitation, or full-scale development will be considered. Direct housing management experience will be given greater weight than housing development experience.
- (b) the extent to which the proposed project is part of and supports broader neighborhood revitalization efforts and programs, particularly where funds will be supplemented by other financial contributions to the neighborhood.
- (c) the extent of support and participation by neighborhood residents in the proposed project.
- (d) the extent to which the proposed project includes direct local contributions. Such contributions could include, but need not be limited to, donation of sites, or local funding for site acquisition, preparation, or construction.
- (e) such other selection criteria as the department may set forth in a request for proposals for the Chapter 705 family housing program.

#### Additional Requirements

Any non-profit corporation selected for funding shall comply with all applicable rules and regulations of the department, and shall enter into such contract with the department as the department deems necessary.

Nothing herein shall be deemed to require the department to fund any or all of the applications it receives; nor be construed to prevent the department from funding any application previously submitted to it by a non-profit corporation as the result of a request for proposals for the Chapter 705 family housing program issued prior to the effective date of these regulations, if the department determines that such non-profit corporation meets the requirements of 760 CMR 34.03.

#### REGULATORY AUTHORITY

760 CMR 34.00: M.G.L. c. 121B, § 26A as amended by St. 1980, c. 490 § 11.