

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Alice K. Wolf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act preserving publicly assisted affordable housing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Alice K. Wolf	25th Middlesex
Tom Sannicandro	7th Middlesex
Joyce A. Spiliotis	12th Essex
Mary E. Grant	6th Essex

The Commonwealth of Massachusetts

—————
In the Year Two Thousand and Nine
—————

AN ACT PRESERVING PUBLICLY ASSISTED AFFORDABLE HOUSING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The General Laws are hereby amended by inserting after chapter 40S the following chapter: -

2 CHAPTER 40T

3 **PRESERVATION OF PUBLICLY ASSISTED HOUSING.**

4 Section 1. As used in this chapter, the following words shall have the following meanings:

5 “Affected municipality”, any city or town in which publicly assisted housing or a publicly assisted
6 housing development is located.

7 “Affiliate”, an entity owned or controlled by an Owner.

8 “Affordability restrictions”, limits on rents that an owner may charge for occupancy of a rental unit in a
9 publicly assisted housing development and/or limits on tenant income for persons or families seeking to
10 qualify for admission to such housing.

11 “CEDAC”, the Community Economic Development Assistance Corporation, a body politic and corporate
12 entity established by chapter 40H.

13 “Chief Executive Officer”, the mayor in a city and the board of selectman in a town, unless some other
14 municipal office is designated to be the chief executive officer under the provisions of a local charter.

15 “Department”, the Massachusetts department of housing and community development or any successor
16 agency.

17 “Designee”, a municipality, local or regional housing authority, non-profit or for-profit corporation, or
18 other entity qualified to do business in Massachusetts, which is capable of operating publicly assisted
19 housing as decent, safe, and sanitary affordable housing, and which is selected by the department pursuant
20 to subsection (b) of section 3.

21 “Enhanced section 8 vouchers”, vouchers provided under Section 8(t) of the United States Housing Act of
22 1937, 42 U.S.C. 1437f(t), as amended from time to time, or substantially equivalent assistance.

23 “Extremely low income”, a household income of no more than 30 per cent of the area median income,
24 adjusted for household size, as periodically determined by the United States Department of Housing and
25 Urban Development.

26 “Government program”, a program or combination of programs which provides government assistance
27 under one or more of the programs identified below in the definition of publicly assisted housing.

28 “Low income”, a household income of no more than 80 per cent of the area median income, adjusted for
29 household size, as periodically determined by the United States Department of Housing and Urban
30 Development.

31

32 “Owner”, a person, firm, partnership, corporation, trust, organization, limited liability company, or other
33 entity, and its successors or assigns, that holds title to a publicly assisted housing development.

34

35 “Prepayment”, the payment in full or the refinancing of a governmentally insured or government-held
36 mortgage indebtedness prior to its original maturity date, or the voluntary cancellation of mortgage
37 insurance, on a publicly assisted housing development, or payment in full on a government contract, any
38 of which would have the effect of removing either (i) the affordability restrictions applicable to the
39 publicly assisted housing development or (ii) a requirement to renew any such affordability restrictions.

40

41 “Preserve affordability” or “preserves affordability”, with respect to a publicly assisted housing
42 development, to undertake reasonable and diligent actions to retain, renew and/or secure subsidies
43 affecting a publicly assisted housing development in order to maintain at least the same number of units
44 affordable to low, very low and extremely low -income households, respectively, as are currently
45 occupied by such households, and to maintain as affordable to such households generally all units that are

46 currently vacant, to the extent of available subsidies and taking into account the need to ensure that the
47 development provides quality housing to its tenants.

48 “Protected low-income tenant” means a low income tenant residing in the publicly assisted housing
49 development on the date of termination and whose rent was restricted by the government program being
50 terminated.

