

# Municipal Affordable Housing Trust Guidebook

*How to envision, shape,  
get support and succeed  
with your community's  
local housing trust*

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## Introduction:

# Envisioning your local housing trust

*Establishing a municipal affordable housing trust fund signals a community's readiness to address its housing needs. Communities with municipal housing trust funds have thought long and hard about what kind of affordable housing they need and are well-prepared to use local funds to achieve their goals.*

Although the concept is not new, communities have shown increased interest in forming their own municipal affordable housing trust fund, due to increased availability of local funding sources like the Community Preservation Act.

Recognizing this, the state legislature in 2005 passed the Municipal Affordable Housing Trust Fund Law (MGL c.44 s.55C), which effectively simplified the process of establishing a local housing trust fund. Previously, only cities could create trusts through their own resolution, but towns needed to gain approval from the legislature through an often time-consuming and more distant process called a home rule petition.<sup>1</sup> Under the new law, communities can now create a local housing trust through their local legislative body.<sup>2</sup>

The new law also set guidelines on what local housing trusts can do and specifics as to who can serve on a local housing trust board and what powers a community can grant the board. Prior to the 2005 law, there were no articulated guidelines and the local housing trusts in existence often differed from community to community.

Since the new law passed, approximately 30 communities in Massachusetts have established municipal affordable housing trust funds, raising the overall total of communities with local housing trusts to 55.<sup>3</sup> Given this heightened interest, the Massachusetts Housing Partnership (MHP) has created this guidebook to help communities understand what a trust can do, how to set one up to fit your community's needs, and the importance of having a clear vision.

While it is the intention of this guidebook to promote a clear understanding of a municipal affordable housing trust, it is not intended to be prescriptive or provide specific legal advice. What it hopes to do is help your community understand how it can use a local housing trust to envision and achieve its own affordable housing goals.

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<sup>1</sup> Municipalities that created housing trusts through home rule petition prior to 2005 include Brookline, Cambridge, and Provincetown.

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<sup>2</sup> In Massachusetts, the term "local legislative body" refers to a municipality's city council, board of aldermen or town meeting, depending on the local form of government.

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<sup>3</sup> These figures are based on consultation with Kopelman & Paige and primary research by Jennifer Goldson between 2006 and 2009.

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# What is a municipal affordable housing trust?

*To best understand what a municipal affordable housing trust is, it's necessary to have a basic understanding of what it can do, what funds can be used in the trust and how to set up a board of trustees.*

## What can a local housing trust do?

A local housing trust<sup>3</sup> allows municipalities to collect funds for affordable housing, segregate them out of the general municipal budget into a trust fund, and use the funds for local initiatives to create and preserve affordable housing. Examples of what a local affordable housing trust fund can do include:

- Provide financial support for the construction of affordable homes by private developers (non-profit or for-profit);
- Rehabilitate existing homes to convert to affordable housing;
- Increase affordability in new housing development projects;
- Develop surplus municipal land or buildings;
- Preserve properties faced with expiring affordability restrictions;
- Create programs to assist low- and moderate-income homebuyers;
- Create programs to help low- and moderate-income families make health and safety repairs;
- Educate and advocate to further affordable housing initiatives.

## What funds can be used in a local housing trust?

The sources vary among housing trusts. Under MGL c.44 s.55C, sources of funding for trusts include: Community Preservation Act funds, inclusionary zoning payments,<sup>4</sup> negotiated

<sup>3</sup> For brevity's sake, this guidebook uses short-hand references such as local housing trust, housing trust and local trust when explaining how a municipal affordable housing trust (MAHT) works.

<sup>4</sup> Inclusionary zoning requires that residential developers include a specified amount of affordable dwelling units in their developments. Some inclusionary zoning bylaws/ordinances allow a developer to provide cash payments to the municipality in lieu of producing affordable housing units. A payment of this sort is earmarked for affordable housing and could be allocated to the municipality's affordable housing trust. Otherwise, these payments go into the general fund and must be appropriated by Town Meeting for affordable housing purposes.

developer fees, the town's general fund, and private donations. In fact, many Community Preservation Act (CPA) communities appropriate CPA funds to the local housing trust to meet or exceed the 10 percent minimum annual expenditure for community housing required by the CPA statute.

In addition, some communities have used additional sources to increase the trust's capital. Andover designated its housing trust board as the recipient of the town's HOME Investment Partnership Program (HOME) allocation. The Sudbury Affordable Housing Trust acts as an affordable housing lottery and monitoring agent, generating revenue through compensation for services.

It is helpful to identify funding sources in advance and test the political appetite for using those sources to capitalize a housing trust.

## Guidelines for setting up a board of trustees

The statute requires that municipalities create a board of trustees with a minimum of five members. There is no maximum requirement. Many boards range between five and nine members. If possible, the board's composition could include members with expertise in housing, real estate development, banking, finance, and real estate law. Chapter 3 discusses board membership in more detail.

Per statute, one trustee must be the chief executive officer of the municipality (for board of selectman, one of the selectmen may be designated as trustee). The chief elected official will then appoint the remainder of the trustees.<sup>5</sup> The statute also requires that trustees' terms shall not exceed two years.

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<sup>5</sup> In a city, the mayor may appoint trustees with city council confirmation; in a Plan D or E municipality, the city manager may appoint trustees with confirmation by the board of selectmen/city council.

# Figure out if a trust can help your community

*Now that you know the basics, the next step is to understand how a local affordable housing trust can help you meet your community's specific housing needs. A good first step would be for your chief elected official to establish a municipal task force charged with evaluating whether a housing trust could work for your community.*

Besides identifying housing needs and funding sources, a key issue for your task force to think through is whether a trust can drive your affordable housing agenda. Three possible answers to this question are:

**1. Yes, a housing trust can advance your local housing goals:**

By establishing designated funds and creating a board to oversee its use, a community could rely on its housing trust board to advocate and facilitate its affordable housing agenda.

**2. Yes, but with professional support:** Employing professional staff can maximize the board's capacity to identify and undertake projects and establish programs. Professional staff can be of tremendous support in pursuing administrative details that your volunteer board may not have time to follow. Professional staff can also provide an important coordinating link with other municipal departments. The municipal planning department often plays a critical role in supporting the work of the housing trust either through direct staff support or broader collaboration.

