

**City of Cambridge
Community Development Department
Inclusionary Housing Program
Standards and Procedures Regarding Selection of Applicants for Inclusionary Housing**

The Community Development Department hereby adopts the following Standards and Procedures Regarding Selection of Residents for Inclusionary Housing, pursuant to the Article 11.000, Section 11.204(a), of the Cambridge Zoning Ordinance (the “Ordinance”).

Section 1 – Purpose

These Standards and Procedures for the Inclusionary Housing Program describe how the Community Development Department (“CDD”) shall administer Inclusionary Housing units created through or administered under the Inclusionary Housing provisions, Article 11.000, Section 11.203, of the Ordinance to provide affordable housing choices throughout the City for low-, moderate-, and middle-income households in order to meet the City's goal of preserving diversity and making available housing that is affordable to residents.

These Standards and Procedures Regarding Selection of Applicants for Inclusionary Housing describe how CDD shall select applicants to be considered for Inclusionary Housing.

Section 2 – Definitions

Cambridge Resident: An applicant who at the time of submitting an application for Inclusionary Housing, or any subsequent update to an active application for Inclusionary Housing, meets any of the following criteria:

1. Applicant maintains their principal residence in the City of Cambridge, and their housing and residency is intended to be permanent and not temporary in nature;
2. Applicant resides outside of Cambridge, and was displaced from their Cambridge residence following the issuance of a summary process judgment filed against the applicant’s Household for no fault, and which judgment was issued within the 12 months immediately preceding their application for Inclusionary Housing;
3. Applicant resides outside of Cambridge, and was first issued a rental housing voucher from the Cambridge Housing Authority within the 12 months immediately preceding their application for Inclusionary Housing;
4. Applicant is living in a shelter or transitional housing facility operated by a social service provider in Cambridge; or,
5. Applicant is living in a shelter, or is not permanently housed, and applicant’s last permanent principal residence was in Cambridge.

An applicant who has been determined to be a Cambridge Resident shall maintain such designation for so long as they maintain an active application for Inclusionary Housing.

Cambridge-based Worker: An applicant who does not reside in Cambridge, but who, as a requirement of their employment, works at or from a permanent location established by their employer in Cambridge. Applicants who are self-employed and who demonstrate arrangements to maintain a permanent workspace or limit their work to within Cambridge shall be considered Cambridge-based workers.

Applicants who perform work in Cambridge that is the same as the work they perform outside of Cambridge shall not be considered Cambridge-based workers.

Eligible Household: A household whose gross household income has been determined to not exceed the amounts set forth in Section 11.203.4 of the Ordinance and other eligibility criteria described herein.

Emergency Housing Need: Circumstances which render an applicant's housing situation untenable and which warrant priority consideration and preference for Inclusionary Housing. Circumstances which shall be considered an Emergency Housing Need are when an applicant's Household is:

1. Paying more than 50% of gross Household income for housing in a residence where the applicant's Household has resided for at least one year;
2. Facing a rent increase of more than 25% which would result in rent exceeding 50% of the applicant's gross Household income;
3. A defendant in a summary process or eviction action filed in a court with jurisdiction, or with judgment entered against the applicant's Household in such process within the 12 months immediately preceding their application for Inclusionary Housing, where in either instance the landlord did not allege or a court did not find the applicant's Household at fault;
4. Not permanently housed, living in a shelter or time-limited transitional housing, or living unsheltered;
5. Displaced from or at risk of being displaced from their residence because a member of the applicant's Household is a Victim of Domestic Violence;
6. Living in a residence that has been determined to be uninhabitable by the City; or
7. Displaced from their residence due to a natural disaster.

Household: One or more persons living as a single nonprofit housekeeping unit.

Household with Children Under 18: Households where at least one permanent member is under the age of 18. A child shall be considered a permanent member of an applicant's Household if the applicant has physical custody of the child for at least 30% of overnights.

Household with Children Under 6: Households where at least one permanent member is under the age of 6. A child shall be considered a permanent member of an applicant's Household if the applicant has physical custody of the child for at least 30% of overnights.

Inclusionary Homeownership Housing: Inclusionary Housing that is sold to Eligible Households selected by CDD.

