

# **Lottery for Affordable Housing Units Training**

**March 22, 2017**

## **AGENDA**

- 8:30 – 8:45    **Registration**
- 8:45 – 9:00    **Welcome and Introduction**  
*Laura Shufelt, MHP*
- 9:00 – 10:15    **Lottery Guidelines Overview & Q&A**  
*Elizabeth Rust, Regional Housing Services Office*
- 10:15 – 10:25    **Break**
- 10:25 – 11:00    **Post-Lottery Responsibilities**  
*Rieko Hayashi, DHCD, LIP Program overview*  
*Katy Lacy, MassHousing*
- 11:00 – 11:50    **Homeownership Lottery Walk-Through**  
*Elizabeth Rust*
- 11:50 – 12:25    **Lunch**
- 12:25 – 1:00    **Rental Lottery Walk-Through**  
*Laura Shufelt*
- 1:00 – 2:30    **Group Lottery Activity**

## Affordable Housing Lottery Training

March 22, 2017



**Elizabeth Rust**

Regional Housing Services Office,  
Lottery Agent for the Sudbury Housing Trust

## After the Plan....

This session picks up after the **Affirmative Fair Housing Marketing Plan** has been written and **approved**

***Key: Clarity in the application materials contributes greatly to success!***



## Getting Started

**Review** Approved Affirmative Fair Housing Marketing & Resident Selection Plan

**Timeline:** Begin marketing 4-6 months prior to occupancy



## Establish/Reaffirm Sales Price/Rents

### Timeline

- Established at time of initial marketing or Final Approval
- No earlier than 6 months before occupancy
- **Reviewed** by Monitoring Agent (ownership), **approved** by Subsidizing Agency



## Parameters

### Income limits, plus:

- Ownership: interest rate, tax rate, insurance rate, condo fee (*with budget and ownership schedule*)
- Rental: Utility schedule



## Designate affordable units

The **developer** should provide the lottery agent with a listing or plan of which units are affordable, at what target income – as approved by subsidizing agency.

If there is a local preference approved, the **developer and agent** should indicate which units will be initially local pre



## Open Application Period

1. Finalize the details
  - Information session and lottery: date and location
  - Application end date
  - Final review of application for clarity
2. Post application on-line
3. Execute Outreach Plan
  - Place advertisements, web postings, mail flyers
  - Place hardcopies in a public place with off-business hours
4. Distribute applications
  - Mail, email, fax as requested
5. Accept submitted applications
  - In person, by mail
  - Check for completeness

## Review Applications

**“Only applicants who meet the applicable eligibility requirements shall be entered into a lottery”**

DHCD Guidelines 40B Sec. III F(2)(a)(1)

**Preliminary eligibility must be determined prior to admittance to lottery**



## Determine Eligibility

Must meet eligibility of housing program and funding as specified in the AFHMP, Monitoring and subsidizing agents can assist

- Review program guidelines including income targets
  - HUD Handbook 4350.3, Occupancy Requirements, DHCD guidelines
  - Establish minimum incomes, if applicable
- Determine household size
  - Whose income to count?
- Determine annual income
  - Paychecks, SSI, other: review deposits on bank statements
  - Applicant is eligible for highest income tier based on minimum income levels
- Determine asset values
  - Impute income
  - Compare to limit (ownership)
- Determine first-time homeowner (ownership)

## Assign Preferences – Household Size

- Owners have discretion in developing occupancy standards for a property
  - Standards cannot violate fair housing, zoning or other restrictions and laws
- Household size should be appropriate for the number of bedrooms in a unit.
  - First preference: Households requiring the total number of bedrooms in a unit
  - Second Preference: Households requiring the total number of bedrooms minus one



## Preferences – Household Size

Criteria for determining # of required bedrooms:

1. There is at least one occupant per bedroom and maximum two (if specified)
2. A husband and wife, or those in similar living arrangement, shall share a bedroom
3. A person described in (2) above shall not be required to share if medical documentation
4. Children are not required to share a bedroom, but may
5. A household may count an unborn child.
6. If applicant is in process of divorce or separation, verification is needed

