Housing for People with Disabilities and Housing Search

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Massachusetts Department of Housing and Community Development
Training Agenda

• Overview of affordable housing options
• Identifying affordable housing in your region
• Planning a housing search and maintaining an organized housing search record
• Reasonable accommodation in housing search and screening
Overview of Affordable Housing Options

Basic information on common housing terms and housing types
Common Terms

• Affordable Housing
  • Refers to properties that have used some sort of tax relief (such as Low Income Housing Tax Credit) to build the housing, and are now required to provide “affordable rents” for low income people.

• Subsidized Housing
  • Tenant portion of the rent is based on income
  • Tenants pay 30%-40% of net income in rent

• Market-rate housing
  • Housing with rents set at the price the market will allow
Common Terms

• HUD
  • U.S Department of Housing and Urban Development
  • Federal agency
  • hud.gov or huduser.gov

• Area Median Income (AMI)
  • Midpoint in the family-income range for a metropolitan statistical area or for non-metro part of the state
  • Used to determine eligibility for many housing programs
  • Determined by HUD
  • Updated annually
Example of Income Limits

FY 2019 Income Limits Summary

Selecting any of the buttons labeled "Explanation" will display detailed calculation steps for each of the various parameters.

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Common Terms

• Fair Market Rent (FMR)
  • Determined by HUD
  • Updated annually
  • Based on actual rent surveys
  • Shows the average actual rent for a metropolitan statistical area or for non-metro part of the state
  • Used by multiple housing subsidy programs to set rent limits or how much a voucher will pay
Example of Fair Market Rent (FMR)

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The FY 2020 Fair Market Rents for Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area are based on the results of a local rent survey conducted in December, 2018.
Common Terms

• Gross Rent
  • Owner rent plus estimated cost of utilities

• Gross Income
  • Income before taxes

• Adjusted Income
  • Gross income minus deductions

• Tenant Rent
  • The amount of rent a tenant is required to pay in subsidized housing
  • A percentage of income, typically 30%-40%
Priorities and Preferences

• Priorities and preferences allow housing providers to put some applicants above other on their waiting list.

• Examples of common priorities and preferences are:
  • Town/city resident
  • Working in town/city
  • Veteran
  • Person needing accessible housing
  • Homelessness

• Note that each program may use different definitions for the terms above
Affordability

• Housing is considered affordable when the tenant is paying 30-40% of their income for their rent and utilities (gross rent)
  • Calculate affordability by taking the monthly gross income and multiplying it by .3 or .4

• Example: Miranda Smith has $800 per month in Social security income and $1,200 a month in pension. How much rent can she afford?
  • Total monthly income: $2,000
  • To be affordable, rent plus utilities should be 2,000 x .3 or 2,000 x .4 = $600 to $800
Subsidized Housing Programs

Tenant Based Options
What is a “tenant based” voucher?

• Tenant based vouchers:
  • Sometimes just called vouchers or mobile vouchers
  • Housing subsidy which allows a household to choose the housing they want to live in as long as it is affordable, safe, and the rent is reasonable
  • Households must find their own unit
  • The voucher is attached to the tenant and not the unit
  • Someone can move with a tenant based voucher and still have a subsidy

• Tenant based vouchers have a rent set by the housing agency
  • This amount may be increased as a reasonable accommodation in some cases
  • Carefully consider utilities
Rent Calculations: Tenant Based Vouchers

• Tenant rent is usually calculated using 30-40% of household’s adjusted income

• Some programs take into consideration amounts paid in utilities, either using specific utilities and amounts or a flat rate

• Voucher programs may have deductions for:
  • Head of household is elderly or a person with a disability
  • Medical expenses over 3% of gross income
  • Increased earned income or new earned income after receiving disability payments
Housing Choice Voucher Program/Section 8

• Federally funded housing subsidy program which provides voucher to household to find housing of their choice in the community of their choice

• HCVP vouchers can be used anywhere in the USA

• Households must be under 50% AMI to be found eligible

• No asset limit

• Tenant typically pays 30% of adjusted income as rent; voucher pays the remainder
Housing Choice Voucher Program/Section 8

