

Homes for Everyone  
Ensure adequate protections  
against displacement for  
communities and residents  
of color, low-income  
communities, and renters



Photo Courtesy of Chris Lovett

## Recommendation: Ensure adequate protections against displacement for communities and residents of color, low-income communities, and renters

When long-time residents must leave their homes or communities, they often lose the support of friends and family. Many times, displaced households must live farther from employment, education and other opportunities, and these issues may be compounded by reduced access to affordable public transportation. In these ways and more, residential displacement destabilizes all aspects of life and can lead to homelessness. Preventing displacement will reduce homelessness and allow households of all backgrounds to make their own choices of where they would like to live, contributing to diversity, increased social capital, and economic vitality.

Displacement is a complex phenomenon that impacts various communities in several ways and at different rates. MAPC's residential displacement research provides operational definitions for various forms and scales of displacement that are addressed in this policy recommendation.<sup>1</sup> Additionally, MAPC's housing submarket analysis, which categorizes neighborhoods across the region into seven housing submarkets based on similar demographics and housing characteristics, provides a framework for how policy actions may be approached differently based on varying local contexts.<sup>2</sup>

Policy Strategy 1 addresses some of the systemic causes of displacement that happen at the community level. Members of a community are susceptible to displacement due to historic or present housing discrimination, environmental hazards, and limited financial resources. Policy Strategy 2 includes actions to prevent displacement at the household level due to increased housing costs, shifting housing market dynamics, exploitative landlord behavior, and other displacement pressures. Finally, Policy Strategy 3 proposes ways to protect individuals directly threatened by displacement and those who experience its affects.

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1 Flingai, S. (2020). Framework for Residential Displacement Research at MAPC: Definitions and Approaches. The Metropolitan Area Planning Council. Retrieved May 30, 2021, from <https://metrocommon.mapc.org/system/refinery/resources/W1siZiIsIjIwMjE0MDMvMDQvNjI2FwYzUyejM5Ml9GcmFtZXdvc-mtfZm9yX1Jlc2lkZW50aWFsX0Rpc3BsYWNIbWVudF9SZXNlYXJjaF9hdF9NQVBdLnBkZjIjXQ/> Framework for Residential Displacement Research at MAPC. pdf.

2 Reardon, T., & Oliver-Milchman, K. (2021). Housing Submarkets. The Metropolitan Area Planning Council. Retrieved May 30, 2021, from <https://housing-submarkets.mapc.org/>.

## Strategy 1

Protect areas at risk of displacement by ensuring new public and private investments benefit long-time residents and support community ownership.

Displacement in lower-income communities, including many communities of color, can be caused directly by foreclosures and evictions. It can also be caused indirectly by the rising rents associated with limited housing supply, increased home values, public improvements, and the ancillary impacts of market-rate investment and development. Lasting impacts from COVID-19 have the potential to increase displacement in many neighborhoods due to evictions and foreclosures after the federal moratorium was lifted, long-lasting unemployment after government benefits expire, or the purchase of residential buildings by speculators.

Local and state actors need to take a proactive approach to minimize displacement and mitigate its negative impacts. Federal, state and local governments can intervene in numerous ways to enable tenants at risk of eviction to remain in their homes or to become first-time homebuyers. Furthermore, public agencies can take steps to help homeowners avoid foreclosure and to enable long-time, owner-occupant landlords to remain in their homes and provide “naturally occurring affordable housing” (NOAH) to their tenants. Policy interventions should be targeted toward communities that have been most impacted by the lasting effects of redlining, disinvestment, historic waves of displacement, and the most severe impacts of COVID-19.