**3. No, some communities may not need a local housing trust:**

Despite its many possibilities, a local housing trust may not be a good fit for every community. Some communities already have a non-profit housing trust or community development corporation that performs a similar function in the community. In other communities there may not be sufficient political will to adequately capitalize the trust or to give the board of trustees enough power to be effective. Ultimately, the need for a housing trust is a local decision.



*Andover used its local trust fund resources to help develop this property on Cheever Road into an affordable homeownership opportunity.*

## Cities and towns may have different needs

Related to the question of whether a housing trust can help your community achieve its goals is your community's form of government.

In cities, the frequency of city council or alderman meetings, often combined with the support of professional housing staff, can give cities the ability to identify and respond quickly to opportunities. Thus, the value of a trust in a city may lie in having a way to segregate funds for affordable housing out of the city's general fund. In addition, the board of trustee's oversight, planning, and advocacy role can provide extra support for a city's housing goals.

Towns realize an additional benefit in establishing a local housing trust because the trust, if properly funded, does not typically need town meeting approval to take advantage of often time sensitive real estate opportunities to preserve and create affordable housing.

For example, Andover's Affordable Housing Trust Fund has made it possible for the town to create affordable housing more efficiently. As Lisa Schwarz, Andover Planning Director, explains:

"With our housing trust, we've definitely been able to help projects get off the ground that wouldn't have had that chance without the trust. Even though we don't have to go back to town meeting for every decision, we do still maintain strong communication with town meeting members and our town officials so that we are working together to support Andover's housing goals."

Cheever Circle is the latest example of Andover's ability to spark the creation of affordable housing with its local trust. With trust support, the Andover Community Trust, a non-profit 501(c)(3), signed a purchase and sale with a private owner. A modestly-priced three-bedroom home was built on the property, thanks in part to the support Andover Housing Partnership, the Andover Affordable Housing Trust, and the Andover Board of Selectmen. The home was sold to an income-eligible family, with a ground lease and permanent affordability restrictions. The home, the fourth affordable home developed by the trust, received a historic preservation award for its contextual design in an established neighborhood.

## Specialist helps Sudbury coordinate trust efforts

To maximize the effectiveness of its local housing trust, the Town of Sudbury decided to hire a housing specialist. The following is the job description.

### Community Housing Specialist Job Description

- Providing administrative and technical support relating to affordable housing for the Sudbury Affordable Housing Trust. This includes the following responsibilities:
- Design and implement Small Grants Program to provide grants for health and safety repairs to eligible households.
- Develop documents and requirements, access applications, award grants, monitor repairs.
- Create affordable housing units: Evaluate sites, oversee feasibility and engineering, manage project schedules and budgets, locate eligible purchasers, and close on units.
- Implement innovative Home Preservation Program, buying down market rate single-family detached homes to affordable.
- Process housing transactions, and maintain financial records
- Serve Board's administrative functions including creating trust documents, policies, and procedures as needed.

# Nail down vision & role of your board of trustees

*If your initial efforts indicate that a trust could help your community, the next steps would be detail what you hope to accomplish and how your trust and board of trustees will work with other municipal and private entities. Having a clear of understanding of your goals and how your trust will work with the community will help you when you move onto the job of gaining wider support and local legislative approval.*

## What would your community hope to accomplish through a housing trust?

Creating a vision is a good first step. For instance, you may picture your housing trust converting a market-rate property to affordable units or accepting publicly-owned land for the development of affordable housing. You may picture it facilitating pre-development work or providing funds to buy additional affordable units in a private development. Or you may picture it as a fund that can provide housing assistance to low- or moderate-income households.

To create a vision, there is no need to start from scratch. Work with local planners or other municipal officials to identify and review past housing plans. These can include the Comprehensive (or Master) Plan, Community Development Plan, Housing Production Plan, Community Preservation Plan, or other related documents. These plans will likely identify multiple initiatives that a housing trust could facilitate. Your regional planning agency may also be helpful. To find the agency responsible for your community, go to [www.mass.gov](http://www.mass.gov) and search for “Regional Planning Agencies.”

Establishing a vision helps you two ways: it gets your community to focus on its goals and it can also serve as a road map for your board of trustees after your community has approved your local housing trust. A strong vision will give your newly formed board a starting point to develop a more detailed action plan.

Within the parameters of the statute, the local legislative body has the authority to customize the housing trust to best meet local needs. To a certain extent, each locality

## Help assessing your housing needs

A useful resource in assessing your affordable housing needs is the Massachusetts’ Housing Partnership’s Housing Needs Workbook, which is designed to help communities collect, organize and analyze information about a community’s housing supply and needs. Go to [www.mhp.net](http://www.mhp.net) and search for “housing needs workbook.”

Another way to guide your local housing trust vision is by pursuing a state-certified Housing Production Plan (HPP). By following HPP guidelines, a community is ensuring that it is producing housing in a manner consistent with the Chapter 40B statute and regulations.

HPP’s must be approved by the state Department of Housing and Community Development. If a community has a DHCD-certified HPP, a decision by the zoning board of appeals relative to a comprehensive permit application will be deemed “consistent with local needs” under MGL Chapter 40B. “Consistent with local needs” means the ZBA’s decision will be upheld by the Housing Appeals Committee. For more information, go to [www.mass.gov/dhcd](http://www.mass.gov/dhcd) and search for “housing production plan.”

can customize the board of trustee's membership, terms, level of oversight, and powers. Communities can tailor the housing trust documents to allow for:

- The full-spectrum of powers listed in the statute;
- More narrowly focused powers;
- Additional powers within the scope of the statute.

## How would your local trust coordinate with other boards?

Once the municipality has approved the affordable housing trust, it must designate the members of the board of trustees. Before doing so, the municipality should decide how the trustees will be supported and how they are expected to coordinate with existing municipal and private entities. Other groups the trustees will be working with may include: the local housing partnership or other affordable housing committee, planning board, community preservation committee, housing authority, selectmen, comprehensive plan implementation committee, municipal officials, local developers, and the regional planning agency. Engaging these groups can help to confirm the preliminary vision, build a coalition of support, and identify ways to coordinate trust activities.

It is important that the housing trust reinforce rather than duplicate the work of other local groups. For instance, Southborough has the Southborough Housing Opportunities Partnership Committee (SHOPC), which pre-dated its local housing trust. The town distinguished the SHOPC from the trust—SHOPC generates policy and ideas for local initiative projects, whereas the trust is primarily a funding entity.

Some communities have also appointed members of other boards and commissions as trustees to facilitate additional coordination between boards. Other communities have simply combined their housing partnership or affordable housing committee with the housing trust, creating one entity.