51
52 “Publicly assisted housing” or “publicly assisted housing development”, housing that receives
53 government assistance under any of the following programs: (i) section 8 of the United States Housing
54 Act of 1937, as amended, 42 U.S.C. section 1437f as it applies to new construction, substantial
55 rehabilitation, moderate rehabilitation, property disposition and loan management set--aside programs, or
56 any other program providing project-based rental assistance; (ii) section 42 of the Internal Revenue Code,
57 as amended, 26 U.S.C. section 42, the federal Low-Income Housing Tax Credit Program; (iii) section 101
58 of the Housing and Urban Development Act of 1965, as amended, 12 U.S.C. section 1701s as it applies to
59 programs for rent supplement assistance thereunder; (iv) section 202 of the Housing Act of 1959, as
60 amended, 12 U.S.C. Section 1701q; (v) section 221(d)(3) of the National Housing Act of 1934, as
61 amended, 12 U.S.C. section 1715l (d)(3) or (5), the below market interest rate program; (vi) section
62 221(d)(4) of the National Housing Act, as amended, 12 U.S.C. section 1715l (d)(4), to the extent the
63 project’s rents are restricted pursuant to a government agreement; (vii) section 236 of the National
64 Housing Act, as amended, 12 U.S.C. section 1715z-1; (viii) section 515 of the Housing Act of 1949, as
65 amended, 42 U.S.C. section 1485; (ix) section 521 of the Housing Act of 1949, as amended, 42 U.S.C.
66 section 1490a; (x) the Urban Development Action Grant, as amended, 42 U.S.C. Section 5318, to the
67 extent that the affordability of dwelling units subject to such program are restricted pursuant to a
68 government agreement; (xi) the Housing Development Action Grant, as amended, 42 U.S.C. section
69 1437o, to the extent the project’s rents are restricted pursuant to a government agreement; (xii) section
70 13A of chapter 708 of the Acts of 1966; (xiii) the Massachusetts Rental Voucher Program, so called, as
71 described in line item 7004-9024 from year to year of the acts making annual appropriations for the
72 commonwealth, as it applies to project-based rental assistance; (xiv) The state Low Income Housing Tax
73 Credit program, section 6I of chapter 62; (xv) the State Housing Assistance for Rental Production, chapter
74 574 of the acts of 1983; (xvi) chapter 121A, to the extent that the affordability of dwelling units are
75 restricted pursuant to a written agreement with the affected municipality; (xvii) other financing programs
76 as identified by the department; (xviii) for the purposes of section 3 and section 4, housing that, as of the
77 effective date of this chapter, qualified as publicly assisted housing under any of the aforementioned
78 programs and was not then subject to a purchase contract in existence as of such date shall be subject to
79 the provisions of this chapter for 4 years following the date of the last event or occurrence that constituted
80 a termination; and (xiv) for the purposes of this chapter, housing that receives relief from local zoning in

81 exchange for providing a percentage of units as affordable to low or moderate income residents that does
82 not receive a financial subsidy shall not be considered publicly assisted housing.

83 "Purchase contract", any legally binding document to sell a publicly assisted housing development,
84 including without limitation a purchase and sale agreement, contract of sale, purchase option, or other
85 similar document.

86 "Regulatory Agreement", an affordable housing restriction that establishes an owner's obligations created
87 pursuant to the efforts of the department or its designee to preserve affordability and which is consistent
88 with G.L. Chapter 184 section 31 provided that in any project that is eligible for participation in the HUD
89 mark up to market program, the restriction, insofar as it relates to the limiting of the level of rents, shall
90 not apply to units covered by a section 8 housing assistance payment contract so long as such contract is
91 effective.

92 "Sale" or "sell", the execution of any written agreement pursuant to which the owner and/or the holders of
93 ownership interests in the owner of the publicly assisted housing agree to the disposition of the property
94 by deed or equivalent action, regardless of whether through a single transaction or a series of transactions
95 except for dispositions of such housing to an affiliate of the owner.

96
97 "Subsidies", public financial assistance, including but not limited to grants, loans, rental assistance, tax
98 credits, tax abatements, mortgage financing, mortgage insurance, assistance pursuant to any government
99 program, or any other form of assistance, intended to make housing affordable to low income households,
100 especially very low and extremely low households.

101
102 "Tenant", a tenant, subtenant, lessee, sub-lessee or other person legally entitled to possession, or
103 occupancy of a rental unit within publicly assisted housing.

