

**HOUSE . . . . . No. 4132**

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The Commonwealth of Massachusetts

PRESENTED BY:

**Kevin G. Honan**

*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 passage of the accompanying bill:

An Act preserving publically assisted affordable housing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kevin G. Honan	17th Suffolk

The Commonwealth of Massachusetts

—————  
**In the Year Two Thousand and Nine**  
—————

## An Act preserving publically assisted affordable housing.

Whereas, The deferred operation of this act would tend to defeat its purposes, which includes creating additional opportunities to preserve the affordability of publicly assisted affordable housing, protecting tenants of these units from displacement due to the loss of the use restrictions, and addressing the overall lack of affordable housing to low-income residents in Massachusetts, especially those who are very low and extremely low income. Therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. CHAPTER 40T

2 PUBLICLY-ASSISTED AFFORDABLE HOUSING.

3 Section 1. As used in this chapter, the following words shall have the following meanings  
4 unless the context clearly requires otherwise:

5 “Affected municipality”, any city or town in which publicly-assisted housing, or a  
6 publicly-assisted housing development, is located.

7 “Affiliate”, an entity owned or controlled by an owner.

8 “Affordability restriction”, a limit on rents that an owner may charge for occupancy of a  
9 rental unit in a publicly assisted housing development or a limit on tenant income for persons or  
10 families seeking to qualify for admission to such housing.

11 “CEDAC”, the Community Economic Development Assistance Corporation established in  
12 chapter 40H.

13 “Chief executive officer”, the mayor in a city and the board of selectmen in a town unless  
14 otherwise is designated by a municipal charter.

15 “Department”, the department of housing and community development or, when  
16 applicable, its designee, or any successor agency of the department.

17 “Designee”, a municipality, local or regional housing authority, nonprofit or for-profit  
18 corporation or other entity qualified to do business in the commonwealth and, which is selected by  
19 the department to operate publicly-assisted housing that is decent, safe and sanitary affordable  
20 housing, under subsection (b) of section 3.

21 “Enhanced section 8 vouchers”, vouchers provided under 42 U.S.C. 1437f(t) or other  
22 substantially equivalent assistance.

23 “Extremely low income”, a household income of not more than 30 per cent of the area  
24 median income, adjusted for household size, as periodically determined by the United States  
25 Department of Housing and Urban Development.

26 “Government program”, a program which provides government assistance under a program  
27 set forth in the definition of publicly-assisted housing.

28 “Low income”, a household income of not more than 80 per cent of the area median  
29 income, adjusted for household size, as periodically determined by the United States Department of  
30 Housing and Urban Development.

31 “Owner”, a person, firm, partnership, corporation, trust, organization, limited liability  
32 company or other entity, or its successors or assigns, that holds title to a publicly-assisted housing  
33 development.

34 “Prepayment”, (i) the payment in full or the refinancing of a governmental-insured or  
35 government-held mortgage indebtedness prior to its original maturity date; (ii) the voluntary  
36 cancellation of mortgage insurance on a publicly assisted housing development; or (iii) the  
37 payment in full on a government contract, any of which would have the effect of removing either:  
38 (i) the affordability restrictions applicable to the publicly-assisted housing development; or (ii) a  
39 requirement to renew any such affordability restrictions.

40 “Preserve affordability”, with respect to a publicly-assisted housing development, to  
41 undertake reasonable and diligent actions to retain, renew or secure subsidies affecting a publicly-  
42 assisted housing development in order to maintain at least the same number of units affordable to  
43 low, very low and extremely low-income households, respectively, as are currently occupied by  
44 such households, and to maintain as affordable to such households generally all units that are  
45 currently vacant, to the extent of available subsidies and taking into account the need to ensure that  
46 the development provides quality housing to its tenants.

47 “Protected low-income tenant”, a low-income tenant residing in a publicly-assisted housing  
48 development on the date of termination of the government program and whose rent was restricted  
49 by that government program.