## Determine the membership of your board

In addition to the minimum membership requirements laid out by the statute, some communities have created boards with more specific membership requirements. By specifying the proposed composition of the board in advance, the legislative body has more clarity about how the housing trust would operate and how its membership may overlap with other entities. Establishing membership requirements during your “visioning” stage will help garner more community support. Here are some examples of membership options that communities can consider when visualizing their local housing trust fund board:

**Chief executive officials:** In some cases, towns have required a greater degree of representation from the board of selectmen than is required by the statute. For example, Southborough's Affordable Housing Trust bylaw requires that all three members of the board of selectmen serve as trustees in addition to the other four members appointed by the board of selectmen. “It gave comfort to town meeting that the entire board of selectmen would be trustees,” said Vera Koliass, Southborough's town planner.

**Other boards & committees:** The bylaw/ordinance could also specify that the board include members of various municipal entities, such as the planning board, housing authority, housing partnership or other affordable housing committee, community preservation committee, finance committee, etc. This representation could strengthen communications among boards with related missions.

## Shape your trust with a vision statement

A community's initial vision can often shape how a local housing trust will be ultimately structured. The following sample can serve as a helpful initial vision statement template:

The [insert your community] Affordable Housing Trust will seek opportunities to create more housing in our community that is affordable to low- and moderate-income households.

The Trust's projects will include creating homeownership and rental opportunities for the elderly, disabled, and families.

The Affordable Housing Trust's projects could include:

- Convert market rate condominiums, town-houses, and single-family houses to affordable homes with long-term affordable housing restrictions
- Foster development on infill lots that is in context with the surrounding neighborhood
- Increase the number of affordable units or affordability of units in private development that meets local housing goals
- Support Housing Authority goals to create more rental housing opportunities
- Foster development of surplus municipal property for affordable housing
- Create programs to assist low and moderate income homebuyers and homeowners

**Balance of public & private sector representation:** Incorporating a balanced mix of public and private sector representation can heighten the capabilities of the board of trustees. The members of the board can be drawn from professionals with direct or related expertise in affordable housing development and preservation, such as attorneys, development or housing professionals, real estate professionals, bankers or finance professionals, or advocates. For example, as a matter of policy, Plymouth selectmen seek individuals that are members of various town entities, including the housing authority and the affordable housing committee, in addition to a banker and lawyer.

**Town manager/administrator:** The statute specifies that selectmen can appoint the town manager/administrator as a member or chair of the trustees with or without voting power.

**Terms:** The statute allows a maximum term of two years for trustees. Most communities simply reiterate this maximum term within the local bylaws/ordinance. Communities commonly build in a requirement for staggered terms with some initial one-year appointments in addition to the two-year appointments. Staggering terms enables the board to maintain a collective memory.

## What powers should be granted to the board of trustees?

The purpose of an affordable housing trust is to create a municipal entity that has the ability to undertake a variety of affordable housing real-estate activities. Section (c) of the statute specifies 16 powers that a municipality may grant the board.

The statute also allows a city or town to omit, modify, or grant additional powers that are consistent with the statute. This provision provides flexibility for municipalities to customize board powers. The list below summarizes some of the primary powers that a municipality can give the board of trustees (for the full list of powers, refer to section (c) of the statute in the appendix):

- Accept and receive property or money by gift, grant, etc.;
- Purchase and retain property;
- Sell and lease property;
- Employ and pay advisors;
- Participate in reorganizations (such as the financial reorganization of an affordable housing organization where the organization may be disposing of assets, etc.);
- Borrow money and mortgage or pledge trust assets as collateral;
- Manage, improve, and abandon property;
- Various accounting and fund administration capabilities.

Communities have adopted various combinations of powers for its board. Some have adopted all the powers allowed under the statute. Others have given the board additional powers. For example, Sudbury gave its board the power to become the lottery and monitoring agent for affordable housing and to monitor expiring uses.

Very few have adopted a housing trust with more narrow powers but Westford is one example. In Westford, the extent of borrowing is limited to 80 percent of the trust's assets and any purchase, sale, lease, etc. of any interest in real property requires a two-thirds vote of the board of trustees.

## Sample bylaw language

The following are examples of possible bylaw language regarding Board of Trustee Membership:

### To meet the minimum statutory requirements

TOWN OF SUDBURY—EXCERPT FROM ARTICLE IV

There shall be a Board of Trustees consisting of not less than five and not more than nine Trustees appointed by the Board of Selectmen. At least one of the Trustees shall be a member of the Board of Selectmen, who shall serve as the representative of the Board of Selectmen.

### To include members from other municipal entities:

The Board of Trustees shall consist of one selectman and one member nominated to the Selectmen from each of the following town entities: Planning Board, Community Preservation Committee, Housing Authority and Affordable Housing Partnership.

### Regarding the role of the Town Administrator:

There shall be a Board of Trustees of the (insert municipality) Affordable Housing Trust, at least one of which shall be a member of the Board of Selectmen ... The town Administrator shall be eligible for appointment as a (non-voting/voting) trustee...

### To set up staggered terms:

Trustees shall serve for a term of two years except that three of the initial trustee appointments shall be for a term of one year, and may be re-appointed at the discretion of the Board of Selectmen/Mayor.

## How should the board of trustees operate?

Some communities have adopted a greater level of municipal oversight of the board than the statute requires. Andover, Plymouth, Sudbury, and Wenham have overlaid a requirement for approval by the board of selectmen (and in some limited cases by town meeting) for specified actions of the board.

In Andover, the board of trustees must obtain the approval by the selectmen to accept and receive property; purchase and retain property; sell or lease personal property; participate in reorganizations; and make loans or grants. Andover also requires that the board of trustees receive approval from both the selectmen and town meeting to sell, lease, or abandon real property and to incur debt or borrow money. The board of trustees can employ advisors, manage and improve real property, defend claims, and execute transaction documents, in addition to some other administrative duties without approval of the selectmen or town meeting.

In Plymouth, all disbursements from the trust require board of selectmen authorization upon board of trustee's recommendation. Specifically, Plymouth's Declaration of Trust describes the board's powers and responsibilities as follows:

- Recommend policies, goals, and objectives for the trust fund program to the board of selectmen;
- Review project funding requests and recommend to the board of selectmen all disbursements from the trust fund;
- Investigate and recommend to the selectmen additional sources of money for deposit to the trust fund;
- Publish and distribute requests for proposals and notices of funding availability.

