

## Protections for Tenants During the Redevelopment of Public Housing

[Section 150 Acts of 2024](#), Signed by Governor Healey, August 6, 2024

SECTION 35. Section 34 of said chapter 121B, as so appearing, is hereby amended by adding the following paragraph:-

Notwithstanding any general or special law to the contrary, the tenants of a state-aided or federally-aided public housing project transferred or conveyed pursuant to the fourteenth paragraph shall maintain all rights pursuant to federal, state and local subsidy programs originally applicable to the project, including tenant contribution, lease terms, eviction, right to return, grievance, resident participation, preference in hiring and privacy rights, except as may be required to secure financing necessary for the feasibility of the project or to meet associated programmatic eligibility requirements after notice to affected tenants with an opportunity to comment. The redevelopment of such public housing project shall not be the basis for: (i) termination of assistance or eviction of any tenant; (ii) reduction of assistance or eviction of any tenant; or (iii) re-screening any existing tenant; provided, that no existing tenant shall be considered a new admission for any purpose, including, but not limited to, compliance with any income targeting requirements. Any such project shall have at least the same number of low rent housing units as the number of low rent housing units in the existing project. The requirements of this paragraph shall be implemented through contracts, use agreements, regulations or other means, as determined by the department. Any contracts, use agreements, regulations or other means shall be in compliance with all applicable local, state and federal subsidy programs and shall delineate: (i) the roles of the housing authority and other agencies in monitoring and enforcing compliance, including tracking temporary and permanent displacement; (ii) how the housing authority shall rehouse tenants so there shall be no displacement from affordable housing programs operated by the housing authority; and (iii) how tenants shall be provided with technical assistance to facilitate meaningful input related to the redevelopment of the proposed project. The benefits of any contracts, use agreements, regulations or other means shall inure to any tenant who occupied a unit within the project at the time of the transfer or conveyance of the project. Protections relating to tenant contribution, lease terms, eviction, grievance, resident participation, preference in hiring and privacy rights, except as may be required to secure financing necessary for the feasibility of the project or to meet associated programmatic eligibility requirements, shall inure to both present or future tenants or applicants of the project, who shall have the right to enforce the same as third-party beneficiaries. Nothing in this section shall create a separate or new administrative process of appeal or review for any grievance governed by the lease of any tenant. Tenants shall have an opportunity for comment on a project proposed under the fourteenth paragraph and an opportunity for public comment to be organized by the owners, controlled entities, designated private entities or public housing authorities responsible for such projects with adequate notice.