- ▶ **Action 1.1: Support community ownership by providing suitable publicly owned land to community land trusts (CLTs), community development corporations (CDCs), and other non-profit organizations.** Municipalities and the Commonwealth can alleviate displacement pressure by increasing the amount of land available for affordable housing development, and ensuring it remains accessible to households of various incomes by placing that land in community ownership via institutions such as CLTs or CDCs. Public land that is suitable for affordable housing includes vacant public parcels, sites purchased by a state or local government specifically for affordable housing production, properties seized by foreclosure, and other municipal or state-owned sites except for park land.<sup>3</sup> Ideally, public land should be disposed of or transferred to non-profit organizations at no cost, and housing built on that land should be climate resilient, energy efficient, and deed restricted in perpetuity, except in cases of limited equity appreciation applicable to homeownership units. See Action 1.3 in “**Reduce vehicle miles traveled and the need for single-occupant vehicle travel through increased development in transit-oriented areas and walkable centers**” for further recommendations regarding public land disposition.
- ▶ **Action 1.2: Target federal and state funding to support people of color who own or aspire to own a home through first-generation homeownership programs and others that support homeowners.** Massachusetts and its communities receive grants from the federal Community Development

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<sup>3</sup> While existing parks should not be used for affordable housing development, new parks may be created through cluster development of vacant greenfield sites. Cluster development organizes small to mid-sized homes, usually cottages, around shared open space.

Block Grant (CDBG) to support housing and economic development investments. However, homeownership programs represent a small percentage of CDBG projects at the state and local level. During the pandemic, the Governor and Legislature provided millions of dollars to emergency rental and mortgage assistance, setting a recent precedent for making sweeping funding allocations to address pressing housing needs. Now the Commonwealth will receive roughly \$10 billion in federal funds from the American Rescue Plan Act (ARPA), and it will be critical to set priorities for how this funding is used.<sup>4</sup>

Homeownership continues to be a meaningful means of wealth creation in this country, but government and private sector practices historically and, to some extent, continue to explicitly and implicitly exclude communities of color. The Commonwealth should devise a targeted approach for how to use some ARPA funds to support homeownership for households in communities that have been and continue to be the most impacted by redlining. Additionally, such attempts should explicitly support first-generation homeownership as a strategy to help people of color purchase homes in communities of their choice and address some of redlining's legacy, such as through increased funding for first-generation homebuyer down payment assistance. To complement this effort, the Commonwealth should continue programs that support a homeownership pathway for existing renters, homebuyer education, home modification programs that support aging in place, and other similar existing programs.

It is important that the state not just provide opportunities for aspiring first-generation homeowners, but also ensure they and other eligible homeowners can stay in their homes. State tax breaks or "property tax assistance programs" should be offered to income-eligible homeowners, particularly in communities of color, and the federal government should reinstate the 2008 homebuyer federal tax credits<sup>5</sup>. ARPA funds provide a unique opportunity to provide this type of relief and assistance to support first-generation homeownership.

**Best/emerging practice:** Over the past few years, municipalities nationwide have begun to provide reparations to Black residents, many of them focusing on remediating the effects of decades of discriminatory housing policies through home ownership and housing opportunities. Communities such as Evanston, Illinois and Asheville, North Carolina have begun rolling out funds and programs. In March 2021, Evanston, a suburb of Chicago, approved \$400,000 of City funds for a housing grant program that can award eligible individuals up to \$25,000 to be used for costs such as down payment/closing costs, home improvements and mortgage assistance.<sup>6</sup> These funds are part of a larger \$10 million dollar commitment over ten years to distribute reparations through various programs. In June 2021, Asheville's City Council approved \$2.1 million for its community reparations fund, focused on wealth creation through homeownership, affordable housing development, and investments aimed at addressing discriminatory housing policies.<sup>7</sup>

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4 Outlined in the U.S. Department of The Treasury's fact sheet, it lists housing assistance, investments in housing and neighborhoods, "services to address individuals experiencing homelessness, affordable housing development, housing vouchers, and residential counseling and housing navigations assistance to facilitate moves to neighborhoods with high economic opportunity" as permissible uses of federal funds by states and municipalities.