50 “Publicly-assisted housing”, a housing unit or development that receives government  
51 assistance under any of the following programs: (i) section 8 of the United States Housing Act of  
52 1937 and 42 U.S.C. section 1437f as it applies to new construction, substantial rehabilitation,  
53 moderate rehabilitation, property disposition and loan management set-aside programs or any other  
54 program providing project-based rental assistance; (ii) section 42 of the Internal Revenue Code and  
55 26 U.S.C. section 42, the federal Low-Income Housing Tax Credit Program; (iii) section 101 of the  
56 Housing and Urban Development Act of 1965 and 12 U.S.C. section 1701s as it applies to  
57 programs for rent supplement assistance thereunder; (iv) section 202 of the Housing Act of 1959  
58 and 12 U.S.C. section 1701q; (v) section 221(d)(3) of the National Housing Act 12 U.S.C. section  
59 1715 (d)(3) or (5), the below market interest rate program; (vi) section 221(d)(4) of the National  
60 Housing Act 12 U.S.C. section 1715I (d)(4) to the extent the project’s rents are restricted pursuant  
61 to a government agreement; (vii) section 236 of the National Housing Act and 12 U.S.C. section  
62 1715z-l; (viii) section 515 of the Housing Act of 1949 and 42 U.S.C. section 1485; (ix) section 521  
63 of the Housing Act of 1949 and 42 U.S.C. section 1490a; (x) the Urban Development Action Grant  
64 and 42 U.S.C. section 5318 to the extent that the affordability of dwelling units subject to such  
65 program are restricted pursuant to a government agreement; (xi) the Housing Development Action  
66 Grant, and 42 U.S.C. section 1437o to the extent the project’s rents are restricted pursuant to a  
67 government agreement; (xii) section 13A of chapter 708 of the acts of 1966; (xiii) the voucher  
68 program provided for annually in item 7004-9024 of section 2 of the general appropriation act as  
69 that program applies to project-based rental assistance; (xiv) the Massachusetts low income  
70 housing tax credit program established in section 6I of chapter 62; (xv) the State Housing  
71 Assistance for Rental Production, chapter established in 574 of the acts of 1983; and (xvi) chapter  
72 121A to the extent that the affordability of dwelling units are restricted pursuant to a written  
73 agreement with the affected municipality.

74 “Purchase contract”, a document that purports to sell a publicly-assisted housing  
75 development including, without limitation, a purchase and sale agreement, contract of sale,  
76 purchase option or other similar instrument.

77 “Regulatory agreement”, an affordable housing restriction that establishes an owner's  
78 obligations created pursuant to the efforts of the department or its designee to preserve affordability  
79 and which is consistent with section 31 of chapter 184 provided that in any project that is eligible  
80 for participation in the HUD mark up to market program, the restriction, insofar as it relates to the  
81 limiting of the level of rents, shall not apply to units covered by a section 8 housing assistance  
82 payment contract so long as such contract is effective.

83 “Sale”, the execution of a written agreement pursuant to which the owner or the holders of  
84 an ownership interest in the owner of the publicly assisted housing agrees to the disposition of the  
85 property by deed or otherwise, whether through a single transaction or a series of transactions,  
86 except for a disposition of such housing to an affiliate of the owner.

87 “Subsidy”, public financial assistance including, but not limited to, grants, loans, rental  
88 assistance, tax credits, tax abatements, mortgage financing, mortgage insurance, assistance  
89 pursuant to any government program or any other form of assistance, intended to make housing  
90 affordable to low-income households, especially very low and extremely low-income households.

91 “Tenant”, a person legally entitled to possession or occupancy of a rental unit within  
92 publicly-assisted housing, including a subtenant, lessee and sublessee.

93 “Tenant organization”, an organization established by the tenants of a publicly-assisted  
94 housing development for the purpose of addressing issues related to their living environment and  
95 which meets regularly, operates democratically, is representative of all residents in the  
96 development, is completely independent of owners, management and their representatives and  
97 which has filed a notice of its existence with CEDAC; provided, however, that, no owner or other  
98 third party shall be required to ascertain the organization’s compliance with this definition.

99 “Termination”, the cessation, discharge or removal of an affordability restriction affecting  
100 a publicly-assisted housing development in the absence of a simultaneous replacement of that  
101 restriction with an equivalent affordability restriction including, but not limited to: (i) nonrenewal  
102 or termination, in whole or in part, of a government program contract or mortgage; (ii) expiration,  
103 in whole or in part, of an affordability restriction under a government program or the requirement  
104 to renew the restriction; (iii) payment in full of a government program mortgage; or (iv)  
105 prepayment of a government program mortgage or contract.