104
105 "Tenant organization", an organization established by the tenants of a publicly assisted housing
106 development for the purpose of addressing issues related to their living environment and which meets
107 regularly, operates democratically, is representative of all residents in such development, is completely
108 independent of owners, management, and their representatives, and which has filed a notice of its
109 existence with CEDAC, provided that, no owner or other third party shall be required to ascertain the
110 organization's compliance with this definition.

111
112 "Termination", the cessation, discharge or removal of any affordability restrictions affecting a publicly
113 assisted housing development in the absence of a simultaneous replacement of said affordability
114 restrictions with equivalent affordability restrictions including, but not limited to: (i) non renewal or

115 termination, in whole or severable part, of a government program contract or mortgage; (ii) expiration, in
116 whole or in severable part, of an affordability restriction under a government program or the requirement
117 to renew such restrictions; (iii) payment in full of a government program mortgage; or (iv) prepayment of
118 a government program mortgage or contract.

119 "Time for performance," the date for delivery of the deed or other document evidencing a sale pursuant to
120 a purchase contract, as such time may be extended from time to time as set forth in the applicable
121 purchase contract.

122 "Very low income", having a household income of no more than 60 percent of the area median income,
123 adjusted for household size, as periodically determined by the United States Department of Housing and
124 Urban Development

125 Section 2.

126 (a) Informational Notice. Except with respect to properties subject to an affordability restriction which
127 has less than 2 years remaining, for which subsection (e) shall, apply, the owner of publicly assisted
128 housing shall give a written notice to; (i) all tenants and any tenant organization of the publicly assisted
129 housing; (ii) Chief Executive Officer of the affected municipality; (iii) CEDAC; and (iv) the department,
130 not less than 2 years before the termination of the affordability restriction affecting publicly assisted
131 housing covered by this chapter. Nothing herein shall prohibit the owner from taking actions to terminate
132 affordability restrictions during the notice periods provided herein, provided that the owner complies with
133 all of the notice terms and restrictions pursuant to subsections (b) and (c). The informational notice shall
134 provide (1) the address of the publicly assisted housing; (2) the name and address of the owner; (3)
135 notification that the affordability restrictions may terminate, (4) the date by which each affordability
136 restriction may terminate, and (5) such other information as determined by the department. Where more
137 than 1 termination may occur, the owner may send 1 such written notice so long as the terminations are
138 scheduled to occur within 1 year of one another, the notice is given at least 24 months prior to the earliest
139 termination, and the notice otherwise complies with this subsection.

140 (b) Notice of Intent to Complete Termination. An owner of publicly assisted housing may not complete a
141 termination or allow a termination to occur unless not less than 1 year before the completion of the last
142 termination event affecting such housing, the owner provides the entities identified in subsection (a) with
143 written notice of intent to complete termination. Such notice shall state: (1) the address of the publicly
144 assisted housing; (2) the name and address of the owner; (3) the date on which the owner intends to
145 complete termination; (4) unless section 6 applies, a statement that the department has the right of offer
146 pursuant to section 3; and (5) such other information as determined by the department.

147 (c) An owner of publicly assisted housing shall not sell such housing before offering the department the
148 opportunity to purchase the property pursuant to sections 3 and 4. The owner shall notify, in writing, the
149 parties identified in subsection (a) of the owner's intention to potentially to sell said property.

150
151 (d) Any notice required by this chapter shall be deemed given when delivered in person or mailed by
152 certified or registered mail, return receipt requested, to the party to who notice is required to be given.
153 Notices to the affected municipality shall be given to the Chief Executive Officer.

154
155 (e) Notwithstanding the provisions of subsection (a), an owner of publicly assisted housing who, on the
156 effective date of this act, has less than 2 years remaining prior to the date when the affordability
157 restriction will cease to apply to such property, shall not be required to give the 2 year notice required by
158 subsection (a), but shall give notice within 90 days of the effective date of this chapter. Notwithstanding
159 the provisions of subsection (b), an owner, who on the effective date of this chapter has less than 1 year
160 remaining prior to a termination, shall not be required to give the 12 month notice required by subsection
161 (b), but shall give notice within 90 days of the effective date of this chapter.