5 Singletary, M. (2011, April 5). Remember that \$7,500 first-time homebuyer credit? It's now an IRS headache. The Washington Post. Retrieved April 21, 2021, from [https://www.washingtonpost.com/business/economy/remember-that-7500-first-time-homebuyer-credit-its-now-an-irs-headache/2011/04/05/AF5zpwqC\\_story.html](https://www.washingtonpost.com/business/economy/remember-that-7500-first-time-homebuyer-credit-its-now-an-irs-headache/2011/04/05/AF5zpwqC_story.html)

6 U.S.A., Evanston, Illinois. (2020, August 27). Evanston Local Reparations. Retrieved June 20, 2021, from <https://www.cityofevanston.org/government/city-council/reparations>

7 McDaniel, P. (2021, June 8). Asheville City Council Makes Initial \$2.1 Million in Reparations Funding Appropriation (U.S.A., Asheville, North Carolina). Retrieved June 20, 2021, from <https://www.ashevilenc.gov/news/asheville-city-council-makes-initial-2-1-million-in-reparations-funding-appropriation/>

► **Action 1.3: Adopt fair housing requirements and a displacement risk impact assessment to ensure development in areas experiencing displacement pressure benefits long-time residents and helps meet local housing needs.**

Before the emergence of COVID-19 and throughout the pandemic, certain Metro Boston neighborhoods were facing rapid neighborhood change, with rising housing costs that contribute to gentrification of lower-income neighborhoods and displacement of long-time residents. The public health and economic impacts of the pandemic mean many residents face even greater challenges making rent and mortgage payments. Of great concern are large developments and those that add a high number of new market-rate housing units, since they can have a transformative effect on housing markets in neighborhoods experiencing displacement pressure.

As the region continues to grow, new sites for large-scale development and redevelopment will be harder to find. These developments offer precious opportunities to expand and diversify the housing stock, but too often are not designed to meet the housing needs of existing and nearby residents, such as by providing deeply affordable housing or family-sized housing units. Communities should guard against the many forms of displacement that can be caused or triggered by a large-scale development, such as exclusionary displacement that causes residents to gradually lose access to affordable housing in their community due to rising housing costs and lack of new affordable housing development. To prevent this form of community-level displacement, a substantial portion of new housing development must be accessible and affordable to households in the community where it is proposed.

In 2021, the City of Boston adopted a provision that incorporates fair housing requirements and a displacement risk assessment into its zoning code. The Affirmatively Furthering Fair Housing (AFFH) ordinance can be used as a model for other communities in the region. See Action 1.2 in **“Ensure that people of all races and income levels have equal access to affordable housing through homeownership and rental opportunities in every community”** for more detailed recommendations in this area. While adopting AFFH-aligned policies are applicable to all housing submarkets across the MAPC region, tools such as the displacement risk impact assessment may be more applicable in certain housing submarkets than in others, and local conditions will need to be considered.

Displacement risk assessments should be required only for large-scale developments and should not make the process of building affordable housing more lengthy or difficult. CDCs and other developers proposing majority or 100 percent Affordable Housing should not be subject to a displacement risk assessment since these proposals are already positioned to meet local housing needs and affirmatively further fair housing.

### **Best/emerging practice: The City of Boston's Affirmatively Furthering Fair Housing Zoning Amendment**

In 2021, the City of Boston became the first major city to adopt fair housing requirements, including a displacement risk assessment, into its zoning ordinance. These requirements prompt developers of large residential projects to learn about the impacts of past exclusionary housing policies, address any issues related to their site(s), and align their development proposals with the needs of the surrounding population. The components of Boston's Affirmatively Furthering Fair Housing zoning regulations are summarized below:

The City of Boston's AFFH zoning amendment applies to large developments, defined as projects that construct or expand buildings by at least 50,000 square feet or rehabilitate or change the use of at least 100,000 square feet of floor area. Developments subject to the requirement must include the following: (1) a description of how the project will further goals of overcoming segregation and fostering inclusive communities; (2) an assessment of historical exclusion and displacement risk (The Boston Planning and Development Agency (BPDA) produces this report and provides it to the developer for reference in the planning review process); (3) requirement for BPDA to use an Affirmatively Furthering Fair Housing Assessment Tool to determine the effects of the proposed development on residents and businesses before development plans are approved, and; (4) a description presented by developers of planned measures to achieve Affirmatively Further Fair Housing goals and mitigate unintended development impacts that may cause displacement pressure. Developers may choose from a list of intervention/mitigation options provided by the City. There are additional intervention lists for projects in areas of high displacement risk and areas that have been impacted by historic exclusionary housing policies. Projects in these areas must include interventions from all applicable intervention lists.