***Public Housing occupancy standards may differ***

## Preferences – Household Size

2BR Examples:

1. Husband, wife, and 2 children
2. Mother and child
3. Husband, wife, 1 child
4. Husband and wife (disabled)
5. Disabled adult and live-in aide
6. Husband, wife and child at college, returning on recesses
7. Father and 2 children (50% custody)

## Preferences – Local

- Must be approved by the Subsidizing Agency in the AFHMP
- Maximum of 70%, rounded down

1 unit – 0 local	2 units – 1 local
3 units – 2 local	4 units – 2 local

- Can never have durational requirement
- Acceptable categories:
  - Current resident
  - Employee of the town
  - Employee of a business based in the town
  - Household with children in the school system

## Accessible Units

For projects with mobility accessible and/or communications accessible units or adaptable units, **first preference for those units always goes to households with a member that needs the features of the unit, regardless of local preference.**





## Lottery Pools

The number and type of pools will depend on the project.

For projects with approved local preference, there will be two pools: local and open.

Local applicants will be placed in both pools.



## Assign Registration Numbers

Qualified applicants are given a lottery number

- **Best Practice:** assign numbers to indicate household size preference, rent limit target, accessibility need, etc. Example 1001-2-50-A) (2 bedroom, 50% AMI, Accessible)
- Ballots are put in **all** pools that they are eligible for. Example: local preference applicant will be in both local and open pool



## Inform Applicants

Once lottery numbers have been assigned, send a letter/e-mail to all applicants with either:

1. Eligibility Letter: their lottery number/s and time and place of lottery, and preferences (#bedrooms, local) or,
2. Ineligibility Letter: with the reason they did not qualify for the lottery, and timeframe if they want to dispute (if one hasn't been sent earlier)



## Local Preference & Minority Balancing

If Local Preference has been approved by the Subsidizing Agency, the Lottery Agent must determine whether the Local Pool contains **at least** the percentage of minority applicants as the region as a whole. If not, the minority applicant ballots from the open pool are drawn in a pre-lottery and placed in the local pool until the regional percentage is obtained.

Applicants chosen for local pool will also be in open pool.

## Local Preference & Minority Balancing

The minority percentage by MSA can be found at:

[http://www.mass.gov/hed/docs/dhcd/hd/fair/percentracialeth  
icminority.pdf](http://www.mass.gov/hed/docs/dhcd/hd/fair/percentracialeth<br/>icminority.pdf)

Barnstable County-----	08.6%
Boston-Cambridge-Quincy MSA-----	27.0%
Pittsfield MSA-----	09.4%
Providence-New Bedford- Fall River--	14.4%
Springfield MSA-----	25.5%
Worcester MSA-----	19.3%
Dukes County-----	13.7%
Nantucket County-----	19.5%

## Hold Lottery

- Summarize lottery applicants for developer and town
  - #applied, #eligible in each pool
- Hold in public, accessible place
- Best Practice: have a disinterested party chose ballots. Typically a town official is willing.



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## Lottery

- Draw all ballots by pool and list in order
- Award accessible applicants/units first
- Award largest units next, beginning with the first ballot needing that size unit for that income level
- If local pool, draw local ballots first, then draw all ballots from open pool

### Award Sequence

1. Accessible
2. 3BR 80%
3. 3BR 50%
4. 2BR 80%
5. 2BR 50%
6. 1BR 80%
7. 1BR 50%



## Summary

- Review requirements
- Verify eligibility thoroughly
- Communicate explicitly with applicants
- Award units carefully



Thank you

**Contact Information:**

Liz Rust, RHSO

[Liz@RHSOHousing.org](mailto:Liz@RHSOHousing.org)

[www.RHSOHousing.org](http://www.RHSOHousing.org)



## Post Lottery Responsibilities Ongoing Compliance Monitoring



### 40B Post-Lottery Compliance Goal

- All Affordable Units are sold or rented for an eligible price-first time and every time
- All Affordable Units are occupied by eligible owners
- All Affordable Units secured with Long Term Affordability Restriction

## So, Who is Responsible?

Well, it depends....