Inclusionary Housing: housing units subject to affordability requirements pursuant to and/or to be administered under Article 11.000, Sections 11.201 to 11.205 of the Ordinance; housing units subject to other affordability requirements in the Ordinance, including Sections 13.59.8, 13.90 et. seq., 13.107.6, 14.35, 14.36, 17.305, 17.506, 20.307.8; and other housing with affordability requirements subject to permitting restrictions which require it to be, or which is, administered as Inclusionary Housing.

Inclusionary Rental Housing: Inclusionary Housing that is owned by private property owners and which is rented to Eligible Households identified by CDD and selected by property owners and/or private property managers.

Veteran: An individual who was honorably discharged and who:

1. has performed wartime service as defined in M.G.L. c. 121B § 1; or,
2. is eligible for service at Vet Centers operated by the U.S. Department of Veterans Affairs,

and their spouses, surviving spouses, parents, and other dependents.

Victim of Domestic Violence: An applicant who has been displaced from their Cambridge residence and who has not secured permanent housing, or an applicant who is at risk of being displaced from their Cambridge residence, in either case as a result of domestic violence or loss of income from an abuser who is a member of the applicant's Household.

Section 3 – Selection Preferences

These Standards and Procedures Regarding Selection of Applicants for Inclusionary Housing describe how CDD shall select applicants for Inclusionary Housing. To advance policy goals for making Inclusionary Housing available to Eligible Households, preference will be given to applicants who meet certain criteria.

Preference shall be given to applicants who are Cambridge Residents, Households with Children Under 18, Households with Children Under 6, Veterans, Cambridge-based Workers, and applicants who have an Emergency Housing Need. Criteria from which an applicant's preferences are determined shall be additive, with the exception that preference for a Cambridge Resident or a Cambridge-based Worker shall not be combined. An applicant may qualify for preference either as a Cambridge Resident or a Cambridge-based Worker.

As described below, an applicant may qualify for one of the selection preference criteria, more than one of the selection preference criteria, or none of the selection preference criteria. Selection preference criteria shall be weighted by a point system as described below. An applicant's overall preference total shall be based upon the total number of points associated with selection preferences for which the applicant is eligible.

An applicant shall be considered for available preferences at the time of their initial application based on documentation provided, after submitting an update to their active application, and upon eligibility screening for an available Inclusionary Housing unit. With the exception for preference as a Cambridge Resident, which shall continue for as long as an applicant has an active application, an applicant's preferences will be redetermined upon final eligibility screening, and to be considered for housing an applicant must demonstrate that they continue to meet the criteria to be considered in the preference group being served.

For example, an applicant who at any point qualifies for at least one of the Emergency Housing Need criteria, and who upon final eligibility review, no longer meets any of the Emergency Housing Need criteria shall not receive preference for an Emergency Housing Need. Similarly, an applicant whose Household is determined at initial screening to be a Household with a Child Under 18, and who later, upon final eligibility review, is determined not to be a Household with Children Under 18 shall not receive preference as a Household with Children Under 18.

Section 4 –Inclusionary Rental Housing

In reviewing applications for Inclusionary Rental Housing, CDD shall grant preference to applicants based on the following criteria and assign points for each preference for which an applicant qualifies:

<u>Preference Criteria</u>	<u>Points</u>
Cambridge Resident*	12
Cambridge-based Worker*	3
Applicant with an Emergency Housing Need	3
Household with Children Under 18	1
Veteran	1
Maximum Possible Points*	17

* Preference for Cambridge Residents and Cambridge-based Workers cannot be combined

The maximum preference an applicant can have for Inclusionary Rental Housing is 17 points. CDD shall maintain applicant pools based on point totals. There shall be a pool of applicants with 17 points, 16 points, 15 points, 14 points, etc. CDD shall review eligibility of applicants beginning in the highest point applicant pool, and shall consider applications in the order they are received within each pool until an Eligible Household is identified for Inclusionary Rental Housing. If all applicants within a pool have been considered for an available unit, CDD shall proceed to the next highest point applicant pool.