### Best/emerging practice: Mitigating displacement caused by flooding and natural disasters<sup>8</sup>

Norfolk, Virginia recently enacted new zoning regulations to require all new development to meet a “resilience quotient” wherein all proposed infrastructure is evaluated on climate resilience criteria – for example, reducing flood risks, supporting mobility options, and energy efficiency. All new buildings and existing structures that have experienced two major flood events are now required to comply with a three-foot freeboard standard (the former standard was one foot. As a result of frequent hurricanes and erosion, Palm Beach County, Florida established a Disaster Redevelopment Plan that recognizes “the importance of creating and maintaining emergency shelters, temporary housing...and long-term affordable housing, especially for low-income residents, all while limiting redevelopment in vulnerable sites...Tactics to achieve this objective include identifying areas with the most vulnerable housing stock and making sure that temporary housing sites are located nearby, assisting in locating rental units for temporary housing”.

As we think about rebuilding the economy and toward 2050, it is important to ensure the Commonwealth and local governments can react quicker to providing emergency housing to those on the front lines of climate change and first responders during natural, medical, or human-made disasters. For more details on how to improve the region’s climate resiliency, please see, [“Prepare for and respond to the threats of climate change.”](#)

- ▶ **Action 1.4: Adopt state legislation that allows municipalities to enact local real estate transfer fees to generate funding for displacement mitigation efforts.** The Legislature should pass [S.868/H.1377](#): An Act empowering cities and towns to impose a fee on certain real estate transactions to support affordable housing, filed by Senator Jo Comerford and Representative Mike Connolly, which would give municipalities the ability to levy a tax on certain real estate transactions, with an additional option to include another fee if the property is sold multiple times in a calendar year or is above a certain value (e.g., over \$2 million per unit). This additional fee is designed to capture revenue from properties that might be a part of the speculative housing market and direct that revenue to a public good. Representatives Dylan Fernandes and Liz Malia filed a similar bill ([H.2895](#), An Act empowering cities and towns to impose a fee on home sales over one million dollars to support affordable housing), but it only applies to transactions above \$1 million.

As a part of this legislation, municipalities that choose to generate revenue from real estate transfer fees would be required to allocate these funds into a local housing trust fund or to earmark these funds for anti-displacement initiatives. Funds should be used for local efforts that preserve naturally occurring affordable housing through property acquisition, preserve existing deed-restricted affordable housing, or produce new deed-restricted

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<sup>8</sup> Gregg, R. M., & Braddock, K. N. (April, 2020). Climate Change and Displacement in U.S. Communities. Climate Change and Displacement in U.S. Communities. Retrieved from <http://www.sparcchub.org/wp-content/uploads/2020/04/Climate-Change-and-Displacement-in-U.S.-Communities.pdf>

affordable housing reaching deep levels of affordability. When possible, this revenue should be spent within neighborhoods where real estate speculation is occurring so this funding directly mitigates displacement pressure.

## Strategy 2

Prevent displacement at the household level through regulations that better align the market with the needs of those experiencing housing insecurity.

If left unchecked, market forces driving housing supply and demand and dictating rental and mortgage costs can increase displacement pressures, especially in a market where local authorities often limit the development of multifamily and affordable housing. To combat rapidly inflating housing costs, cities and towns and the Commonwealth should stabilize rental costs, maintain a healthy supply of affordable housing, and minimize opportunities for speculative investment.

► **Action 2.1: Adopt state enabling legislation that allows municipalities to stabilize rental costs by prohibiting large and short-term increases in rent.**

The high cost of rent in Greater Boston has long been an issue that has threatened the vitality of the region. In the 1990s, the communities of Boston, Somerville, and Brookline passed measures that regulated rental increases, but these local policies were halted after voters passed a statewide ballot petition that prohibited this practice. Since then, housing prices throughout Greater Boston have soared to record highs and the situation has escalated into a housing crisis. This crisis existed well before April 2020 when the Governor declared a state of emergency in response to COVID-19 and signed a state law that temporarily banned evictions.