Rental vs. Homeownership?

Who is the Subsidizing Agency?

Who is the Monitoring Agent?



Affordability Monitoring for NEF 40B  
Projects

3



1. The Regulatory Agreement
  - Identifies the Subsidizing Agency*
  - Identifies the Developer*
  - Identifies the Affordability Monitoring Agent*
  - Describes the Affordability Requirement*
2. Affordability Monitoring Services Agreement
3. The Affordable Housing Restriction (Deed Rider)

## 40B Subsidizing Agencies

- Department of Housing and Community Development (Local Initiative Program, or LIP)
- MassHousing (New England Fund, or NEF)
- MassHousing Partnership
- Mass Development
- FHLBB (Bank is the Subsidizing Agency)-OLD

*Goal is a consistent process, no matter which agency is involved.....*



## Who is the Monitoring Agent?

### **For ALL Rental 40B Projects**

Subsidizing Agencies=Monitoring Agent

### **For Homeownership 40B Projects**

- DHCD is the Monitoring Agent for all LIP Projects
- MassHousing uses a network of 3<sup>rd</sup>-party agents (CHAPA, RHSO. etc.)

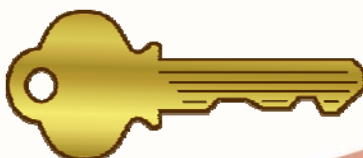




## Homeownership Monitoring

Communication is KEY!

- Lottery Agent
- Subsidizing Agent
- Homeowners



## Homeownership Monitoring Initial Sales

*Create Project File/Record*

Review Fair Housing Marketing Plan (AFHM); advise Subsidizing Agency

Review Initial Sales Price – Look at reasonableness of Condo Fees.



## Homeownership Monitoring Initial Sales

Certify Buyer Eligibility

Review Loan Commitment

Resale Price Certificate (MassHousing)

Deed and Deed Rider review



## Homeownership Monitoring Initial Sales

Issue Certificate of Compliance

Check that everything gets recorded!



## Homeownership Monitoring Initial Sales

*Initial Sales Compliance Report* - Documents that all of the Affordable Units have been sold by the Developer to an eligible buyer.



## Supplemental Monitoring

- Resales
- Refinancing
- Capital Improvements
- Foreclosures
- Ongoing Contact
- Reporting (Annual Report)
- ENFORCEMENT!



## Supplemental Monitoring-HO

### *An Annual Reminder Helps*

- You will keep this home as your primary residence; you must live in this home. It is not permissible to rent it or allow a third party to use it without approval from [Name of Monitoring Agent].
- You cannot refinance the home without prior approval from (Name of Monitoring Agent)
- If you decide to improve your property we strongly suggest that you contact us before getting started. You cannot add the value of improvements to your home without prior approval from [Name of Monitoring Agent].
- If you decide to sell the home, you will notify us of your intention.



## Supplemental Monitoring-HO

### *Annual Reporting*

Monitoring Agent submits Annual Compliance Report to the Subsidizing Agency and the Municipality regarding compliance of the Project with the Affordability Requirement.



## Monitoring for Rental 40b Projects

“It is the Subsidizing Agency’s responsibility to monitor the Developer’s compliance with the requirements of the Regulatory Agreement...”

“The Subsidizing Agency shall have the right to engage a third party (the “Monitoring Agent”) to monitor all or a portion of the ongoing requirements of this agreement...”



## Monitoring for Rental 40b Projects

Subsidizing Agent=Monitoring Agent

Subsidizing Agent is identified in the Regulatory Agreement

Role of Third Parties (Spectrum, Fine Point)



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Regulatory Agreement

Role of Third Parties (Spectrum, Fine Point)



## Monitoring for Rental 40b Projects

Initial Certification (at initial lease-up)

Annual Recertification (for entire term of  
affordability)

- All affordable Units occupied by eligible tenants (income/asset)
- All rents affordable
- Household size matches bedroom count





## Monitoring for Rental 40b Projects

BUT.....

