

COMMUNITY DEVELOPMENT DEPARTMENT

May 14, 2018

CDD is developing regulations to apply to inclusionary housing pursuant to changes to the City's Inclusionary Housing provisions. Regulations will address program standards and procedures including those related to tenant and buyer selection preferences for inclusionary housing units. To assist with drafting regulations, CDD had prepared the questions below last year in order to frame considerations of possible changes so that regulations proposed would best advance the policy goals of the City Council related to selection preferences.

In the last term the Housing Committee requested that the Affordable Housing Trust discuss these questions and make recommendations for updates to the resident selection preference policies. The Trust is close to completing its discussion of these questions, and will soon share their recommendations on what changes would be advisable in inclusionary housing regulations issued by the City.

Once ready, proposed regulations will be promulgated by the City Manager and will be shared with the City Council, Affordable Housing Trust, housing partners and advocates. CDD will schedule public meeting(s) to hear comments, and will accept comments on proposed regulations for at least 30 days. Comments on proposed regulations will be considered as regulations are finalized. At the end of the public comment period, the final regulations will be promulgated by the City Manager.

Note that all proposed changes to preference criteria will need to be reviewed to ensure compliance with fair housing laws and other applicable requirements.

Resident Selection Preferences

1. Preference for Cambridge Residents

CURRENT

- preference is given to applicants who can document residency in Cambridge (by providing 2 of the following: current lease, utility bill, car registration, school registration);
- secondary preference for applicants who work in Cambridge (i.e. applicants considered if all resident applicants have been considered)

QUESTIONS

- Should residency preference be expanded?
 - i. Former residents (note: it can be very difficult to document and confirm former residency)
 - 1. Applicants with CHA vouchers who live outside of Cambridge
 - 2. Other former residents
 - ii. Cambridge-based workers
 - iii. City/School employees
 - iv. Veterans
- How best to address residents who cannot provide documentation to confirm residency?
 - i. E.g. those who are doubled-up, living with family, homeless?
- Should residency status be preserved once it has been determined?
 - i. At the time of application?
 - ii. Should households being involuntarily displaced be able to have residency certified for future applications? If so, for how long?
 - iii. Should others who are moving out of community by choice?
- Should residency preference apply to all units, or, if possible, might it be applied to less than all units to create a pathway for former residents to return to the city?

- i. e.g. 70% of units have preference for residents, 30% have no residency preference

2. Preference for families with children

CURRENT

- Preference is given to applicants with children under 18.
- Additional preference is given to applicants with children under 6.

QUESTIONS

- Should age preferences for families with children change?
 - i. Should there continue to be additional preference for families with young children?
 - ii. If so, is the age of 6 appropriate to advantage families with younger children?

3. Preference for applicants facing emergency housing needs (rental housing only)

CURRENT

- Preference is given to applicants who are:
 - i. facing a no-fault eviction; or
 - ii. living in a property cited by the City for outstanding code violations; or
 - iii. paying more than 50% of their income for rent; or
 - iv. living in an overcrowded situations (more than two people per bedroom); or
 - v. homeless.

QUESTIONS

- Are there other applicants who should be considered for emergency status?
 - i. Eviction and/or displacement risk – and at what stage?
 - ii. domestic violence
 - iii. transitional housing programs
 - iv. medical need (i.e. for elevator building)
 - v. over-housed applicants (i.e. to free up larger units)
- Are there current emergency criteria that should be changed or eliminated?
 - i. code violations vs. life safety threats
- Should all emergency needs be treated equally?
- What documentation should be required to prove homelessness?
 - i. Currently a letter from a shelter is requested; this is difficult for homeless families who do not qualify for family shelter.
 - ii. It can be hard to determine last resident of homeless applicants (i.e. for residency preference)

Preference Layering

CURRENT

- Residency preference is the most significant preference, meaning that preference is weighted more than preference for families with children and emergency need (4 points);
- Preference for families with children under 6 is next most heavily weighted (2 points), followed by families with children under 18 (1 point);
- Emergency need (1 point) is not a prevailing preference for 2- and 3-bedroom units – emergency preference applicants are served when they have other preferences (residency, families with children) given current demand.

QUESTIONS

- Should there be changes in how the current preferences interact?
 - i. Should emergency need be a more significant preference? Should all applicants with emergency needs be considered before other applicants?
 - Ahead of families with children
 - Ahead of residents?