Determining the appropriate level of oversight is a balancing act. The board of trustees should have enough power to function effectively. Any oversight requirements should not overly politicize or delay action because it could raise the risk of losing opportunities.

# Strategies for gaining support and approval

*Communities can use a variety of outreach strategies to build community support for a housing trust. This section describes several common outreach strategies. Some of the suggestions may seem obvious but are summarized here so as to serve as checklist of examples of what other communities have done to communicate their vision and gain support for their local housing trust.*

## Engage key municipal officials and stakeholders

Gaining political support from municipal officials and other stakeholders helps build the foundation for broader public outreach efforts. You can directly engage a variety of community entities by attending their regular meetings to present, answer questions, and ask for feedback on the proposal. Some of the groups to consider engaging at this stage of outreach include:

- Chief elected officials, including the board of selectmen, mayor, city council, or town manager/administrator;
- Planning board and planning director;
- Community preservation committee;
- Housing partnership/other affordable housing committee;
- Housing authority board and executive director;
- Council on aging and senior center board/leadership;
- School committee;
- Other local groups, including League of Women Voters, Rotary Club, Chamber of Commerce etc.

Gaining support from municipal officials will partly hinge on proper education and being receptive to suggestions and feedback. It can be helpful to create a formal presentation that clarifies the following:

- The need for affordable housing;
- What a housing trust is and why it is important;

**A**s local leaders offer feedback or suggestions, it's important to revise and refine your proposal to alleviate concerns and grow support.

- What the housing trust could accomplish;
- Potential sources of funding;
- Proposed framework for membership, powers, and operations.

It may also be helpful to include information about other local housing trusts as examples. Inviting a representative from a housing trust in a nearby community answer questions can also be very helpful.

As these municipal officials and stakeholders hear your proposal and offer feedback, it will be important to revise and refine your proposal as necessary to alleviate concerns and build support. Don't forget to ask for support letters from municipal officials, boards, and other stakeholder groups. Getting formal votes and/or official letters will be important as you broaden your public outreach.

## Educate the public through media

Educating the broader public is a critical step as you move toward gaining approval from your legislative body. Your education efforts should strive to include the following:

**Local newspapers:** You can submit informative press releases, notices for any community meetings, letters to the editor or opinion pieces authored by key proponents.

**Local cable station:** If your community has a local cable station, it can be helpful to submit notices for the bulletin board. In addition, if your community has a cable show regarding municipal happenings, it can also be helpful to appear as a guest on the show to talk about housing trusts and invite the public to the community meeting(s).

**Internet/email tools:** Many municipalities and community groups utilize Listserv, blogs, social networking tools (such as Facebook and Twitter), online calendars, website announcements, or the like to connect with the public.

## Community meetings

Holding one or more well-advertized community meetings can provide a forum for feedback. Employing a few basic tactics can help increase participation at community meetings:

**Meeting time:** Make sure you choose a date and time carefully to minimize conflicts with other community events and meetings. Avoid meetings during summer months and holiday and school vacation weeks due to vacation schedules.

**Meeting location:** Choose a location that is well known and accessible.

**Meeting notice:** The typical meeting notices in local newspapers usually do not attract widespread attention. So if you submit a meeting notice for consideration as a short article and/or as a listing in a local calendar, try to follow it up with other articles and letters to the editor. Everything you submit should always include the time, date and place of the meeting. You should also call the reporter or editor responsible for coverage and see if you can get a feature story written on your initiative.

**Refreshments:** If you have the budget, offering food can sometimes increase participation. And if you're serving food, remember to include a note in your press release.

**Use the phone:** It is "old school" but often issuing a personal invitation can be very effective in enlisting attendance and support.

**Direct appeals:** Calling or emailing a few key stakeholders to ask for their commitment to participate can also improve participation at community meetings.

## Request for Town Meeting vote

Here's an example of how Wenham wrote up its trust proposal for consideration at town meeting:

### ARTICLE 11: Municipal Affordable Housing Trust

To see if the Town will vote to authorize the Board of Selectmen to accept the provisions of Massachusetts General Laws Chapter 44, Section 55C, and to establish a trust to be known as the Wenham Affordable Housing Trust Fund, whose purpose shall be to provide for the creation and preservation of affordable housing in the Town of Wenham for the benefit of low and moderate income households, substantially in a form which is on file with the Town Clerk and available for inspection. . .

*Town of Wenham Warrant Article  
May 2009 Town Meeting*

It is critical to be well prepared for the community meeting. Use the presentation and/or handout materials that you created for municipal officials and show how you've already revised and refined the proposal in response to suggestions. Stress that your vision is a product of community feedback.

Be sure to leave plenty of time during the meeting to encourage discussion. If valid concerns and suggestions arise during community meetings, you should incorporate any appropriate revisions to the housing trust proposal. And before seeking official adoption, communicate through the various local media outlets that you have responded to concerns.

## The final step: Seeking adoption

*“Acceptance shall be by majority vote of the municipal legislative body...”*  
*MGL c.44 s.55C(a)*

The authority to create a municipal affordable housing trust lies with the municipal legislative body (town meeting, city council, or board of aldermen). Acceptance requires a favorable vote of a simple majority of the legislators.

The process to request official consideration of the adoption of a housing trust will vary depending on your municipal form of government and local bylaws. Here are some guidelines:

**When to submit:** Typically, a council/board order or warrant article will need to be submitted before a certain date to be considered in a convening of the legislative body. Check with your municipal clerk to ensure you submit on time.

**Content of request:** The content of the request to the legislative body varies from community to community. Some communities require general language for consideration by town meeting and make more detailed information available for inspection with the town clerk. Other communities will include the full powers of the housing trust in the warrant article. The proposed warrant article or vote should be reviewed in advance by the city solicitor or town counsel.

**Education and reinforcement:** It is advisable to supplement the formal submission to the legislative body with further information to educate the voting members, reinforce the importance of creating a housing trust, and emphasize the community support. If the format of the legislative body meeting allows, it may be a good idea to give a presentation to the legislative body that explains what a housing trust is, the importance of it for your community, the general framework proposed for consideration, and the open and inclusive process that your group conducted to inform the proposal.

**After the vote:** If the legislative body's vote is favorable, there are a number of critical steps to ensure that the housing trust is properly established and that the board of trustees is well equipped to perform its function. Chapter 5 describes these implementation steps in detail. If the legislative body's vote is not favorable on the first try, refine your proposal to address any valid concerns raised, conduct a more extensive round of outreach, and try again.