Contact the Subsidizing Agency for  
Specific Program Guidelines



## Monitoring for Local Initiative Program (LIP) 40B Projects and Local Action Units (LAUs)

### LOCAL INITIATIVE PROGRAM (LIP)

- Projects jointly submitted by Town and Developers

### TWO KINDS OF LIP:

- LIP 40B –Through Comprehensive Permit
- Local Action Units – Through Local Action

### MONITORING AGENT:

- DHCD, Town or Town's Designee





## Local Initiative Program (LIP) Monitoring

- Rental Monitoring – Annual recertification and compliance with LIP guidelines.

**Contact: Monitoring Agent as designated in Regulatory Agreement**

- Homeownership Monitoring – Ensuring units are used as a principal residence and sold in compliance with LIP guidelines.

**Contact: Rieko Hayashi, LIP Coordinator DHCD**

**617-573-1426, [Rieko.Hayashi@state.ma.us](mailto:Rieko.Hayashi@state.ma.us)**

**March 22, 2017**  
**Massachusetts Housing Partnership**

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**Workshop on:**  
**Lotteries – Homeownership Demonstration**  
**Presentation By:**  
**Elizabeth Rust**

**So the Application Period has Closed..**

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- \* **Setting the Stage – Pleasantville Homes**
  - ◆ 12 New Construction Detached Homes with HOA
  - ◆ 3 Affordable 2 Bedroom Homes
  - ◆ 2 Local Preference Units
  - ◆ 1 Open Unit
  - ◆ 8 Qualified Applications have been received
  
- \* It is after the application period has closed and before the lottery is to take place, what are your next steps?

## Lottery Next Steps

- \* Review application for completeness and eligibility
  - ◆ Income documentation, asset statements, taxes, household information, mortgage pre-approval
- \* Confirm location is available, check out logistics to ensure enough chairs/accessibility/parking
- \* Secure a local official to draw names
- \* Assign a number and letters to each applicant
  - ◆ 1-8 following by:
    - ◆ Number of bedrooms needed by the HH
    - ◆ L= Local preference
    - ◆ A= Accessible

## Assign Numbers & Preferences

#	# Bedrooms needed?	Local Preference?	Accessibility Requirement?	Minority Preference?
1	2		N	
2	2	L	N	M
3	2	L	N	
4	1		N	M
5	2		N	
6	2		N	M
7	1	L	N	
8	2	L	N	

## Then What?

- ◆ If the local preference pool has less than the required % of minority representation, before the tickets are finalized, do a blind draw of all non-local minority applicants.
- ◆ Be sure there is a witness to the draw.

## Minority Balancing

#	# Bedrooms needed?	Local Preference?	Accessibility Requirement?	Minority Preference?
1	2		N	
2	2	L	N	M
3	2	L	N	
4	1	L	N	M
5	2		N	
6	2		N	M
7	1	L	N	
8	2	L	N	

The local preference pool has less than 27% minority representation:

- ◆ There is 1 minority (#2) of the 4 local applicants (25%)
- ◆ Before the tickets are finalized, do a blind draw of all non-local minority applicants (#4 and #6)
  - Add top ranked applicants til percentage is reached (let's use #6)

## Lottery Preparation

- \* The local preference pool will therefore have five applicants:

Applicants in Pool
2-2-L
3-2-L
4-1-L
7-1-L
8-2-L

- \* Units will be assigned as follows:  
**Unit 1: Local , Unit 2: Open, Unit 3: Local**
- \* All Applicants will go into the Open Pool