106 “Time for performance”, the date for delivery of the deed or other document evidencing a  
107 sale pursuant to a purchase contract or any extension thereof.

108 “Very low income”, having a household income of not more than 60 percent of the area  
109 median income, adjusted for household size, as periodically determined by the United States  
110 Department of Housing and Urban Development.

111 Section 2. (a) Except with respect to property subject to an affordability restriction which  
112 has less than 2 years remaining and, for which subsection (e) shall, apply, the owner shall provide  
113 written notice to: (i) all tenants and the tenant organization; (ii) the chief executive officer of the  
114 affected municipality; (iii) CEDAC; and (iv) the department, not less than 2 years before the  
115 termination of the affordability restriction affecting publicly-assisted housing. Nothing herein shall  
116 prohibit the owner from taking actions to terminate an affordability restriction during any notice  
117 period provided herein; provided, however, that the owner shall comply with all of the notice terms  
118 and restrictions pursuant to subsections (b) and (c). The informational notice shall provide: (1) the  
119 address of the publicly-assisted housing; (2) the name and address of the owner; (3) notification  
120 that an affordability restriction may terminate; (4) the date on which each affordability restriction  
121 may terminate; and (5) such other information as required by the department. Where more than 1  
122 termination may occur, the owner may send 1 written notice so long as the terminations are  
123 scheduled to occur within 1 year of each other, the notice is given at least 24 months before the  
124 earliest termination and the notice otherwise complies with this subsection.

125 (b) An owner shall not complete a termination or allow a termination to occur unless, not  
126 less than 1 year before the completion of the last termination event affecting the housing, the owner  
127 provides the entities identified in subsection (a) with written notice of intent to complete  
128 termination. The notice shall state: (1) the address of the publicly-assisted housing; (2) the name  
129 and address of the owner; (3) the date on which the owner intends to complete termination; (4)

130 unless section 6 applies, a statement that the department has the right of offer pursuant to section 3;  
131 and (5) such other information as required by the department.

132 (c) An owner shall not sell publicly-assisted housing before offering the department the  
133 opportunity to purchase the property pursuant to sections 3 and 4. The owner shall notify, in  
134 writing, the parties identified in subsection (a) of the owner's intention to potentially sell the  
135 property.

136 (d) A notice required by this chapter shall be deemed given when delivered in person or  
137 mailed by certified or registered mail, return receipt requested, to the party to whom notice is  
138 required. A notice to the affected municipality shall be awarded to the chief executive officer.

139 (e) Notwithstanding subsection (a) of section 2 of chapter 40T of the General Laws, an  
140 owner of publicly assisted housing who, on the effective date of this act, has less than 2 years  
141 remaining prior to the date when the affordability restriction will cease to apply to such property,  
142 shall not be required to give the 2-year notice required by said subsection (a), but shall provide  
143 such notice within 90 days of the effective date of this act. Notwithstanding subsection (b), an  
144 owner who, on the effective date of this act has less than 1 year remaining prior to a termination  
145 shall not be required to give the 12-month notice required by subsection (b), but shall provide such  
146 notice within 90 days after the effective date of this act.

147 (f) The notice requirements of this section shall not be affected by the status of an offer,  
148 purchase contract or sale under section 3 or section 4.

149 Section 3. (a) An owner shall offer the department an opportunity to purchase the property  
150 prior to entering into an agreement to sell the property pursuant to the time periods contained in  
151 this section, but no owner shall be under any obligation to enter into an agreement to sell such  
152 property to the department.

153 (b) The department may select a designee to act on its behalf as purchaser of the publicly-  
154 assisted housing and shall give the owner and CEDAC written notice of its selection. The  
155 department shall promptly consult with the affected municipality before selecting a designee and  
156 shall immediately designate the affected municipality as its designee upon written request of the  
157 affected municipality, unless the department determines that such request is not feasible for reasons  
158 set forth in the department's regulations. The department shall enter into a written agreement with  
159 its selected designee providing that the designee and any of its successors or assigns, agree to  
160 preserve the affordability of the publicly assisted housing. Once such an agreement is executed,  
161 the designee shall assume all rights and responsibilities attributable to the department as a  
162 prospective purchaser under this section and section 4. At any time prior to a sale under section 3  
163 or section 4, the department may revoke its designation and assume the designee's rights and  
164 responsibilities, either in its own capacity or by selecting a new designee; provided, however, that  
165 no change in a designation shall operate to extend or alter any time periods for performance set  
166 forth in this chapter or in any purchase contract entered into pursuant to this chapter.