Rents in Greater Boston are among the highest of any large metropolitan area in the country. Before the pandemic, just over half of rental households (50.6 percent statewide) were “housing cost burdened”, meaning they spent over 30 percent of their income on rent, and about a quarter reported spending over 50 percent of income on rent, which is defined as “severely cost-burdened”.<sup>9, 10</sup> Creative and innovative actions must be taken to ensure that renters can continue to live in the region without sacrificing safety, health, and overall quality of life. Rent stabilization strategies that prevent high rent spikes in short periods of time can be part of the solution to tackle displacement and high costs of housing in the region. However, these actions alone cannot solve this challenge; rent stabilization cannot and should not replace new construction of affordable housing units.

Today, there are examples of nuanced rent regulations and policies. For example, in 2019, Oregon adopted the first statewide rent control policy in the country<sup>11</sup>. The Oregon law caps rent hikes at 7 percent plus inflation during any given 12-month period and bans “no-cause” evictions. This regulation applies to all municipalities in the state. Colorado, Illinois, and Washington are also considering similar statewide measures.

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9 U.S. Census Bureau, American Community Survey (2011-2015)

10 Veal, S. (2019, August 27). Interactive Map Shows Renters are More Cost-Burdened Than Homeowners Around the Country. Retrieved June 10, 2021, from <https://www.jchs.harvard.edu/blog/interactive-map-shows-renters-are-more-cost-burdened-than-homeowners-around-the-country>

11 Walker, A. (2019, March 08). Oregon just enacted statewide rent control. Could it be a model for the U.S.? Retrieved from <https://archive.curbed.com/2019/3/8/18245307/rent-control-oregon-housing-crisis>



The Commonwealth should allow municipalities to impose a cap on rent increases within a set period. The specific requirements of this policy should be determined based on local market conditions and, as these conditions change over time, the requirements should be adjusted by a board of community members appointed by the municipality. Caps should also be in effect when an apartment is vacated so that landlords are not incentivized to pressure their tenants to leave so they can raise rents and so new tenants can also benefit from this policy.

Critics say that regulating rents will discourage new development because developers will choose communities that do not have these regulations over those that do. However, this issue can be addressed by exempting new development from these requirements for a certain period based on local market conditions, and by setting rent stabilization policies regionally. Municipalities with similar demographics and housing characteristics should set rent stabilization policies together to avoid deterring new development. MAPC also recommends that the state support the enforcement of building code standards (as described in Policy Action 3.3) and provide funding to help landlords keep their properties up to code, since another critique of rent stabilization is that caps on rent would discourage landlords from doing so.

While acknowledging that local conditions vary in each municipality, enabling legislation should incentivize local jurisdictions to tackle this issue regionally. To make this recommendation impactful, the Executive Office of Housing and Economic Development (EOHED) should issue clear guidelines and criteria for options of permissible actions municipalities could pursue if they decide to establish rent stabilization. Rent stabilization actions should be based on local conditions and differing characteristics across housing submarkets. However, setting this policy regionally can avoid pitting communities against each other as discussed above, and MAPC can provide technical assistance to support the establishment of regional rent stabilization policies.

- ▶ **Action 2.2: Increase state funding and expand eligibility requirements for rental and utility assistance programs and make assistance readily available during state emergencies.** State funding for rental and utility assistance programs should be increased overall and these funds should be targeted to adequately meet the needs of households disproportionately affected by natural disasters, economic recessions, public health emergencies, and other state emergencies. To reach these households, existing programs must be more flexible and easier to access. Examples of programs that need increased funding, more flexible eligibility requirements, and/or improved distribution mechanisms are the Massachusetts Rental Voucher Program (MVRP), Residential Assistance for Families in Transition (RAFT), and the Massachusetts Low-Income Housing Tax Credit Program. Additionally, resources within the Housing Preservation and Stabilization Fund and the statewide Affordable Housing Trust Fund should be pre-authorized for quick deployment into rental and utility assistance programs during state emergencies.