## The Night of the Lottery

- \* Once everyone is settled in their seats:
  - ◆ Greet everyone and thank them for coming
  - ◆ Explain the purpose and procedure of the event
  - ◆ Ask if everyone in the room eligible for the lottery has received a lottery number
  - ◆ Introduce participants, town official
  - ◆ Provide an overview
    - Stress confidentiality
- \* Have two different colored hats/baskets
  - ◆ One for local and one for open, mix up the tickets

## Setting up the Lottery List

### Starting List

Master List		Pulled List		Ranked List		Unit Award	
Order Drawn	Ticket#	Order Drawn	Ticket#	Ranking	Ticket#	Unit #	Ticket#
	2-2-L	1		1		Unit 1	
	3-2-L	2		2		Unit 3	
	4-1-L	3		3			
	7-1-L	4		4			
	8-2-L	5		5			

## The Drawing of the Local Units

### Pulled List

Master List		Pulled List		Ranked List		Unit Award	
Order Drawn	Ticket#	Order Drawn	Ticket#	Ranked Order	Ticket#	Unit #	Ticket#
5	2-2-L	1	4-1-L	1		Unit 1	
3	3-2-L	2	8-2-L	2		Unit 3	
1	4-1-L	3	3-2-L	3			
4	7-1-L	4	7-1-L	4			
2	8-2-L	5	2-2-L	5			

## The Ranking of the Local Units

### Ranked List

Master List		Pulled List		Ranked List		Unit Award	
Order Drawn	Ticket#	Order Drawn	Ticket#	Ranked Order	Ticket#	Unit #	Ticket#
5	2-2-L	1	4-1-L	1	8-2-L	Unit 1	
3	3-2-L	2	8-2-L	2	3-2-L	Unit 3	
1	4-1-L	3	3-2-L	3	2-2-L		
4	7-1-L	4	7-1-L	4	4-1-L		
2	8-2-L	5	2-2-L	5	7-1-L		

## Award the Local Units

\*Unit1 is awarded to:

- A. 4-1-L
- B. 8-2-L
- C. 3-2-L
- D. 7-1-L
- E. 2-2-L

Correct Answer: B (8-2-L)

## Award the Local Units

\*Unit3 is awarded to:

- A. 4-1-L
- B. 8-2-L
- C. 3-2-L
- D. 7-1-L
- E. 2-2-L

Correct Answer: C (3-2-L)

## The Award of Local Units

Final List

Master List		Pulled List		Ranked List		Unit Award	
Order Drawn	Ticket#	Order Drawn	Ticket#	Ranked Order	Ticket#	Unit #	Ticket#
5	2-2-L	1	4-1-L	1	8-2-L	Unit 1	8-2-L
3	3-2-L	2	8-2-L	2	3-2-L	Unit 3	3-2-L
1	4-1-L	3	3-2-L	3	2-2-L		
4	7-1-L	4	7-1-L	4	4-1-L		
2	8-2-L	5	2-2-L	5	7-1-L		



## Open Unit: Setting up the List

### Starting List

Master List		Pulled List		Ranked List		Ranked List	
Order Drawn	Ticket#	Order Drawn	Ticket#	Ranked Order	Ticket#	Unit #	Ticket#
	1-2	1		1		Unit 2	
	2-2-L	2		2			
	3-2-L	3		3			
	4-1-L	4		4			
	5-2	5		5			
	6-2	6		6			
	7-1-L	7		7			
	8-2-L	8		8			

## Drawing for the Open Units

### Pulled List

Master List		Pulled List		Ranked List		Ranked List	
Order Drawn	Ticket#	Order Drawn	Ticket#	Ranked Order	Ticket#	Unit #	Ticket#
5	1-2	1	7-1-L	1		Unit 2	
6	2-2-L	2	5-2	2			
4	3-2-L	3	4-1-L	3			
3	4-1-L	4	3-2-L	4			
2	5-2	5	1-2	5			
8	6-2	6	2-2-L	6			
1	7-1-L	7	8-2-L	7			
7	8-2-L	8	6-2	8			