167 (c) The department shall, within 90 days after it receives notice pursuant to section 2 of  
168 the owner's intention to sell, submit an offer to the owner to purchase the publicly-assisted

169 housing. Failure by the department to submit a timely offer shall constitute an irrevocable waiver  
170 of the department's rights under this section and the owner may sell the publicly-assisted housing  
171 subject to section 4. If the owner accepts the department's initial or any revised offer, the owner  
172 and the department shall enter into such other agreements as are necessary and appropriate to  
173 complete the sale. If the owner and the department have not entered into an agreement to sell the  
174 property to the department within 90 days after receipt of the notice pursuant to subsection (c) of  
175 section 2, the owner may enter into an agreement to sell the property to a purchaser of the owner's  
176 choice, subject to the department's right of first refusal pursuant to section 4.

177 (d) At any time after the notice in section 2 has been provided and within 10 days of  
178 receiving a request, the owner shall make documents available to the department for review and  
179 photocopying during normal business hours at the owner's principal place of business or at a  
180 commercial photocopying facility. Such documents shall include, but not limited to: (1) any  
181 existing architectural plans and specifications of the development; (2) itemized lists of monthly  
182 operating expenses and capital expenditures in each of the 2 preceding calendar years; (3) any  
183 capital needs studies or market studies that have been submitted to a federal, state, or local agency  
184 in the preceding 3 years; (4) utility consumption rates for the preceding 12 months; (5) copies of  
185 the last 2 annual financial and physical inspection reports filed with federal, state or local agencies;  
186 (6) the most recent rent roll showing then current vacancies and rent arrearages; (7) a list of vacant  
187 units; and (8) a statement of the approximate annualized vacancy rate at the development for each  
188 of the 2 preceding calendar years. Documents obtained pursuant to a request under this subsection  
189 shall not be considered public records, as defined in clause Twenty-sixth of section 7 of chapter 4,  
190 and the department shall not make such documents available to the public without the written  
191 consent of the owner or pursuant to a court order, provided, however, that disclosure may be made  
192 to potential funding sources, regulatory agencies or agents or consultants of the department in  
193 connection with the transaction, subject to appropriate confidentiality agreements. Upon request  
194 and with appropriate notice, the owner shall also permit reasonable inspections of the dwelling  
195 units, building systems, common areas, and common grounds by agents, consultants and  
196 representatives of the department including, but not limited to, inspections related to  
197 environmental, engineering, structural or zoning matters.

198 (e) Not later than 30 days after the department submits an offer to purchase the publicly-assisted  
199 housing development pursuant to subsection (c), the department shall notify tenants in the housing  
200 development and shall meet with them at least once to discuss the department's plans.

201 Section 4. (a) The department shall have a right of first refusal to purchase any publicly-  
202 assisted housing development under this section. At any time after the 90 days the department has  
203 been given notice pursuant to subsection (c) of section (2), but not later than the 360 days after the  
204 date of such notice, the owner may execute a purchase contract with a third party to sell the  
205 publicly-assisted housing development provided that the owner complies with this section.  
206 Thereafter, the owner again shall be subject to the notice provision of subsection (c) of section (2).

207 (b) Upon execution of a third party purchase contract, the owner shall, within 7 days,  
208 submit a copy of the contract to the department and CEDAC, along with a proposed purchase  
209 contract for execution by the department. The department shall, within 30 days after receipt of the

210 third party purchase contract and the proposed purchase contract, execute the proposed purchase  
211 contract or such other agreement as is acceptable to the owner and the department. The time  
212 periods set forth in this subsection may be extended by agreement between the owner and the  
213 department. The proposed purchase contract shall contain the same terms and conditions as the  
214 executed third party purchase contract, except that the proposed purchase contract shall provide at  
215 least the following terms: (i) the earnest money deposit shall not exceed the lesser of: (1) the  
216 deposit in the third party purchase contract; (2) 2 per cent of the sales price; or (3) \$250,000;  
217 provided, however, that the earnest money deposit shall be held under commercially-reasonable  
218 terms by an escrow agent selected jointly by the owner and the department; (ii) the earnest money  
219 deposit shall be nonrefundable unless the owner fails to perform its obligations with due diligence  
220 for a period of not less than 90 days from the date of execution of the purchase contract or such  
221 greater period as provided for in the third party purchase contract; and (iii) the time for  
222 performance shall be not less than 240 days from the date of the execution of the purchase contract,  
223 or such greater period as provided for in the third party purchase contract.