- **Action 2.3: Adopt state enabling legislation allowing municipalities to enact no net loss policies.** No net loss policies require affordable housing and unsubsidized rental housing that is lost to renovation, conversion, or demolition to be replaced within the same neighborhood or municipality. The replacement would need to be made by the prospective developer or by partnering with another developer, non-profit, or municipality. For example, a developer working on a project that results in the loss of affordable housing or rental housing units would need to replace these units by building them or by “purchasing” the equivalent number of housing units from another developer that agrees to build them.

Local no net loss policies are appropriate for historically disinvested communities that are starting to experience significant displacement pressure. These policies should be included in municipal plans and enforced through zoning districts that target these areas. For the policy to succeed, municipalities will need to maintain and update an inventory of deed-restricted affordable housing units and total rental housing units. Fees and fines can be used to help enforce the policy, although clarity about the requirements and procedures to achieve no net loss are the most important tools for encouraging compliance.

#### **Best/emerging practice: Condominium Conversion Ordinances**

The City of Somerville has a Condominium Conversion Ordinance that regulates condominium conversions and a Condominium Review Board made up of five Somerville residents that enforces these regulations. The ordinance requires at least a one-year notice to the Condo Review Board before a rental housing unit can be converted and gives the tenant the first right to purchase the converted condominium housing unit. The ordinance also provides additional protections to disabled, elderly, low- or moderate-income tenants. These conditions and other tenant protections must be met for the Condominium Review Board to grant a conversion. The ordinance is currently facing legal challenges, so state legislation will be critical to ensure the continuance of the Somerville ordinance and to encourage the adoption of similar protections elsewhere. Chicago’s Ordinance 606 increases fees for demolition and conversion of housing units from \$500 to \$250,000 and requires this revenue to go to an affordable housing trust fund for buildings that do not include the minimum affordable housing requirements along a new transit line corridor. Municipalities can explore changing their current fees so that if conversions do occur, they can increase the revenue raised to create new affordable units.<sup>12</sup>

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12 Bloom, M., & Hauser, A. (2017, May 23). Anti-Gentrification Plan Makes Developers Pay Big For Building Near 606. Retrieved May 30, 2021, from <https://www.dnainfo.com/chicago/20170523/logan-square/606-affordable-housing-ordinance-gentrification-ald-maldonado-ald-moreno/>

- ▶ **Action 2.4: Amend M.G.L Chapter 40T to include tenant right of first refusal and funding to support tenant property acquisition.** Adopted in 2009, M.G.L. Chapter 40T allows the DHCD to make or match an offer when a subsidized property at risk of expiring affordability is sold. Chapter 40T has helped preserve 9,594 units of housing across the state since 2009. The program applies to many, but not all subsidized housing programs. The Community Economic Development Assistance Corporation (CEDAC), which administers the program, has identified several measures to improve it. Chapter 40T should be amended to give tenants the first right of refusal (or tenant opportunity to purchase) so they have the first option to buy their buildings when landlords decide to sell. State funding should also be provided for technical assistance that supports organizing tenant associations, forming partnerships with community development corporations, creation of community land trusts, legal aid to help structure acquisition deals, quick-strike acquisition funds, and low-interest deferred loans to support the purchase of properties.

**Best/emerging practice:** In Washington, D.C., the Tenant Opportunity to Purchase Act provides technical assistance and low-interest loans to tenant groups that want to purchase their buildings when landlords decide to sell. The policy applies to both single-family and multifamily housing. Between 2002 and 2013, the program helped preserve over 1,400 housing units.

### Strategy 3

Prevent displacement at the individual level by strengthening and expanding state legal protections.

We must enact policies that protect individuals at risk of displacement. These include legal protections should residents find themselves in an eviction or foreclosure proceeding, along with other policies that alleviate the risk of foreclosure and eviction in the first place.