## Ranking the Open Units

### Ranking List

Master List		Pulled List		Ranked List		Ranked List	
Order Drawn	Ticket#	Order Drawn	Ticket#	Ranked Order	Ticket#	Unit #	Ticket#
5	1-2	1	7-1-L	1	5-2	Unit 2	
6	2-2-L	2	5-2	2	3-2-L		
4	3-2-L	3	4-1-L	3	1-2		
3	4-1-L	4	3-2-L	4	2-2-L		
2	5-2	5	1-2	5	8-2-L		
8	6-2	6	2-2-L	6	6-2		
1	7-1-L	7	8-2-L	7	7-1-L		
7	8-2-L	8	6-2	8	4-1-L		

## Award the Open Unit

\*Unit2 is awarded to:

- A. 7-1-L
- B. 5-2
- C. 4-1-L
- D. 3-2-L
- E. 1-2
- F. 2-2-L
- G. 8-2-L
- H. 6-2

Correct Answer: B (5-2)

## The Award of Open Unit

### Final List

Master List		Pulled List		Ranked List		Ranked List	
Order Drawn	Ticket#	Order Drawn	Ticket#	Ranked Order	Ticket#	Unit #	Ticket#
5	1-2	1	7-1-L	1	5-2	Unit 2	5-2
6	2-2-L	2	5-2	2	3-2-L		
4	3-2-L	3	4-1-L	3	1-2		
3	4-1-L	4	3-2-L	4	2-2-L		
2	5-2	5	1-2	5	8-2-L		
8	6-2	6	2-2-L	6	6-2		
1	7-1-L	7	8-2-L	7	7-1-L		
7	8-2-L	8	6-2	8	4-1-L		

## After the Lottery

- \* Inform applicants of their ranking
- \* Inform developer, monitoring agent and municipality of results
- \* Obtain interest level from top applicant
  - ◆ Setting up showing as needed
- \* Provide monitoring agent with applicant materials for approval, within 60 days of contract
- \* Transition to developer for contract
  - ◆ Ownership: P&S, Rental: Lease
- \* Record Keeping:
  - ◆ Secure application materials for five years

## Establish the Wait List

- \* The wait list is established from the open pool lottery draw list (*III.F.2.d.(1) wait lists*):
  - ◆ If any of the initial buyers/renters do not buy/rent a unit, the unit is awarded to the highest ranking household on the open pool list.
  - ◆ The local preference is only applicable at the initial lottery drawing.
- \* First come first serve

## Closing: Ownership

- \* Obtain buyer information
  - ◆ Executed P&S
    - Verify price
  - ◆ Loan Commitment
    - Verify amount and term
  - ◆ Closing Attorney contact information
- \* Request closing documents from monitor



## Leasing: Rental

- \* Offer leases for a specific unit
  - ◆ Deposits amounts can not exceed the amount of a security deposit.
- \* Perform final income verification
- \* Annually update resident income: *“Documents required to determine that a household is an Income Eligible Household and to determine continuing eligibility upon lease renewal, should be current within 60 days of the request for such documentation, and need not be current within 60 days of lease date or lease renewal date (VI-5.a.(1)).”*
- \* **Update tenant rents:** After HUD issues new income and rent limits and/or new utility allowances are available:  
*Request subsidizing agency approve new rents*

## Updating the Rental Waitlist

- \* Annually:
  - ◆ Send out a letter to wait list households to verify their status
  - ◆ Determine number of expected vacancies
  - ◆ If wait list size drops to too few households:
    - Open the wait list
    - Advertise for 10 days
    - Perform a new lottery
    - All existing wait list tenants have preference over newly picked lottery winners.
- \* Update AFHMP every 5 years or before



# Thank you

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## **Contact Information:**

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[www.RHSOHousing.org](http://www.RHSOHousing.org)

## Rental Lottery Walk-through

March 22, 2017



## Mock Rental Lottery

Fairtown Green Apartments is a 16-unit 40B rental project with 4 affordable units. The project is located in Quincy (Boston MSA).