# Establishing your local housing trust and getting to work

*After your legislative body adopts a municipal affordable housing trust, your role as advocate for the trust is not over. Harness the momentum generated from the adoption campaign to launch the trust—fostering appointments to the board of trustees, ensuring funding, and identifying viable projects.*

This chapter describes how to transform the housing trust from a concept into a functioning reality, including:

- Make the trust official;
- Create an action plan;
- Create a budget;
- Secure funding;
- Housing trust initiatives.

## Make the trust official

**Approval of bylaws:** After the municipal legislative body votes to adopt the trust, the municipal clerk must certify the bylaw. Once certified, the bylaw must be submitted to the Attorney General of Massachusetts. (The Attorney General is statutorily required to approve bylaws for consistency with state law within 90 days from the clerk's submission of a certified copy of the bylaw, a request for approval, a statement explaining the purpose and adequate proof that all procedural requirements have been met.) The request and the proof must be submitted within 30 days after final adjournment of the town meeting at which the bylaw was adopted.

**Establishing the board of trustees:** The municipality's chief executive officer is required to appoint the members of the board of trustees per the requirements adopted through your local affordable housing trust bylaw. As discussed in earlier chapters, one key to establishing a strong board of trustees is to include broad representation from the public and private sectors including professionals with expertise in real estate law, housing, development, financing, and housing advocates in addition to members from other relevant municipal boards.

You should work closely with your chief executive officer(s) to suggest members, informally assist in the selection process, as appropriate, and advocate for prompt appointments to minimize the time required to create the board.

**Declaration of trust:** The first order of business for the new board of trustees is to execute the Declaration of Trust and record it at the Registry of Deeds. While a Declaration of Trust is not legally required under the statute, it is strongly recommended because the Declaration, once recorded, will provide record notice of the establishment of the Trust and its powers and authority to hold and convey title to real estate. The Declaration of Trust would be recorded at the Registry of Deeds prior to acquiring any real property. Declarations of Trust will not be accepted by the Land Court Registry District unless these Declarations are filed with the deed to a specific piece of property.<sup>6</sup> The Declaration should be reviewed by the city solicitor or town counsel.

**Organize and orient the board:** As with any new municipal board, there are steps required to organize the board and outline its duties and responsibilities.

- Set a regular meeting schedule—meeting monthly is typical;
- Designate officers: chair, vice chair, treasurer, and clerk;
- Review trust’s bylaws and declaration to ensure all trustees understand the board’s powers and limitations;
- Review the Massachusetts Open Meeting Law (MGL c.30A s.11A½). Meetings of the board of trustees must be properly noticed and open to the public. In addition, the board must create a written record of all meetings and make it available as a public record. The board should also know the conditions under which it can hold an executive session and how to properly open, close, and record an executive session;
- Consult your municipal finance officer to determine preference as to whether a separate bank account or municipal account should hold trust funds;
- Review the procedures of your municipal treasurer (who is usually designated as custodian of the trust funds).

## Create an action plan

Although not mandated, an action plan can provide a board with focus as to its work and use of resources. An action plan would state the board’s goals and priorities, usually for a period of one to five years. If your community established a vision for your trust, you can use this as the foundation for your plan. Your community’s planner or a planning consultant can be helpful in crafting an action plan.

Andover Planning Director Lisa Schwarz says this is important. “Andover’s trustees got off to a strong start, setting their own criteria by asking themselves what is their purpose, their goals and what did they want to fund.”

Another good source to guide your early visioning is Salem’s action plan. To find this, go to [www.salem.com](http://www.salem.com), click onto “Boards & Commissions” and then onto “Affordable Housing Trust Fund.” The action plan can be found under the heading “Goals and Objectives.”

**The role of current plans:** The trust has a critical role to support and further the achievement of your community’s established housing objectives. If your community has current plans and documents that provide an analysis of housing needs or identify the community’s affordable housing goals, it is critical to incorporate these conclusions into the trust’s action plan.

<sup>6</sup> You can determine if a property is registered online through your local registry of deeds website. Links can be found at <http://www.sec.state.ma.us/rod/rodidx.htm>.

In most communities, there are one or more existing plans to draw from, such as an affordable housing production plan, comprehensive plan, community development plan, community preservation plan, or other documents. If your community is just getting started, the board of trustees can spearhead an affordable housing needs analysis to incorporate into the trust's action plan.

**Getting ideas from other communities:** Learning about the programs and projects initiated by other housing trusts can provide your community with ideas for its own housing initiatives. You can use this information to assist the board's work on the action plan.

**Create a dialogue:** The process of creating the action plan provides an ideal opportunity for the trust to engage the community. The intent of this community outreach would be threefold: generate feedback and ideas from members of the community, provide information about the community's affordable housing needs and the role of the trust, and generate support for trust activities and projects.

Through the planning process, the housing trust can directly engage other housing advocates and community partners. These groups can include the housing partnership or other affordable housing committee, housing authority, planning board, community preservation committee, board of selectmen/mayor, town administrator, school committee, finance committee, other municipal officials, regional non-profit agencies, and housing developers. Holding a planning workshop can be a useful forum to generate ideas and discuss priorities to incorporate into the plan.

## Create a budget

Developing a budget is essential to implementing the action plan. The board of trustees should create a one to five year budget that corresponds to the action plan and includes estimated amounts and sources of income (if known and if not, ideas of possible sources), estimated costs for the housing trust's operations and estimated costs for project and program initiatives.

Operating costs can include anticipated legal fees, title searches, recording fees, administrative assistance or housing coordinator salary, advertising, postage, copying, and similar operating costs.

Estimating costs for potential initiatives may be less precise at the early stages, unless the housing trust already has specific projects in mind. However, the housing trust should be familiar with relevant data to support project cost estimates. Examples of types of data include:

- Local property values;
- Market rents;
- Area median incomes;
- Affordability gap for target income groups;
- Ranges of rehab costs;
- Fees for architectural;
- Engineering, survey, soil testing, and appraisal work;
- Insurance costs.