224 (c) If the department fails to execute the proposed purchase contract within 30 days or  
225 such other period as provided in subsection (b), the owner shall have 24 months from the last day  
226 on which the department was entitled to execute the proposed purchase contract in which to  
227 complete the sale of the owner's publicly-assisted housing development to a third party, except as  
228 provided in subsection (e). Upon the expiration of the 24-month period, the owner shall be subject  
229 again to all of subsection (c) of section 2, section 3 and this section.

230 (d) If the department executes the proposed purchase contract as provided in subsection  
231 (b) but fails to perform as provided in the executed purchase contract, then the owner shall have 2  
232 years from the date on which the proposed purchase contract terminated in which to complete the  
233 sale of the owner's publicly-assisted housing development to a third party on economic terms and  
234 conditions that are not materially more favorable to the proposed purchaser than the economic  
235 terms and conditions in the proposed purchase contract offered to the department. Upon the  
236 expiration of the 24-month period, the owner shall be subject to subsection (c) of section 2,  
237 section 3 and this section.

238 (e) The department may make a counter offer by executing and submitting to the owner an  
239 amended proposed purchase contract. The owner shall have 30 days from the date it receives the  
240 amended proposed purchase contract to execute the amended proposed purchase contract or reject,  
241 in writing, the counter offer. If the owner rejects the counter offer, it shall have 24 months from  
242 the date on which the owner rejects the department's counter offer to complete the sale of the  
243 owner's publicly-assisted housing development to a third party, provided, however, that if such  
244 sale is: (i) upon economic terms and conditions that are materially more favorable to the proposed  
245 purchaser than the economic terms and conditions in the proposed purchase contract offered to the  
246 department; or (ii) upon terms that are substantially the same as was offered by the department in  
247 the counter offer, then the owner shall provide a copy of the new third party purchase contract,  
248 along with a proposed purchase contract for execution by the department which shall contain the  
249 same terms and conditions as the executed third party purchase contract, and the department shall  
250 have 30 days from the date it receives the third party purchase contract and the proposed purchase



251 contract to execute the proposed purchase contract or such other agreement as is acceptable to the  
252 owner and the department.

253 (f) The owner shall, not later than 7 days after the execution thereof, provide the  
254 department with a copy of any new or amended purchase contract executed with respect to the  
255 property during the 2 year period set forth in subsections (c) to (e), inclusive, and shall not later  
256 than 7 days after the recording or filing thereof, provide the department with a copy of any deed or  
257 other document transferring the owner's interest in the publicly-assisted housing development.

258 (g) Any submission to the department of a third party purchase contract, amended third  
259 party purchase contract, deed or other document transferring the owner's interest in the publicly-  
260 assisted housing development shall include a certification by the owner and, with respect to a  
261 document executed by the third party buyer, the third party buyer, that the document is accurate  
262 and complete and there are no other agreements between the owner and the third party buyer, or an  
263 affiliate of either of them, with respect to the sale of the publicly-assisted housing development.

264 Section 5. An affected municipality shall not be subject to section 16 of chapter 30B.

265 Section 6. (a) Section 3 and 4 shall not apply to any of the following: (i) a government  
266 taking by eminent domain or a negotiated purchase in lieu of eminent domain; (ii) a forced sale  
267 pursuant to a foreclosure; (iii) a deed-in-lieu-of foreclosure; (iv) a proposed sale that, as determined  
268 by the department, is to a purchaser pursuant to terms and conditions that preserve affordability; (v)  
269 a proposed sale of a publicly-assisted development which the department has determined has  
270 section 8 contracts for all of the units in the development and the buyer has agreed, in a regulatory  
271 agreement, to renew project-based section 8 assistance, or any successor program, for all units in  
272 the development provided that at the time of such renewal, such assistance is available to the owner  
273 on economic terms and conditions that are comparable to the existing assistance contract; (vi) a  
274 proposed sale of a publicly-assisted development to an affiliate of the owner that is not a  
275 termination as determined by the department; and (vii) a proposed sale pursuant to an agreement in  
276 effect on the effective date of this chapter.