The designated affordable units are:

1BR : 1@ 50% AMI

1 @ 80% AMI – 1 mobility accessible

2BR: 1 @ 80% AMI

3BR 1@ 80% AMI

Local Preference has been approved for up to 70% of the affordable units

The minority percentage of the region is 27.0%.

## Affordable Units

- The Developer has designated the following units as affordable:

Unit 102	Unit 105	Unit 110	Unit 112
<ul style="list-style-type: none"> <li>1 bedroom</li> <li>80% AMI</li> <li>Mobility Accessible</li> </ul>	<ul style="list-style-type: none"> <li>1 bedroom</li> <li>50% AMI</li> <li>Local Preference</li> </ul>	<ul style="list-style-type: none"> <li>3 bedroom</li> <li>80% AMI</li> <li>Local Preference</li> </ul>	<ul style="list-style-type: none"> <li>2 bedroom</li> <li>80% AMI</li> </ul>

## MHP 2016 INCOME LIMITS FOR AFFORDABLE UNITS

Boston – Quincy MSA	1 Person	2 Person	3 Person	4 Person
50% AMI	\$ 34,350	\$ 39,250	\$ 44,150	\$ 49,050
80% AMI	\$ 51,150	\$ 58,450	\$ 65,750	\$ 73,050



**MHP**  
**Ballot Number Assignment Method**

- **Assign Ballot Numbers:**
  - **Unique identifier**
  - **Bedroom Size Preference**
  - **Income Target**
  - **Local (L)**
  - **Minority (M)**
  - **Accessible Unit (A)**

Applicant	HH Size/BR	Income	50% Or 80% AMI	Local	Minority	Accessible	Ballot Number
A	<u>4/2</u>	<u>\$55,333</u>		<u>Y</u>			
B	<u>2/2</u>	<u>\$47,600</u>		<u>Y</u>	<u>Y</u>		
C	<u>1/1</u>	<u>\$31,750</u>			<u>Y</u>		
D	<u>3/3</u>	<u>\$55,200</u>		<u>Y</u>			
E	<u>4/3</u>	<u>\$59,800</u>			<u>Y</u>		
F	<u>3/2</u>	<u>\$49,800</u>					
G	<u>2/1</u>	<u>\$56,100</u>		<u>Y</u>			
H	<u>2/2</u>	<u>\$53,650</u>		<u>Y</u>			
I	<u>2/1</u>	<u>\$31,340</u>		<u>Y</u>			
J	<u>1/1</u>	<u>\$44,400</u>			<u>Y</u>	<u>Y</u>	

## Lottery Pools

Local Pool

Open Pool

<u>Local Pool</u>	<u>Open Pool</u>

## Minority Balancing?

# of Local Preference Applicants: 6

# of Minority Applicants with Local Preference: 1

% of Minorities in Local Pool: 16.7%

Regional % of Minorities: 27.0%

Minority Balancing Needed? Yes

If yes, how many? 1

## Minority Draw Results

Open Pool

Local Pool

<u>Open Pool</u>	<u>Local Pool</u>

## Lottery Pools

Local Pool

Open Pool

<u>Local Pool</u>	<u>Open Pool</u>

## Lottery Drawing Results

<u>Open Pool</u>	<u>Local Pool</u>
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.
6.	6.
7.	7.
8.	8.
9.	9.
10.	10.

## Assigning Units

- Start with any accessible units, identify any applicant that needs an accessible unit. If designated for local preference but no local preference applicants that need features, then go to open pool.