**Budgeting strategies:** One primary aim in creating a budget is to build credibility with funders. There is not a universal strategy for creating a budget. However, when developing a multiple-year budget, one strategy that may be helpful is to start smaller in year one with pilot programs or seed money for projects and increase the level of your requests in future years when you can show proven success with projects or programs. If you

## Put your trust money to work through MassDocs

MassDocs is the state's loan closing document system. MassDocs makes it possible for just one set of loan documents to be needed for affordable housing rental developments financed by multiple funding sources. Before MassDocs, developments needed closing documents for each funder. MassDocs makes it easy for communities to deliver local housing trust funds to a project. For more information on how to join, go to [www.massdocs.com](http://www.massdocs.com).



have a specific project in mind or can demonstrate a high demand for a program concept, the budget may be able to support a more substantial funding request.

## Secure funding

When seeking revenue from Community Preservation Act (CPA) funds, inclusionary zoning payments, negotiated developer payments, HOME funding, or other funds, the housing trust should demonstrate and communicate its capability, accountability, and priorities to key decision-makers.

For example, if your housing trust is targeting CPA funds, it will be vital to foster support from the community preservation committee, board of selectmen or mayor, possibly the finance committee, as well as members of your legislative body.

The following strategies can help the housing trust structure its written and verbal communications with potential funders:

- Emphasize the housing trust's professional expertise, affordable housing experience, and representation on the board of other municipal boards and committees;
- Describe the inclusive process that the housing trust used to develop the action plan and entities that contributed to developing the plan;
- Demonstrate that the action plan will support the community's established housing objectives;
- Show that the budget is realistic and reasonable to achieve the housing trust's priorities;
- Describe the housing trust's plans for annual reporting to the community and any other accountability measures it has adopted;
- Be open and responsive to questions and suggestions.

**Important note:** Each funding source has restrictions and requirements.

Certain programs and projects may not be eligible under all funding programs. It will be particularly important to secure funds from sources that will enable the housing trust to accomplish its priority initiatives. Once funds are secured, particularly if secured from multiple sources, the board of trustees will need an accounting system that tracks revenue by original funding source. The board of trustees must be prepared to demonstrate that the funds were used properly under the requirements of each funding source.

## Housing trust initiatives

Housing trust funds can be used for the creation and preservation of affordable housing in various ways, but always subject to the powers granted to the board of trustees under the local bylaw.

Once the housing trust fund is funded and the board of trustees has arranged for any agreed upon staff-support, it is ready to implement the action plan by establishing programs and/or implementing projects.

**Establish housing programs:** Housing programs come in many forms. Essentially, the intent of housing programs is to enable low- and moderate- income households to afford to purchase, rent, or remain in a home. The program may or may not result in an income-restricted unit.

In order to establish programs, such as a first-time homebuyer, home rehabilitation, or rental assistance program, the board will need to create an application packet and program guidelines; create program documents including grant/loan agreement, deed rider, etc.; designate an entity responsible for program administration and monitoring; and market the program.

*Each funding source has requirements and the board of trustees must demonstrate that the funds were used properly.*

If the program's intent is to create "Local Action Units" (LAUs) that count towards the state's Subsidized Housing Inventory, contact the Massachusetts Department of Housing and Community Development (DHCD) prior to establishing the program. The DHCD staff will review four key aspects of the program: if and how affordable units are created; sale or rent price meets DHCD's affordability thresholds; affirmative fair marketing and lottery plan; and how units will remain affordable.

For more information, go to [www.mass.gov/dhcd](http://www.mass.gov/dhcd) and enter "Local Initiative Program" in the search box.

**Develop affordable housing:** Housing trust funds can be used to produce new units of affordable housing, through either rehabilitation or conversion of existing buildings or through new construction.

Local affordable housing trusts can usually operate in one of two basic ways: as a funding entity or as an entity that is more directly initiating development.

If the housing trust is functioning purely as a funding entity, it would not hold title to the property. Instead, it would offer grants (or possibly loans) to subsidize affordable housing developments and can be one of multiple funding sources for a project. In the role of funding entity, the board may issue an annual request for proposals or advertise funding rounds and make applications available to the public.

Other trusts perform a more direct role to foster development through acquisitions, predevelopment activities, developer selection, and conveyance of property.

In order to foster affordable development, the board should first know what type of development it is looking for. Based on the community's affordable housing needs and action plan, the board can define its project goals (unit type, size, target population, income mix, preferred location, etc.).

**Steps in identifying a development site:** To identify suitable sites for development, the following is advised:

**1. Budget:** Determine the housing trust's budget for a property acquisition and work with assessor's office to research comparable recent sales to establish a range of reasonable land costs.

**2. Property information:** Work with municipal departments to compile information to help the Board identify a site that could accommodate its project goals. For example, the assessor's office and/or planning department may be able to help provide the following information:

- vacant developable land with infill potential;
- tax title properties;
- vacant, surplus, or underutilized public properties;
- vacant or underutilized buildings;
- foreclosure activity;
- assessed property value by neighborhood;
- amount of rental housing by neighborhood.

**3. Properties on the market:** In addition, work with a real estate broker to identify private residential and vacant properties on the market or those about to come on the market.

**4. Preliminary evaluation of properties:** Utilize board of trustee members with expertise in development, work with the planning department, conservation agent, or other municipal staff, or contract with a consultant to evaluate potential sites based on zoning, utilities, environmental constraints, topography, soil conditions, site access, etc.

## Potential local housing programs

Here are a few examples of programs that can be funded with a local housing trust:

- **Homebuyers Assistance:** provide down payment, closing cost, mortgage interest, or other financial assistance to income-qualified homebuyers.
- **Rental Assistance:** provide local vouchers (modeled after federal Section 8 Housing Choice Vouchers) that subsidize the rental costs for income-qualified households. Some programs also help households save and prepare for homeownership.
- **Home Preservation/Purchase, Rehab:** acquire below-market homes, rehab as necessary, and resell at affordable prices with long-term deed restrictions to income-qualified household.
- **Home Repair Small Grants:** provide assistance to seniors and other income-qualified homeowners to fund health and safety repairs in their homes.
- **Foreclosure Prevention:** assist income-qualified homeowners at risk of foreclosure with foreclosure prevention information and housing counseling services.

**Acquire property interest:** Once a viable opportunity for acquisition has been identified, the board can initiate steps to acquire property interest. The steps involved will depend on whether the property is public or private. If the property is owned by the municipality, such as tax title property, town meeting would vote to transfer custody from the treasurer directly to the housing trust or to the selectmen for purposes of sale. The transfer of custody requires a two-thirds vote. State owned property would go through a public disposition process.

In the case of private property, the housing trust typically has the power to enter into purchase and sale agreements, conduct tests and inspections, and obtain financing if necessary.