Section 4 –Inclusionary Homeownership Housing

In reviewing applications for Inclusionary Homeownership Housing, CDD shall grant preference to applicants based on the following criteria and assign points for each preference for which an applicant qualifies:

<u>Preference Criteria</u>	<u>Points</u>
Cambridge Resident*	12
Cambridge-based Worker*	3
Household with Children Under 6	1
Household with Children Under 18	1
Veteran	1
Maximum Possible Points*	15

* Preference for Cambridge Residents and Cambridge-based Workers cannot be combined

The maximum preference an applicant can have for Inclusionary Homeownership Housing is 15 points. CDD shall maintain applicant pools based on point totals. There shall be a pool of applicants with 15 points, 14 points, 13 points, 12 points, etc. CDD shall review eligibility of applicants beginning in the highest point applicant pool, and shall consider applications in the order they are received within each pool until an Eligible Household is identified for Inclusionary Homeownership Housing. If all applicants within a pool have been considered for an available unit, CDD shall proceed to the next highest point applicant pool.

Preference for Families with Children Under 18 and Families with Children Under 6 in Units with Two or More Bedrooms

To make Inclusionary Homeownership Housing available to both Families with Children Under 18 and Families with Children Under 6, CDD shall use the approach described above for two out of every three Inclusionary Homeownership Housing units with two or more bedrooms. Every third unit shall then be

made available without the additional preference for Families with Children Under 6 in order to increase opportunities for Families with Children Under 18 to be considered for units with two or more bedrooms.

The alternate preference approach described here shall apply separately to Inclusionary Homeownership Housing units with the same number of bedrooms. For example, the offering of two-bedroom units with the preference for Families with Children Under 6 shall be independent of offering three-bedroom units under this approach.

In employing this system CDD shall also consider the level of affordability for units with two or more bedrooms. Prices and monthly costs will vary for Inclusionary Homeownership Housing units. Units may therefore be affordable to applicants at different income ranges.

To ensure the units with two or more bedrooms are offered as described above to both Families with Children Under 6 and Families with Children Under 18 at varying income levels, CDD shall not consider preference for Families with Children Under 6 for every third unit with two or more bedrooms within identified income ranges.

For this purpose, CDD shall consider the income eligibility limit in the affordability restriction for each available unit (e.g. 80% AMI, 100% AMI, etc.).

Lottery Process for Inclusionary Homeownership Units

CDD shall offer newly constructed Inclusionary Homeownership units through a stand-alone application process. Buyers will be selected by lottery if there are more buyers than available units, and applicants shall select units based on their position in the lottery.

Resale Process for Inclusionary Homeownership Units

When Inclusionary Homeownership units are repurchased by the City or its designee in order to be resold to a buyer identified by CDD, units shall be administered through CDD's Homeownership Resale Program, and subsequent buyers shall be selected in accordance with these Standards and Procedures.

Section 5 – Documentation Standards

In considering applicants for preferences described herein, CDD shall consider the following documentation:

A. Cambridge Resident

To be considered a Cambridge Resident, applicants shall be asked to provide documentation to demonstrate that they meet at least one of the following criteria at the time submitting an application for Inclusionary Housing, or at any subsequent update to an active application for Inclusionary Housing.

1. Applicant maintains their principal residence in the City of Cambridge in housing that is intended to be permanent in nature.

Acceptable documentation shall include:

- a. Providing one document from Category A and one document from Category B; or
- b. Provide three documents from Category B; or,

c. Provide two documents from Category B and two documents from Category C

Category A	Category B	Category C
Current Lease	Current Utility Bill (electric, gas, oil, cable)	Bank of other Financial Institution Statement (most recent)
Current Section 8 Agreement or Income Verification Worksheet	Massachusetts ID	Credit Card Statement (most recent)
Letter from shelter or transitional housing facility in Cambridge	Current Cambridge Public School Enrollment	Cell Phone Bill (most recent)
	Federal Tax Return (most recent)	Public Benefit Letter or Statement
	Car Registration	Medical Bill or Statement (most recent)
	Excise Tax Bill	Current Voter Registration
	Renter's Insurance Statement	
	Three months of rent receipts (most recent)	

2. Applicant resides outside of Cambridge but provides documentation to demonstrate that their principal residence was in Cambridge prior to their being involuntarily displaced following a court order or other judgment issued within the twelve months immediately preceding their application for Inclusionary Housing, in an action brought against the applicant's Household in which the applicant or other members of the applicant's Household were not at fault.