- ▶ **Action 3.1: Pass state legislation guaranteeing tenants' a right to legal counsel in certain eviction and foreclosure proceedings.** The Legislature should ensure all residents subject to certain eviction and foreclosure proceedings are guaranteed a right to legal counsel. If an individual or household facing eviction is unable to afford an attorney, they would be eligible for a state-appointed attorney paid by the Commonwealth. Giving tenants a right to counsel will protect tenants by leveling the playing field in an often-unbalanced court proceeding where most landlords have legal representation. Ensuring both sides are represented by counsel would also improve the fairness of eviction proceedings and reduce the incidence of overcrowding and homelessness, as well as the demand for costly state-funded homelessness expenditures. Beyond a right to counsel in eviction proceedings, the Commonwealth should take steps to increase funding to legal services agencies that provide legal counsel to tenants even prior to eviction proceedings (which can help to reduce the incidence of eviction),

and help tenants to defend their rights in cases in which landlords or property owners might violate tenant rights or engage in harassment. State funding should also support organizations that provide mediation services that can help resolve disputes between landlords and tenants.

- ▶ **Action 3.2: Strengthen foreclosure protections.** The state must increase funding for foreclosure prevention and education to protect homeowners. Additionally, the state and localities should consider property tax limitations for income-eligible property owners in a targeted effort to help prevent homeowners from facing financial hardships that lead to foreclosure. States such as Connecticut and Maine have created state mortgage loan modification and assistance programs. In those states, program participants must meet certain criteria that include income limits, demonstration of six months of current payments, demonstration that they face or are likely to face delinquency, and demonstration of hardships they cannot control.

**Best/emerging practice:** The MassHousing MI Plus Mortgage includes mortgage insurance that provides up to six months of principal and interest payments if borrowers lose their jobs. This job loss protection comes at no additional cost to the borrower. Public health crises like COVID-19 are instances in which such protection is crucial for many households. In response to the pandemic, there have been federal and state moratoriums on evictions and foreclosures, and significant financial assistance to renters and homeowners. Another example of a sweeping response to emergencies and natural disasters is New York City’s Asian Americans for Equality (AAFE) fund. This is a Community Development Fund that “operates one of the only Homeowner Disaster Recovery loan products in New York City, which is activated post-emergency such as after hurricanes, utility blackouts, terrorist attacks, gas explosions, building structural damage, and other unforeseen emergencies.”

Action 3.3: Prevent indirect displacement caused by landlord negligence by expanding capacity for code enforcement with state funding and resources. The state should provide funding for municipalities with limited code enforcement capacity to hire code enforcement officers to ensure landlords maintain and update their properties. When rental housing deteriorates and the landlord isn’t held accountable, the tenant is forced to live in unsafe or unclean conditions. Landlords may also use this situation to indirectly force their tenants to leave before upgrading the rental housing units for new, higher income tenants. Expanding code enforcement capacity can deter this behavior and ensure quality housing for vulnerable households.

If code enforcement results in repair or the need for a tenant to be temporarily displaced, tenants should be given a legal right to occupy the housing unit once it has been brought into compliance. The landlord should pay for temporary relocation costs and, in the case of small landlords unable to afford relocation costs, municipal and/or state resources should be accessible by these tenants.

Inspections should be made by local code enforcement officers in accordance with local rental inspection ordinances/bylaws, and code violations by property owners should be subject to fines and penalties. Evidence of an adequate code enforcement program should be required for Housing Choice designation and associated funding.

**Best/emerging practice:** On-site supportive services can be offered as an option for tenants who face physical or emotional health issues, financial stress, or need assistance for their families. Support staff can also play a role as an intermediary between the tenant, legal counsel, and the landlord to help prevent evictions. Generally, housing professionals across the region have worked to expand access to supportive housing services but these services are costly and so cannot be provided at all affordable housing developments. However, significant federal investments, such as ARPA dollars, offer an opportunity to fund more services that are critical to helping ease the challenges of housing instability and homelessness. Relatedly, more data will help shape more targeted policy interventions to alleviate the risk of displacement and provide resources to tenants and homeowners in need. California has proposed legislation to create rental registries at municipal or regional levels to track evictions and displacement, and to provide greater data to monitor the rental market.<sup>13</sup> In Massachusetts, this could be built off the existing municipal short-term rental unit registry.

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13 U.S.A, The State of California. (n.d.). Rental Registry Proposal. Retrieved May 1, 2020, from [http://www.leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200AB724](http://www.leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB724).