• Administered by Local Housing Authorities (LHAs) and Regional Administering Agencies (RAAs)

• Administrator conducts regular inspections of units under Housing Quality Standards (HQS)

• Arguably the most difficult of the subsidies to access
  • Wait lists can be over a decade long

• To apply:
  • [http://section8listmass.org/](http://section8listmass.org/) (most, but not all, LHAs participate)
  • Contact LHA directly (example: Boston Housing Authority)
Mainstream Vouchers

• Similar to Section 8 vouchers, but available to special populations, including:
  • Non-elderly persons with disabilities
  • Serious risk of institutionalization
  • Currently experiencing homelessness and currently a client in a permanent supportive housing or rapid rehousing project
  • As risk of experiencing homelessness

• Make sure existing Section 8 application is up-to-date and correct
Massachusetts Rental Voucher Program (MRVP)

- State funded housing program which provides a voucher for use anywhere in Massachusetts
- Households must be under 80% of AMI to be eligible
- Asset limits at eligibility
- Administered by LHAs and RAAs
- Inspection is conducted by Local Board of Health at initial move in and may be requested if there are problems in the unit
- Tenant pays 30-40% of gross income as rent; voucher pays the rest
- To apply use MRVP application—must be submitted to housing agencies: https://www.mass.gov/service-details/massachusetts-rental-voucher-program-mrvp
Alternative Housing Voucher Program (AHVP)

• State funded housing program which provides a voucher to a household which they may use to find housing anywhere in Massachusetts

• Households must be under 80% AMI to be eligible AND be under the age of 60 with a disability

• No asset limits (income from assets counts)

• Vouchers issued only by LHAs

• Inspection is conducted by Local Board of Health at initial move in and may be requested if there are problems in the unit

• Tenant pays 25-30% of net income as rent; voucher pays the rest

• To apply use AHVP Application – must be submitted to 22 LHAs: https://www.mass.gov/service-details/alternative-housing-voucher-program-ahvp
State Funded Housing Priorities

• Priority 1: Homeless due to natural disaster
• Priority 2: Homeless due to public action
• Priority 3: Homeless due to minimum standards of fitness for human habitation (condemnation)
• Priority 4:
  • A. Homeless and facing a significant, immediate, and direct threat to the life or safety of the applicant or any other household member for causes other than the fault of the applicant or member of the household
  • B. Severe medical emergencies: an applicant is suffering from a severe medical emergency caused by a lack of suitable housing or for which lack of suitable housing is an impediment (this includes people in nursing homes with no housing to return to)
  • C. Abusive situation

• Detailed information: [https://www.mass.gov/guides/how-to-apply-for-public-housing](https://www.mass.gov/guides/how-to-apply-for-public-housing)
Lynn Housing and Neighborhood Development (LHAND) Special Purpose Housing Voucher

• Special type of Section 8 voucher for specific population
• Vouchers are issued by LHAND, but may be used anywhere in the state.

• Eligibility
  • Between the age of 18-61
  • Person with a disability
  • Currently residing in an institution
  • Eligible for a housing choice voucher

• New vouchers currently frozen
Role of Housing Authorities in Tenant Based Voucher Programs

• Although housing authorities have a strong relationship with local, state, and federal governments, they are actually independent agencies.

• Charted under state law, a housing authority is an autonomous, not-for-profit public corporation.

• This organizational structure allows housing authorities to work in conjunction with local governments and agencies to develop long-term housing strategies for communities.

• Though independently run, housing authorities are required to follow some federal regulations. In addition, housing authorities may receive a subsidy from the HUD or the state.

• Housing authorities in Massachusetts: https://www.mass.gov/service-details/local-housing-authority-contact-listing
How do I know the rules for a tenant based voucher program?

• Ask the agency that administers the voucher
• Read the tenant voucher and lease
• Ask to see and review rent determination; ask about deductions
• Ask about reasonable accommodations
• Ask to speak to a supervisor
• Ask to see administrative plan and/or regulations
  • These documents may be long and hard to interpret
• Ask how a specific law is applied in the program
Subsidized Housing Programs

Public Housing and Project Based Vouchers
What is “project based” housing?