Acceptable documentation shall include:

- a. In addition to documentation listed above to demonstrate prior residence in Cambridge;
- b. Copy of court order or agreement that has entered against the applicant which shows that the action was not brought to address a fault of the applicant or member of the applicant's Household.

3. Applicant resides outside of Cambridge, and was first awarded a rental housing voucher from the Cambridge Housing Authority within the twelve months immediately preceding their application for Inclusionary Housing.

Acceptable documentation shall include:

- a. Documentation of the applicant's receiving a rental housing voucher from the Cambridge Housing Authority.

4. Applicant is living in a transitional housing facility operated by a social service provider in Cambridge.

Acceptable documentation shall include:

- a. A current letter from a shelter or transitional housing facility in Cambridge with information about the applicant's residency;
5. Applicant is living in a shelter, or is not permanently housed, and applicant's last permanent residence was in Cambridge.

Acceptable documentation shall include:

- a. In addition to documentation listed above to demonstrate that the applicant's last permanent residence was in Cambridge;
- b. A document signed by the applicant and a housing search caseworker, a social service provider, shelter staff, school personnel, an attorney, medical professional, or social worker or a mental health professional (collectively, "professional") from whom the applicant has sought assistance relating to homelessness or housing search. The document must specify, under penalty of perjury, that the professional believes the applicant is not permanently housed or is living unsheltered.

B. Cambridge-based Worker

To be considered a Cambridge-based Worker, applicants shall be asked to provide documentation to show that as a requirement of their employment they work at or from a location established by their employer in Cambridge.

Applicants who are self-employed and who demonstrate specific arrangements to maintain a permanent workspace, or whose work is limited to or predominantly within Cambridge shall be considered Cambridge-based Workers. Applicants who perform work in Cambridge that is materially the same as the work they perform outside of Cambridge shall not be considered Cambridge-based Workers.

Acceptable documentation shall include:

- a. A current pay statement which indicates the location of the applicant's employment;
- b. For self-employed applicants, documentation of specific arrangements to carry out their employment in Cambridge by maintaining a permanent workspace in Cambridge, or demonstrating that their work is limited to or predominantly within Cambridge.

C. Emergency Housing Need

Applicants for Inclusionary Rental Housing shall be considered to have an Emergency Housing Need for such time that meet any of the following criteria while they have an active application.

Applicants shall be asked to provide documentation to show that they meet one of the following criteria. Criteria for emergency housing need are not additive, and an applicant need only meet one criterion to receive this preference.

1. An applicant who is paying more than 50% of household income for housing in a residence where the applicant's Household has resided for at least one year shall be considered to have an Emergency Housing Need.

Acceptable documentation shall include:

- a. A copy of a lease or other written tenancy agreement for an applicant's residence;
 - b. Documentation showing at least 2 months of income for all adult members of an applicant's Household; and
 - c. Bank statements for all accounts for all adult Household members.
2. An applicant who is facing a rent increase of more than 25% which would result in their rent exceeding 50% of Household income shall be considered to have an Emergency Housing Need.

Acceptable documentation shall include:

- a. A copy of a lease or other written tenancy agreement for an applicant's residence;
 - b. A letter from the property owner or manager indicating both the current and increased rent amounts;
 - c. Documentation showing at least 2 months of income for all adult members of an applicant's Household; and
 - d. Bank statements for all accounts for all adult Household members.
3. An applicant who is a defendant in a summary process or eviction action filed in a court with jurisdiction, and where the landlord did not allege that the applicant's Household is at fault shall be considered to have an Emergency Housing Need for such time as the summary process or eviction action remains active, and, if judgment is entered against the applicant within the 12 months immediately preceding their application for Inclusionary Housing, and where the court did not find the applicant's Household at fault, for such time until the resident secures permanent housing.

Acceptable documentation shall include:

- c. A copy of a court filing indicating that a summary process action has been commenced and remains active; or
- d. A copy of a judgment or agreement that has entered against the applicant; and

- e. In either case such filing must show that the action was not brought as a result of a fault of the applicant or a member of the applicant's Household.
4. An applicant who is not permanently housed, living in a shelter or time-limited transitional housing, or living unsheltered shall be considered to have an Emergency Housing Need.