## Assigning Units

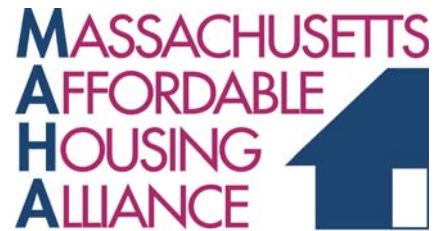
- Next assign the Local preference units, largest unit with lowest income target first.
- Find the first number on the Local Pool list that needs a 3 bedroom @ 80% AMI
- Take the next largest unit with local preference
- When all local preference units have been assigned, switch to open units, again beginning with the largest

## Unit Assignments

<b>Unit 102</b> <ul style="list-style-type: none"><li>• 1 bedroom</li><li>• 80% AMI</li><li>• Mobility Accessible</li></ul> <hr/>	<b>Unit 105</b> <ul style="list-style-type: none"><li>• 1 bedroom</li><li>• 50% AMI</li><li>• Local Preference</li></ul> <hr/>	<b>Unit 110</b> <ul style="list-style-type: none"><li>• 3 bedroom</li><li>• 80% AMI</li><li>• Local Preference</li></ul> <hr/>	<b>Unit 112</b> <ul style="list-style-type: none"><li>• 2 bedroom</li><li>• 80% AMI</li></ul> <hr/>
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# Interested in creating teacher or veteran housing?

## Questions to ask first.



Education ♦ Action ♦ Results

The Anti-Discrimination Law was written to respond to incidences of housing discrimination within the Commonwealth of Massachusetts. Communities should be sure their actions are in keeping with the goals and requirements of this law.

### Does your community receive state or federal housing funds?

If yes, deviation from following Fair Housing guidelines *could* cause concern for the governmental agency. This may be the case even if the funds are not used in an affordable housing project that potentially excludes a protected class.

### Do you want the units included on the MA Subsidized Housing Inventory (SHI)?

All housing units included on the SHI must use an Affirmative Fair Housing Marketing plan, approved by the MA Department of Housing and Community Development (DHCD) or other Subsidizing Agency, to recruit tenants or buyers. While a “local” preference” *may be* allowed, it cannot be for 100% of the units or exclusive for a group as narrow as teachers. It may need to include municipal workers, for example. DHCD criteria for local preference may differ from that of HUD. Ultimately, preferences are exceptions to equal opportunity housing and should be tailored to have the least discriminatory effect.

### But providing housing for teachers isn’t discrimination is it?

Maybe not, but consider this example: A community creates housing and makes it available only to local teachers. If all, or a distinct majority, of the teachers in the district are one race or gender, the town or city could find itself vulnerable to a discrimination case. Discrimination may not be the intent, but could be the result.

### Does your community have a housing plan?

Housing plans are data driven to help communities identify local housing needs. If your plan names certain groups of people (e.g., teachers or veterans) as being disadvantaged in finding affordable housing in town in comparison to other groups, then you strengthen your case when supporting housing that could benefit particular groups. However, this does not exempt a community from provisions of the Anti-Discrimination Law.

### There are some allowable exceptions.

DHCD has allowed some housing to be exclusive for one group of people (e.g., homeless veterans) if there is a services component integral to the housing. Additionally, the federal Fair Housing Act allows housing that is restricted for people 55 years old and up.

***While a community may have more flexibility if not receiving state or federal funds for a project, the Anti-Discrimination and federal Fair Housing Laws still apply to all.***

## Massachusetts Anti-Discrimination Law Mass General Law Chapter 151B

The Anti-Discrimination/Fair Housing Law declares that it is illegal to discriminate on the basis of:

- Race
- Color
- Religious Creed
- National Origin
- Sex
- Sexual Orientation
- Age
- Children
- Ancestry
- Marital Status
- Veteran/Military Status
- Public Assistance Reciprocity
- Disability (mental or physical)
- Genetics and Gender Identity

It is unlawful for owners, lessees, sublessees, licensed real estate brokers, assignees, managing agents or unit owners to refuse (on the basis of membership in one or more of the above groups) the:

- 1) right to buy
- 2) right to lease
- 3) right to rent
- 4) right of ownership
- 5) right of possession

*(This is not an exhaustive list, plus keep in mind that federal laws apply more broadly than state laws.)*

For more information, contact your town or city’s legal counsel, or the Massachusetts Department of Housing and Community Development.