277 (b) An owner seeking an exemption under clause (iv), (v) or (vi) of subsection (a) shall  
278 include the name and address of any tenant organization in the request and shall provide a copy of  
279 its request to the chief executive officer of the affected municipality, CEDAC, the local legal  
280 services organization as designated by the department and the tenant organization at the time it files  
281 its exemption request with the department. The department shall provide a copy of its written  
282 determination under said clauses (iv), (v) or (vi) of said subsection (a) to the owner, CEDAC, the  
283 local legal services organization and the tenant organization.

284 Section 7. For 3 years after termination, the rent for a protected low-income tenant who  
285 does not receive an enhanced section 8 voucher shall not be increased more than once annually by  
286 the increase in the consumer price index applicable to the area in which the publicly-assisted  
287 housing development is located during the preceding 12 months plus 3 per cent. The foregoing  
288 shall not apply to a low-income tenant: (i) who is income eligible for an enhanced section 8  
289 voucher but does not obtain one solely due to some action or inaction of the tenant on or after the  
290 date he or she is eligible to apply for the enhanced section 8 voucher; or (ii) who would be eligible

291 for an enhanced section 8 voucher if this provision was not in effect. For a period of 3 years after  
292 termination, a protected low income tenant shall not be evicted or involuntarily displaced from his  
293 apartment except for good cause related to tenant fault.

294 Section 8. A purchase by the department or by its designee pursuant to this chapter shall  
295 be subject to a regulatory agreement. A regulatory agreement shall not contain any terms that  
296 would preclude an owner or buyer from participating in, or diminishing the benefits that an owner  
297 would otherwise receive by participating in, the United States Department of Housing and Urban  
298 Development's Mark up to Market Program.

299 Section 9. An owner who has complied with sections 2 and 3 which has not resulted in a  
300 purchase by the department or which has resulted in a sale pursuant to section 4 may apply to the  
301 department for a certificate of compliance by submitting a written request for the certificate in a  
302 form and with such documentation as required by the department to establish the owner's  
303 compliance to the satisfaction of the department. At the same time, the owner shall provide a copy  
304 of the request to CEDAC and the chief executive officer of the affected municipality. The owner  
305 shall provide a copy of the owner's request to a tenant of the publicly-assisted housing upon  
306 request. The department shall issue the certificate of compliance within 30 days after receipt of the  
307 application if it determines that the owner has complied with said sections 2 and 3. The certificate  
308 of compliance shall be filed with the registry of deeds within 1 year after the date of issuance.

309 SECTION 2. Within 45 days after the effective date of this act, the department of housing  
310 and community development shall establish a 13-member advisory committee to consist of the  
311 undersecretary of the department or her designee, the executive director of the Community  
312 Economic Development Assistance Corporation, 1 member selected by the Massachusetts Mayors  
313 Association, 1 member selected by the Massachusetts Municipal Association, 1 member selected  
314 by Citizens Housing and Planning Association, 1 member selected by the Greater Boston Real  
315 Estate Board, 1 member selected by the Real Estate Bar Association for Massachusetts, 1 member  
316 selected by the Massachusetts Association of Community Development Corp., 1 member selected  
317 by the Massachusetts Legal Assistance Corporation, 1 member affiliated with the Affordable  
318 Housing Preservation Initiative of the Local Initiatives Support Corporation, 1 member selected by  
319 the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials,  
320 and 2 members chosen by the department to provide advice and recommendations to the  
321 department regarding regulations to implement this act. The department shall promulgate  
322 regulations to effectuate the purposes and implement chapter 40T of the General Laws not later  
323 than 150 days after the effective date of this act.

324 SECTION 3. For the purposes of sections 3 and 4 of chapter 40T of the General Laws,  
325 housing that qualified as publicly-assisted housing under any of the programs described in the  
326 definition of "publicly-assisted housing" in section 1 of said chapter 40T that was not then subject  
327 to a purchase contract in existence on the effective date of this act shall be subject to said chapter  
328 40T for 4 years after the date of the last event or occurrence that constituted a termination.