The board should consider the additional expenses of property ownership, such as insurance, heating, utilities, maintenance, etc. and reflect these costs in their project budget.

In most instances, the trust will not be filling the role of project developer, but will be selecting and funding a non-profit or for-profit developer to construct the housing.

**Next steps:** Once the housing trust acquires a property, it could initiate one of a variety of activities, depending on the property's needs and nature of the project goals. A useful resource is MHP's *Developing Affordable Housing on Public Land: A Guide for Massachusetts Communities*. This publication is available at [www.mhp.net](http://www.mhp.net). Search for "public land guide." The guide includes information on assessing sites, setting project goals, preparing a Request for Proposal (RFP), and developer selection. The guide includes "development primer", which is a detailed one-page development process check list.

**Other initiatives:** If allowed by the terms of your local bylaw, your local affordable housing trust can also undertake other initiatives to create and preserve affordable housing including:

- Preserve affordable housing restrictions;
- Support initiatives of the local or regional housing authority or other housing agencies or organizations;
- Fund outreach and education activities;
- Fund affordable housing plans or studies;
- Perform lottery and monitoring functions;
- Hold, manage, rehabilitate, and lease property;
- Advocate for affordable housing initiatives, policies, or projects;
- Sponsor affordable housing education forums or other outreach efforts.

# A local housing trust in action

*The Town of Sudbury was part of the first wave of communities to adopt the Community Preservation Act in 2002, winning 51 percent of the vote. By 2006, Sudbury had collected CPA funds for historic preservation, open space and affordable housing, but had not been able to get one dime out the door for housing.*



Sudbury Housing Specialist Beth Rust said it was not because the town wasn't trying as several initiatives—including a housing buy-down program—had stalled. “Housing was complicated and required more time than the other CPA areas,” said Rust. “Forming a housing trust was one way in which we answered the issue and the other way was creating a housing specialist position.”

Sudbury began the process of jump-starting its local housing efforts by developing a local housing plan in 2005. Based on recommendations in that plan, the town's planning director, Jodi Kablack, worked with the selectmen to build support for the adoption of a local housing trust. In time, this effort garnered the support of key local committees and organizations, including the Community Housing Committee, the CPA committee, the planning board and the housing authority.

The selectmen, particularly Selectman Lawrence O'Brien, took the lead to advocate for adoption of the local trust. At town meeting, O'Brien urged the town to adopt the trust. “If the town is serious about providing affordable housing, then the creation of the Sudbury Affordable Housing Trust is an effective way of meeting that goal,” he urged town meeting members.

Also at town meeting, Kablack described the vision of the Sudbury Affordable Housing Trust. “The trust will act as an entity that can perform things that the town cannot, due to the timing issue and the constraints of town meeting annual cycle,” she said. “The trust can hold property and sell it again to a lower or moderate income family without a town meeting vote. That is the main goal (of the trust), to save the tear downs, save the smaller housing stock, preserve the character of the neighborhood, and also achieve the goal of providing affordable housing for the town.”

*Sudbury's local trust bought land that is now the site of an affordable duplex home built by the Greater Worcester Habitat for Humanity. Shown here at the 2008 groundbreaking are Selectman John Drobinski, housing specialist Beth Rust, Habitat homeowner June Culross and Pamela Faustine, past president the Greater Worcester Habitat board. Completed in 2009, the units were sold to income-qualified first-time homebuyers.*

After town meeting approved the trust, the selectmen, town counsel, and planning director fleshed out the details of the bylaw, appointed its board of trustees and hired Rust as its housing specialist.

The powers of Sudbury's local housing trust allow it to buy and sell real estate, borrow and lend money, as well as develop and hold property. The bylaws require board of selectmen approval for any real estate transaction and town meeting approval to borrow, mortgage, or pledge amounts greater than the current trust assets.

The selectmen appointed a nine-member board of trustees to manage and oversee the trust fund. The trustees include the chairs of the selectmen and planning board, a member of the Sudbury Housing Authority a developer, an architect, a banker, an advocate, a lawyer experienced with affordable housing, and a senior minister. In addition, the board is supported by the town planner and the community housing specialist.

Due to a strong board and dedicated staff, the trust has been active. The first project the trust funded was the development of a duplex by Habitat for Humanity on tax-title land purchased at auction by the trust. The project received broad community support as demonstrated through the strong commitment from the project's bi-weekly building volunteers.

Rust said it was very important for the trust to get off to a strong start, with a project that happened quickly and received widespread support. "The Habitat project had a wide-reaching positive impact to the community," she said. "We recruited strong supporters to run local outreach and fundraising so the project was well supported and in the public eye."

Sudbury's housing trust is now working on a second small-scale development project on a one-acre parcel of land it recently acquired. The trust hired an architect to create conceptual designs for six units of attached housing. The trust recently selected a developer through a request for proposals.

The trust has also created two on-going programs. The Home Preservation Program is a type of buy-down program that secures market-rate properties and matches the property with a qualified homebuyer through its ready-buyer list and a lottery. It subsidizes the sale the property to the homebuyer at an affordable price. The program results in permanently deed-restricted affordable units that count on the Commonwealth's Subsidized Housing Inventory.

The Small Grants Program provides assistance to seniors and other low-income homeowners in Sudbury to fund health and safety repairs to their homes. The program has a simple application process to streamline access to these small grants. The funding source for this program is revenue generated through the housing trust's function as lottery and monitoring agent for 40B projects in Sudbury and neighboring communities.

Only three years after the adoption, Sudbury's housing trust has already demonstrated impressive initiative and has maintained the support of the town.

"The trust's initiatives are well known and successful," said Rust. "We've been able to do positive outreach and demonstrate success. We also have support from the top with the board of selectmen as strong allies and this makes a huge difference."

# Appendix

## Municipal Affordable Housing Trust Statute

PART I. ADMINISTRATION OF THE GOVERNMENT  
TITLE VII. CITIES, TOWNS AND DISTRICTS  
CHAPTER 44. MUNICIPAL FINANCE  
MISCELLANEOUS PROVISIONS

### Chapter 44: Section 55C. Municipal Affordable Housing Trust Fund

Section 55C. (a) Notwithstanding section 53 or any other general or special law to the contrary, a city or town that accepts this section may establish a trust to be known as the Municipal Affordable Housing Trust Fund, in this section called the trust. The purpose of the trust is to provide for the creation and preservation of affordable housing in municipalities for the benefit of low and moderate income households. Acceptance shall be by majority vote of the municipal legislative body under section 4 of chapter 4.

