

**HOUSE . . . . . No. 1428**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Adrian C. Madaro***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

**An Act codifying the Massachusetts Rental Voucher Program.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>2/19/2021</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>2/26/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/26/2021</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>2/26/2021</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>2/26/2021</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>	<i>2/26/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>2/26/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/26/2021</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/26/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/26/2021</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>2/26/2021</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>2/26/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/1/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>3/4/2021</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>3/9/2021</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>3/10/2021</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>3/13/2021</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>3/16/2021</i>

<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/16/2021</i>
<i>Edward F. Copping</i>	<i>10th Suffolk</i>	<i>3/18/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>3/18/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>3/25/2021</i>

**HOUSE . . . . . No. 1428**

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By Mr. Madaro of Boston, a petition (accompanied by bill, House, No. 1428) of Adrian C. Madaro and others relative to the Massachusetts Rental Voucher Program. Housing.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act codifying the Massachusetts Rental Voucher Program.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 121B of the General Laws, as appearing in the 2018 Official Edition, is hereby  
2 amended by adding the following section:-

3 Section 61. (a) The department shall, subject to appropriation, establish and administer  
4 through administering agencies, the Massachusetts Rental Voucher Program also known as  
5 MRVP, a program of rental assistance for eligible low-income, very low-income, and extremely  
6 low-income households through mobile and project-based vouchers for the purpose of obtaining  
7 decent, stable, and affordable housing and promoting economically mixed housing. The  
8 department shall issue the number of vouchers anticipated to completely utilize, but not exceed  
9 the appropriation for this program; provided further, that the department shall establish the  
10 amounts of the mobile and project-based vouchers so that the appropriation in this item shall not  
11 be exceeded by payments for rental assistance and administration.

12 (b) To be eligible to receive assistance under this section, a household shall have a net  
13 income that does not exceed 80 percent of the area median income, as determined by the U.S.  
14 Department of Housing and Urban Development. The department may award mobile vouchers to  
15 eligible households occupying MRVP project-based units that shall expire due to the non-  
16 renewal of project-based rental assistance contracts. Households shall meet eligibility  
17 requirements as required in this section and applicable regulations and guidance issued by the  
18 department. Not less than 75 percent of the vouchers shall be targeted to households whose  
19 income at initial occupancy does not exceed 30 percent of the area median income.

20 (c) A payment standard is the amount used by an administering agency to calculate the  
21 maximum amount of the MRVP subsidy. Except as provided under paragraph (d), the payment  
22 standard for each size of a dwelling unit in a market area shall not exceed 110 percent of the fair  
23 market rent, or Small Area Fair Market Rent as established annually by the U.S. Department of  
24 Housing and Urban Development, for the same size of dwelling unit in the same market area and  
25 shall be not less than 100 percent of that fair market rent, except that no administering agency  
26 shall be required as a result of a reduction in the fair market rent to reduce the payment standard  
27 applied to a household continuing to reside in a unit for which the household was receiving  
28 assistance under this section at the time the fair market rent was reduced. The department shall  
29 allow administering agencies to request exception payment standards within fair market rental  
30 areas subject to criteria and procedures established by the department.

31 (d) The department may require an administering agency to submit the payment standard  
32 of the administering agency to the department for approval, if the payment standard is less than  
33 100 percent of the fair market rent or exceeds 110 percent of the fair market rent, except that an  
34 administering agency may establish a payment standard of not more than 120 percent of the fair

35 market rent where necessary as a reasonable accommodation for a person with a disability,  
36 without approval of the department. An administering agency may use a payment standard that is  
37 greater than 120 percent of the fair market rent as a reasonable accommodation for a person with  
38 a disability, but only with the approval of the department. In connection with the use of any  
39 increased payment standard established or approved pursuant to either of the preceding two  
40 sentences as a reasonable accommodation for a person with a disability, the department may not  
41 establish additional requirements regarding the amount of adjusted income paid by such person  
42 for rent.

43 (e) A household that receives tenant-based assistance under this section, with respect to  
44 any dwelling unit, shall not pay for rent more than 30 per cent of the monthly adjusted net  
45 income of the household; except that households receiving tenant-based assistance under this  
46 section may pay more than 30 per cent of the monthly adjusted net income of the household, at  
47 their option, in excess of the payment standard for the voucher, provided that this amount may  
48 not exceed 40 per cent of the monthly adjusted net income of the household in the first year of  
49 occupancy; provided further that the department shall adjust household rent for those paying  
50 separately for utilities.

51 (f) The rent for dwelling units for which a housing assistance payment contract is  
52 established under this subsection shall be reasonable in comparison with rents charged for  
53 comparable dwelling units in the private, unassisted local market.

54 (g) For each dwelling unit for which a housing assistance payment contract is established  
55 under this section, the administering agency shall inspect the unit before any assistance payment  
56 is made to determine whether the dwelling unit meets the minimum standards of fitness for

57 human habitation as required by the State Sanitary Code. These requirements cannot be waived.  
58 Each administering agency providing assistance under this section shall, for each assisted  
59 dwelling unit, make inspection not less often than biennially during the term of the housing  
60 assistance payments contract for the unit to determine whether the unit is maintained in  
61 accordance with the requirements of this paragraph.

62 (h) Effective as of January 1, 2022, the monthly administrative fee for all vouchers  
63 administered under this section shall be not less than the administrative fee rates for the Housing  
64 Choice Voucher Program, as established annually by the U.S. Department of Housing and Urban  
65 Development \$80.00 per voucher, per month.

66 (i) The department shall maintain and administer a single voucher management system  
67 and shall collect data on the utilization of rental vouchers in each fiscal year under this program.  
68 This data shall include, but not be limited to: the location and value of each voucher-assisted  
69 unit; the number and average value of mobile and project-based vouchers currently distributed in  
70 the Commonwealth, in each county, and in each municipality; the household size; age of the  
71 head of household and each member of the household; the race and ethnicity of each household;  
72 the income and source of income of each household. The department shall report to the House  
73 and Senate Committees on Ways and Means and Joint Committee on Housing annually on the  
74 utilization of rental vouchers in each fiscal year under this program. The department shall collect  
75 and report on the data collection as required under Chapter 334 of the Acts of 2006.

76 (j) The department shall promulgate regulations and guidance to implement this section.

77           (k) Any unspent funding appropriated for this program through budget line-item 7004-  
78 9024 in any fiscal year shall not revert, but shall be made available for the purposes of the item  
79 in the next fiscal year.