- Project based housing:
  - Subsidies that are attached to a specific apartment in a specific building
  - It is very difficult to move and keep housing subsidy
  - Tenants are not required to find their own unit

- Tenant rent is usually 30-40% of the tenant’s income

- Includes project based vouchers and public housing
  - Both Section 8 and MRVP have project based vouchers
  - Priorities and preferences for project based vouchers can vary from property to property
  - Waiting lists for project based vouchers may be maintained by the property owner or the housing agency
Public Housing

• Funded either by state or federal government
• Owned and run by an LHA
  • All LHAs in MA have state public housing
  • Some may also have federal public housing
• LHA is the landlord; tenant signs a lease with the LHA
• Public housing is often broken up into family housing and elderly and/or disabled housing

• To apply for federal public housing: ask individual LHA
Public Housing – State Funded

• 667: Public housing which is specifically for elders and persons with disabilities

• 200: Public housing specifically set aside for families (may have 1 or 2 bedroom apartments which people with disabilities/elders would be eligible for)

• Income limit is roughly 80% AMI

• Apply online: https://publichousingapplication.ocd.state.ma.us/
State Funded Housing Priorities

• Priority 1: Homeless due to natural disaster
• Priority 2: Homeless by public action
• Priority 3: Homeless due to minimum standards of fitness for human habitation (condemnation)
• Priority 4:
  • A. Homeless and facing a significant, immediate, and direct threat to the life or safety of the applicant or any other household member for causes other than the fault of the applicant or member of the household
  • B. Severe medical emergencies: an applicant is suffering from a severe medical emergency caused by a lack of suitable housing or for which lack of suitable housing is an impediment (this includes people in nursing homes with no housing to return to)
  • C. Abusive situation

• Detailed information: https://www.mass.gov/guides/how-to-apply-for-public-housing
HUD Multifamily Housing

• 202 (Elderly Housing) Similar to Section 8 project based in eligibility but strictly for people aged 62 and older.

• For HUD funded Elderly/Disabled housing:  

• Project based section 8 - Same eligibility criteria as mobile HCVP but subsidies are attached to specific units. To find units:  

• Links to ALL HUD funded housing:  
811 Project Rental Assistance Resources

• Pool of project based resources for people who are homeless, institutionalized, or at risk of institutionalization and who are receiving services (including ongoing case management and individualized service plan) from:
  • MassHealth Home and Community Based Services (HCBS) waiver
  • Services provided by the Department of Developmental Services (DDS), Department of Mental Health (DMH), Massachusetts Rehabilitation Commission (MRC), or Community Support Program for People Experiencing Chronic Homelessness (CSPECH) program.

• To make an 811 PRA referral, please attend a training
How do I know the rules for a project based unit?

- Ask the agency that administers the voucher or owns the unit
- Read the tenant voucher (if applicable) and lease
- Ask to see and review rent determination; ask about deductions
- Ask about reasonable accommodations
- Ask to speak to a supervisor
- Ask to see administrative plan and/or regulations
  - These documents may be long and hard to interpret
- Ask how a specific law is applied in the program
Other Housing Resources

The following are other AFFORDABLE housing resources that are NOT ongoing rental subsidies – for your information
Low Income Housing Tax Credit (LIHTC)

• The Low Income Housing Tax Credit (LIHTC) is allocated through states and the IRS to housing providers in order to build affordable housing

• Housing funded with LIHTC is required to offer “affordable” rent in exchange for the property receiving lower taxes

• Eligible tenants must meet income and student status requirements
  • Income is verified at move-in and annually
  • Income limit can vary by property and unit within the property
Low Income Housing Tax Credit (LIHTC)

• For most LIHTC units, the rent is set
  • There is no income-based rent calculation completed for these properties
  • Income eligibility includes a minimum and maximum income

• LIHTC may be layered with:
  • Project based vouchers
  • Mobile vouchers
  • Other subsidies (811) or affordability (CBH)

• Screening criteria set by owner
  • Request copy of Affirmative Fair Housing and Tenant Selection Plan
  • Owner may have additional priorities and preferences
Example from a LIHTC property application:

The monthly rents are: $1,470/One Bedroom and $1,631/Two Bedroom, utilities are not included. A utility allowance has been deducted from the rent. These affordable units will be distributed by lottery as outlined in the attached package. Please review the enclosed information packet in detail and complete the application and disclosure statement at the rear of the packet. The rents are NOT subsidized, or income based. You are responsible for the full rent. Section 8 or a Housing voucher will be accepted but it is your responsibility to find out if your Section 8 or Housing provider accepts the rent and project. The minimum income, without a Section 8 or Housing Voucher, is estimated to be: One Bedroom - $44,400 and Two Bedroom - $48,930.
Community Based Housing Program (CBH)

• CBH is a housing development program that provides capital funds to developers to set-aside units for persons with disabilities of any age
  • Units are fully accessible and affordable
  • Many have subsidies attached

• Eligibility:
  • Have a disability
  • Not a consumer of DDS or DMH
  • Are in an institution or at-risk of institutionalization
  • Income limit
  • Certificate from MRC
  • Do not need direct referral
Facilities Consolidation Fund (FCF)

• FCF is a housing development program that provides capital funds to developers to set-aside units for clients of DMH or DDS of any age
  • Units are affordable and may be accessible
  • Many have subsidies attached
  • Services provided

• Eligibility:
  • Income limit
  • Client of DMH or DDS
  • Direct referral from DMH or DDS

• Similarly, some MassHousing properties have DMH/DDS set-aside units
HomeBase – for families with children ≤21

• HomeBASE is the Commonwealth’s re-housing benefit created to provide families who are in the emergency shelter assistance system an opportunity to overcome some of the financial barriers to ending their homelessness.

• To receive assistance, the most families must first be determined to be Emergency Assistance (EA) eligible by a DHCD Homeless Coordinator. Eligible families must meet income and other criteria that includes providing documentation on the reasons for homelessness.

• The HomeBASE Program offers an alternative to shelter and is time-limited assistance designed to provide a housing solution to families who are at serious risk of homelessness rather than going into a family shelter or motel.

• The type of assistance is based on the individual needs of a family which will be determined through an assessment.

• There is no guaranteed amount or type of assistance. The new system will be based on the family’s needs, situation, and contribution.

• For more information: https://www.mass.gov/service-details/homebase
Residential Assistance for Families in Transition (RAFT)

- RAFT provides short-term financial assistance to low-income households who are homeless or at risk of becoming homeless.

- Eligible uses include:
  - Moving cost assistance (security deposit, utility startup costs, first/last month’s rent, furniture)
  - Rent and rent arrears
  - Utility and utility arrears

- Households cannot get more than $4,000 within a 12-month period.

Home Modification Loan Program

• The state-funded Home Modification Loan Program provides loans to make modifications to the primary, permanent residence of elders, adults with disabilities, and families with children with disabilities. Such modifications allow people to remain in their homes and live more independently in their communities.

• There are six agencies throughout the state that administer the program for MRC. The program lends money to homeowners who wish to start new modification projects.

• Based on the household size and income limits, from $1,000 up to $50,000 (inclusive of all costs) may be borrowed by property owners, which is secured by a promissory note and a mortgage lien. Owners of manufactured or mobile homes may borrow from $1,000 up to $30,000. An HMLP loan may be obtained only one time per property.

• For more information: [https://www.mass.gov/service-details/about-the-hmlp](https://www.mass.gov/service-details/about-the-hmlp)
Identifying Affordable Housing in Your Region

How can your organization keep inventory of these resources?
Starting from Scratch: Building a Housing Listing for your Region

- Using the links provided for housing resources, resources for your region can be compiled using an Excel database

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Other Affordable Unit Listing

• MassHousing is a large affordable housing finance agency in Massachusetts. They have a large listing of housing they have financed. Many of their units are funded with the Low Income Tax Credit.