(b) There shall be a board of trustees, in this section called the board, which shall include no less than 5 trustees, including the chief executive officer, as defined by section 7 of chapter 4, of the city or town, but where the chief executive officer is a multi-member body, that body shall designate a minimum of 1 of its members to serve on the board. Trustees shall be appointed in a city by the mayor or by the city manager in a Plan D or Plan E municipality, subject in either case, to confirmation by the city council, and in a town by the board of selectmen, shall serve for a term not to exceed 2 years, and are designated as public agents for purposes of the constitution of the commonwealth. Nothing in this subsection shall prevent a board of selectmen from appointing the town manager or town administrator as a member or chair of the board, with or without the power to vote.

(c) The powers of the board, all of which shall be carried on in furtherance of the purposes set forth in this act, shall include the following powers, but a city or town may, by ordinance or by-law, omit or modify any of these powers and may grant to the board additional powers consistent with this section:

- (1) to accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the trust in connection with any ordinance or by-law or any general or special law or any other source, including money from chapter 44B;
- (2) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;
- (3) to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract;
- (4) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;
- (5) to employ advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary;
- (6) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;

(7) to apportion receipts and charges between incomes and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

(8) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;

(9) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the board may deem necessary and appropriate;

(10) to carry property for accounting purposes other than acquisition date values;

(11) to borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets as collateral;

(12) to make distributions or divisions of principal in kind;

(13) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the board may deem appropriate;

(14) to manage or improve real property; and to abandon any property which the board determined not to be worth retaining;

(15) to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and

(16) to extend the time for payment of any obligation to the trust.

(d) Notwithstanding any general or special law to the contrary, all moneys paid to the trust in accordance with any zoning ordinance or by-law, exaction fee, or private contributions shall be paid directly into the trust and need not be appropriated or accepted and approved into the trust. General revenues appropriated into the trust become trust property and to be expended these funds need not be further appropriated. All moneys remaining in the trust at the end of any fiscal year, whether or not expended by the board within 1 year of the date they were appropriated into the trust, remain trust property.

(e) The trust is a public employer and the members of the board are public employees for purposes of chapter 258.

(f) The trust shall be deemed a municipal agency and the trustees special municipal employees, for purposes of chapter 268A.

(g) The trust is exempt from chapters 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the commonwealth or any political subdivision thereof.

(h) The books and records of the trust shall be audited annually by an independent auditor in accordance with accepted accounting practices.

(i) The trust is a governmental body for purposes of sections 23A, 23B and 23C of chapter 39.

(j) The trust is a board of the city or town for purposes of chapter 30B and section 15A of chapter 40; but agreements and conveyances between the trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the city or town shall be exempt from said chapter 30B.

## Resources & Links

The following is a list of additional resources to help you envision, shape, garner support and ensure the success of your local housing trust.

### **Developing Affordable Housing on Public Land:** [www.mhp.net](http://www.mhp.net)

This Massachusetts Housing Partnership guidebook is designed to help communities and housing authorities develop affordable housing on public land. Search for “public land guide.”

### **Developing Affordable Housing on Public Land, one-page checklist:** [www.mhp.net](http://www.mhp.net)

MHP commissioned housing consultant John Ryan to produce a development primer to serve as a checklist of what needs to be done to develop affordable housing on public land. Search for “public land guide.”

### **Housing Production Plans:** [www.mass.gov](http://www.mass.gov)

This is a link to the state Department of Housing and Community Development’s Housing Production Plan program. A Housing Production Plan (HPP) is a community’s proactive strategy for planning and developing affordable housing. Search for “DHCD Housing Production Plan.”

### **Housing Needs Workbook:** [www.mhp.net](http://www.mhp.net)

This MHP-published Housing Needs Workbook is designed to assist communities in assessing local housing needs. The workbook is especially helpful for communities just getting starting in creating a municipal housing plan. Search for “housing needs workbook.”

### **Housing Trust Fund Project:** [www.communitychange.org/our-projects/htf](http://www.communitychange.org/our-projects/htf)

This link provides more information about the Center for Community Change’s Housing Trust Fund project. The project operates as a clearinghouse of information on housing trust funds throughout the country, and provides technical assistance to organizations working to create or implement these funds.

### **MassDocs:** [www.massdocs.com](http://www.massdocs.com)

The MassDocs loan closing system makes affordable housing development more efficient by providing a common set of loan documents for projects using a variety of state and local funding sources. Your community can deliver its local housing trust fund support through this system and save on legal costs.

### **Massachusetts Regional Planning Agencies:**

#### [www.mass.gov](http://www.mass.gov)

This link provides information about the 13 regional planning agencies in the Commonwealth that help communities with municipal plans, transportation, economic development, environmental, land use, and community development needs. Search for “Regional Planning Agencies”

### **Open Meeting Law Guidelines, Massachusetts Attorney General:**

#### [www.mass.gov/Cago/docs/Government/oml\\_guidelines\\_final.pdf](http://www.mass.gov/Cago/docs/Government/oml_guidelines_final.pdf)

This is a link to information about the Massachusetts Open Meeting Law. If you have any additional questions about the Open Meeting Law, contact your local District Attorney’s Office. Search for “open meeting law guidelines.”

### **Salem’s Affordable Housing Trust Action Plan:**

#### [www.salem.com/pages/salemma\\_dpdc/trust\\_goals.pdf](http://www.salem.com/pages/salemma_dpdc/trust_goals.pdf)

This is a link to the City of Salem’s Affordable Housing Trust Action Plan.

### **Town of Lincoln Declaration of Trust:**

#### [www.mhp.net](http://www.mhp.net)

Once a housing trust is approved by the legislative body of the municipality, one of the first acts of the newly appointed board of trustees is to approve the Declaration of Trust. The Declaration of Trust is the formal document describing the organizational structure and the specific powers for the housing trust. This document gets recorded at the Registry of Deeds. Go to [www.mhp.net](http://www.mhp.net), search for “guidebooks.”

### **Town of Sudbury Housing Trust:**

#### [www.sudbury.ma.us/committees](http://www.sudbury.ma.us/committees)

This is a link to the Sudbury’s Housing Trust committee. The site features examples of housing trust documents as well as photos of projects the trust has undertaken. Click link for “Sudbury Housing Trust.”



# Massachusetts Housing Partnership

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462 Main Street, Amherst, MA 01002

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[www.mhp.net](http://www.mhp.net)