162
163 (f) The notice requirements herein shall not be affected by the status of any offer, purchase contract or
164 sale under section 3 or section 4.

165 Section 3.

166 (a) An owner of publicly assisted housing shall offer the department an opportunity to purchase such
167 property prior to entering into an agreement to sell the property pursuant to the time periods contained in
168 this section, but no owner shall be under any obligation to enter into an agreement to sell such property to
169 the department.

170
171 (b) The department may select a designee to act on its behalf as purchaser of the publicly assisted housing
172 and shall give the owner and CEDAC written notice in the event that it has selected a designee. The
173 department shall promptly consult with the affected municipality prior to selecting a designee and shall
174 immediately designate the affected municipality as its designee upon written request of the affected
175 municipality, unless the department determines that such request is not approvable for reasons set forth in
176 the department's regulations. The department shall enter into a written agreement with its selected
177 designee providing that the designee, and any of its successors or assigns, agree to preserve affordability
178 of the publicly assisted housing. Once such an agreement is entered into, the designee shall assume all
179 rights and responsibilities attributable to the department as a prospective purchaser under this section and
180 section 4. All references to the "department" in this section and section 4 shall include any such designee
181 and all communications with the department under this section and section 4 shall be directed to the

182 department and the designee. At any time prior to a sale under section 3 or section 4, the department may
183 revoke its designation and assume the designee's rights and responsibilities, either in its own capacity or
184 by selecting a new designee; provided that in no event shall any such change in a designation extend or
185 alter any time periods for performance set forth in this chapter or in any purchase contract entered
186 pursuant to this chapter.

187
188 (c) The department shall have 90 days from the day it receives notice pursuant to section 2 of the owner's
189 intention to sell, to submit an offer to the owner to purchase the publicly assisted housing. Failure by the
190 department to submit a timely offer shall constitute an irrevocable waiver of the department's rights under
191 this section. and the owner shall be permitted to sell the publicly assisted housing subject to the
192 provisions of section 4. If the owner accepts the department's initial or any revised offer, the owner and
193 the department shall enter into such other agreements as are necessary and appropriate to complete the
194 sale. In the event the owner and the department have not entered into an agreement to sell the property to
195 the department within 90 days of receipt of the notice pursuant to subsection (c) of Section 2, the owner
196 shall be free to enter into an agreement to sell the property to a purchaser of the owner's choice subject to
197 the department's right of first refusal as set forth in section 4.

198
199 (d) At any time after notice provided for in section 2 is given, and within 10 days of receiving a request,
200 the owner shall make documents available to the department for review and photocopying during normal
201 business hours at the owner's principal place of business or at a commercial photocopying facility. Such
202 documents shall include, but not limited to: (1) any existing architectural plans and specifications of the
203 development; (2) itemized lists of monthly operating expenses and capital expenditures in each of the 2
204 preceding calendar years; (3) any capital needs studies or market studies that have been submitted to a
205 federal, state, or local agency in the last 3 years; (4) utility consumption rates for the prior 12 months; (5)
206 copies of the last 2 annual financial and physical inspection reports filed with federal, state or local
207 agencies; (6) the most recent rent roll showing current vacancies and rent arrearages; (7) a list of vacant
208 units; and (8) a statement of the approximate annualized vacancy rate at the development for each of the 2
209 preceding calendar years. Documents obtained pursuant to a request under this paragraph shall not be
210 considered public records, as defined in clause 26 of section 7 of chapter 4 of the General Laws, and the
211 department shall not make such documents available to the public except with the owner's written consent
212 or pursuant to court order, provided that disclosure shall be permitted to potential funding sources,
213 regulatory agencies, or agents or consultants of the department, in connection with the transaction, subject
214 to appropriate confidentiality agreements. Upon request, and with appropriate notice, the owner shall also
215 permit reasonable inspections of the dwelling units, building systems, common areas, and common
216 grounds by agents, consultants and representatives of the department including but not limited to

217 inspections related to environmental, engineering, structural or zoning matters.