• Also lists project based Section 8 vouchers in their properties

Searching for Resources

• **MassAccessHousingRegistry.org**
  • Listing of affordable and/or accessible units throughout the state
  • May create an email alert for new listings

• **MassHousing List**
  • [https://www.masshousing.com/portal/server.pt/community/rental_housing/240/looking_for_an_affordable_apartment](https://www.masshousing.com/portal/server.pt/community/rental_housing/240/looking_for_an_affordable_apartment)
  • Includes affordable and subsidized unit
  • Can print a PDF or use map tool

• **MetroList** ([https://www.boston.gov/metrolist](https://www.boston.gov/metrolist))
  • Clearinghouse for income-restricted, affordable, and subsidized housing in metro Boston
  • Can subscribe to updates
Questions to Ask When Calling Properties
(Information collected can be added to spreadsheet)

• Is the waiting list open? Are waiting lists open for any specific bedroom sizes or for accessible units?
• What size units are in this property?
• Are the units affordable or subsidized? How is the rent calculated?
• How does the property screen people to determine if they are eligible? Are there any priorities or preferences?
• How do I get an application? What documentation needs to be returned with the application?
• What is the process of requesting a reasonable accommodation to complete the application process (if needed)?
Maintaining the Housing Listing

• New affordable properties are required to advertise
  • Add them as they come online

• Housing agencies must also advertise when the open or close waiting lists
  • Note which area housing agencies have open waiting lists and for what types of housing

• Maintain a filing system of housing applications

• Create a checklist of resources to use with each consumer searching for housing to ensure all options have been explored
Planning for a Housing Search
Planning the Search

• Start as early as possible
• What does the consumer want/need in housing?
  • Top towns
  • Consumer priorities
  • Accessibility Needs
  • Income
Planning the Search

• What priorities/preferences is the consumer eligible for?
  • Elderly
  • Requiring an accessible apartment
  • Leaving long-term care facility
  • Veteran (definition depends on housing option)
  • Homeless (definition depends on housing option)
Gathering Documents

• To be screened for housing, a consumer will need:
  • Birth certificate
  • Social security card*
  • Photo ID (or alternative)
  • Proof of income
  • Proof of assets
  • Proof of priority eligibility
Affordability

• What can the consumer afford to pay for rent?
• What utilities will the consumer have to pay in addition to the rent?
• What additional costs will be associated with the unit, such as pet fees, storage, or parking?
• How much does the consumer have saved for start-up costs (first/last, security, moving, broker’s fee)?
Identifying Barriers

• Are there issues from the consumer’s past that may be a housing barrier such as:
  • Housing history/lack of housing history
  • Evictions
  • Previous housing subsidies
  • Credit history
  • Criminal record

• Note that there are new protections for some people with a criminal record
  • See also Boston Fair Chance Policy (https://www.boston.gov/sites/default/files/fair_chance_policy_may_2017.pdf)
Mitigating Circumstances

• In addition to this request, applicants may also consider attaching further documents supporting their ability to comply with the lease such as:
  • Landlord/Official references
  • Character reference(s)
  • A letter of reference from their current nursing home and/or nursing home staff that work with them regularly
  • A letter of reference from Case Manager
  • A letter from a substance abuse treatment facility stating the individual has successfully completed a program
Mitigating Circumstances

• Consumer has entered into a payment plan for utility arrearages.
  • Letter stating the consumer has been up-to-date in payments under the plan for at least three (3) consecutive months OR have a representative payee in place OR will be using other funds to clear my balance.

• Consumer has entered into a plan for debt reduction.
  • Letter stating the consumer has been up-to-date in payments under the plan for at least three (3) consecutive months OR have a representative payee in place.

• Consumer has been paying a recurring bill on time for at least three (3) consecutive months.
Mitigating Circumstances

• A representative payee or other reliable third party manages consumer benefits and has agreed to take written responsibility for payment of rent on behalf of consumer household, notwithstanding the fact that the lease will be in the consumer’s name and not such third party.

• A negative credit history is the result of a disability and consumer or their designee is requesting a reasonable accommodation. With the reasonable accommodation the consumer will now pay rent promptly and in full.