Acceptable documentation shall include:

- a. A letter from an emergency shelter;
 - b. A letter from a transitional housing facility;
 - c. A document signed by the applicant and an a housing search caseworker, a social service provider, shelter staff, school personnel, an attorney, medical professional, or social worker or a mental health professional (collectively, "professional") from whom the applicant has sought assistance relating to homelessness or housing search. The document must specify, under penalty of perjury, that the professional believes the applicant is not permanently housed or is living unsheltered.
5. An applicant who is a Victim of Domestic Violence who has been displaced, or is at risk of being displaced, from their Cambridge residence shall be considered to have an Emergency Housing Need.

To be considered a Victim of Domestic Violence, an applicant shall be asked to provide documentation to show that:

- a. the incident or incidents of abuse occurred no earlier than the later of six months preceding either:
 - i. the applicant's application for Inclusionary Rental Housing, or
 - ii. the applicant's request to be considered for this status; and,
- b. the abuser is a member of the victim's Household;
- c. the applicant has been displaced from their Cambridge residence and has not secured permanent housing, or is at risk of being displaced from their Cambridge residence as a result of domestic violence or loss of income from an abuser who is a member of the applicant's Household.

Acceptable documentation shall include:

- d. A lease or other document showing members of the victim's Household; and,
- e. A copy of a police report or court record showing of the incident of domestic violence with identification of the abuser; or,
- f. A document signed by the victim and an employee, agent, or volunteer of a victim service provider, a social service provider, domestic violence shelter staff, school personnel, an attorney, medical professional, or social worker or a mental health professional (collectively, "professional") from whom the applicant has sought assistance relating to domestic violence. The document must specify, under penalty of perjury, that the

professional believes the incident or incidents of domestic violence are bona fide incident(s) of abuse.

6. An applicant whose residence has been determined to be uninhabitable by the City shall be considered to have an Emergency Housing Need.

Acceptable documentation shall include:

- a. A notice to vacate or condemnation from the building commissioner or other local code enforcement official which indicates that repairs are estimated to require more than two months to complete.
7. An applicant who has been displaced from their residence due to a natural disaster such as a fire or flood or other casualty which was beyond the control of the applicant, and which has resulted in the applicant being displaced from their residence, shall be considered to have an Emergency Housing Need.

Acceptable documentation shall include:

- a. A notice to vacate or condemnation from the building commissioner or other local code enforcement official which indicates that repairs are estimated to require more than two months to complete.
- D. Household with Children Under 18 and Household with Children Under 6

To be considered a Household with Children Under 18 or a Household with Children Under 6, an applicant shall provide birth certificates of permanent members of the household who are under age 18.

- E. Veteran

An applicant who demonstrates that they are a Veteran as defined herein shall be considered a Veteran.

Acceptable documentation shall include:

- a. Form DD-214 or other equivalent record of military service
- F. Additional Documentation

Notwithstanding the above documentation guidelines, staff shall also ask for such additional documentation as determined by staff to better understand each applicant's situation to assist in making the appropriate determination regarding eligibility for applicant selection preferences.

Section 6 – Review and Appeals

CDD's initial review of applications for Inclusionary Housing shall be to determine which preferences f applicants are eligible for. Applicants shall be notified in writing by CDD staff about which preferences they have been granted. Applicants who have questions about how their application was considered for available preferences can contact CDD rental or homeownership program staff assigned to their application to discuss their application and how it was reviewed.

Applicants who, after reviewing their application with assigned CDD staff, continue to have questions about how their eligibility for preferences was determined, can request that CDD rental or homeownership program managers review the initial staff determination. Requests for program manager review of applications should be submitted in writing.

Program managers will then review the review the application and preference determination, discuss the issue with the applicant, and shall then either confirm or overturn the initial determination and shall provide such decision in writing to the applicant. Program manager decisions shall include notifying the applicant of their right to appeal their decision to the CDD's Housing Director.

Applicants can request reconsideration of CDD's initial determination of their preferences at any time, however, applicants for units being offered through a lottery process shall be required to request such reconsideration in writing within 5 business days from the date of CDD's written determination regarding their application.

Applicants who object to CDD's program manager decisions regarding preference determination may appeal such decision in writing to the Housing Director. Appeals shall be submitted to the Housing Director in writing within 5 business days of the program manager's written determination along with any additional supporting documentation.

By: _____

Iram Farooq
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Date: _____