• The credit problems were the result of special circumstances that no longer exist and there is reason to believe that I will now pay rent promptly and in full.
Documenting the search process

• Keep a list of places applied to (ideally in Excel for each consumer) which should include any follow up to housing providers regarding application status
  • Verify priority and preference (if applicable)
• Call places on a regular basis to find out status on waiting list, and keep track of these calls
• Make sure that mailing address is updated if the consumer moves OR use a mailing address that can be permanent
• Keep copies of all submitted applications
• Respond to all notifications from housing agencies
Documenting the search process

### 1 APPLICATIONS TRACKING

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### 2 COMMUNICATIONS TRACKING

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<th>Letter, Call, or Visit</th>
<th>Status Update</th>
<th>Next Steps</th>
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Helpful Tips

• Maintain a log of each application submitted and any updates received
• Make sure the consumer can access needed documents quickly
• Use your resources
• Get on ALL waiting lists, even if they are LONG!
• Make sure the consumer’s address is always updated for any applications submitted. Applicants will be contacted by mail only.
• If denied for housing, appeal!
• Review information at https://www.masslegalhelp.org/
Know Your Rights: Protected Classes

• It is unlawful to discriminate based on:
  • Race
  • Color
  • National Origin
  • Gender
  • Gender Identity
  • Sexual Orientation
  • Disability
  • Ancestry

• Genetic Information
• Marital Status
• Veteran or Active Military Status
• Age
• Familial State (i.e. children)
• Source of Income (i.e. housing voucher)
Housing Discrimination

• If you feel you are a victim of housing discrimination, you can file a complaint by calling (617) 727-2200 or file a complaint online here: http://www.mass.gov/ago/consumer-resources/your-rights/civil-rights/civil-rights-complaint.html

• You may also contact the Massachusetts Commission Against Discrimination by calling (617) 994-6000 or online here: http://www.mass.gov/mcad/
Know Your Rights: Domestic Violence

• Violence Against Women Act (VAWA) is a federal law that sought to improve criminal justice and community-responses to DV
• Covers domestic violence, dating violence, sexual assault, and stalking
• Covers both men and women
• You do not need to file a police report or obtain a restraining order to be protected
• You have rights and protections with property owner and housing subsidy
• Call SafeLink at 877-785-2020 (MA domestic violence hotline)
PAPERWORK
You'll never be able to avoid it, even if you're reincarnated as a cat.
Resources and Reference
Resources


Key Disability Rights Resources

• ADA regulations and guidance
  • http://www.ada.gov

• HUD Section 504 information
  • http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/504keys

• HHS Section 504 and ADA information
  • http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html

• HUD-DOJ Joint Statement on Reasonable Accommodations
Listings of housing resources
Applying for Tenant Based Options

• Housing Choice Voucher Program (Section 8)
  • [http://section8listmass.org/](http://section8listmass.org/)
  • Individual LHAs

• Massachusetts Rental Voucher Program (MRVP)
  • [https://www.mass.gov/service-details/massachusetts-rental-voucher-program-mrvp](https://www.mass.gov/service-details/massachusetts-rental-voucher-program-mrvp)

• Alternative Housing Voucher Program (AVHP)
  • [https://www.mass.gov/service-details/alternative-housing-voucher-program-ahvp](https://www.mass.gov/service-details/alternative-housing-voucher-program-ahvp)
Applying for Project Based Options

• HUD Resources

• State Public Housing Resources
  • [https://publichousingapplication.ocd.state.ma.us/](https://publichousingapplication.ocd.state.ma.us/)

• Other affordable units
Resources for Available Units

- Bay State Banner: [http://ads.baystatebanner.com/all/real-estate](http://ads.baystatebanner.com/all/real-estate)
- Cities/Towns in your area (many have their own listings/alerts)
- [https://www.boston.gov/metrolist](https://www.boston.gov/metrolist)
- Housing Consumer Education Centers (HCECs)
  - [https://www.masshousinginfo.org/](https://www.masshousinginfo.org/)
Contact Information

• Cecilia Woodworth
  • Assistant Director, State Programs
  • Division of Rental Assistance
  • Department of Housing and Community Development

• 617-573-1141

• cecilia.woodworth@mass.gov

• https://www.mass.gov/orgs/housing-and-community-development