218

219 (e) Not later than 30 days after the department submits an offer to purchase the publicly assisted housing
220 development pursuant to subsection (c), above, the department shall notify tenants in such housing
221 development and shall meet with the affected tenants at least once to discuss the department's plans.

222 Section 4.

223 (a) The department or its designee shall have a right of first refusal to purchase any publicly assisted
224 housing development as set forth in this section. At any time after the 90 days the department has been
225 given notice pursuant to subsection (c) of section (2), but not later than the 360 days after the date of such
226 notice, the owner may execute a purchase contract with a third party to sell the publicly assisted housing
227 development provided the owner complies with this section. Thereafter, the owner again shall be subject
228 to the notice provision of subsection(c) of section (2).

229

230 (b) Upon execution of any third party purchase contract, the owner shall promptly, within seven days,
231 notify the department and CEDAC of such execution by providing a copy of the third party purchase
232 contract, along with a proposed purchase contract for execution by the department. The department shall
233 have 30 days from the date it receives the third party purchase contract and the proposed purchase
234 contract to execute the proposed purchase contract, or such other agreement as is mutually acceptable to
235 the owner and the department. These time periods may be extended by mutual agreement of the owner
236 and the department. The proposed purchase contract shall contain the same terms and conditions as the
237 executed third party purchase contract, except that the proposed purchase contract with the department
238 shall provide terms no less favorable than the following: (i) the earnest money deposit shall not exceed
239 the lesser of: 1) the deposit in the third party purchase contract, (2) 2 per cent of the sales price or (3)
240 \$250,000, and the earnest money deposit shall be held under commercially reasonable terms by an escrow
241 agent mutually acceptable to the owner and the department; (ii) the earnest money deposit shall be non-
242 refundable, other than for the owner's failure to perform its obligations, after a due diligence period of not
243 less than 90 days from the date of execution of the purchase contract, or such greater period as was
244 provided for in the third party purchase contract; and (iii) the time for performance shall be not less than
245 240 days from the date of the execution of the purchase contract, or such greater period as was provided
246 for in the third party purchase contract.

247 (c) If the department fails to timely execute the proposed purchase contract within 30 days or such other
248 period provided in subsection (b), then the owner shall have 24 months from the last day on which the
249 department or designee was entitled to execute the proposed purchase contract, in which to complete the
250 sale of owner's publicly assisted housing development to any third party except as provided in (e). Upon

251 the expiration of the 24 month period, the owner shall be subject again to all the provisions of subsection
252 (c) of this section 2, section 3 and section 4.

253 (d) If the department executes the proposed purchase contract as provided in subsection (b) but fails to
254 perform as provided in the executed purchase contract, then the owner shall have a period of 2 years from
255 the date on which the department the proposed purchase contract terminated in which to complete the sale
256 of the owner's publicly assisted housing development to any third party on economic terms and
257 conditions that are not materially more favorable to the proposed purchaser than the economic terms and
258 conditions in the proposed purchase contract offered to the department. Upon expiration of the 24 month
259 period, the owner shall be subject to subsection (c) of section 2, section 3 and section 4.

260
261 (e) The department may make a counter offer to the owner by executing and submitting to the owner an
262 amended proposed purchase contract. The owner shall have 30 days from the date it receives the amended
263 proposed purchase contract to execute the amended proposed purchase contract or reject, in writing, the
264 counter offer. If the owner rejects the counter offer, it shall have 24 months from the date on which the
265 owner rejects the department's counter offer to complete the sale of the owner's publicly assisted housing
266 development to any third party, provided that, if such sale is (i) upon economic terms and conditions that
267 are materially more favorable to the proposed purchaser than the economic terms and conditions in the
268 proposed purchase contract offered to the department or (ii) upon terms that are substantially the same as
269 was offered by the department in the counter offer, then the owner shall provide a copy of the new third
270 party purchase contract, along with a proposed purchase contract for execution by the department which
271 shall contain the same terms and conditions as the executed third party purchase contract, and the
272 department shall have 30 days from the date it receives the third party purchase contract and the proposed
273 purchase contract to execute the proposed purchase contract (or such other agreement as is mutually
274 acceptable to the owner and the department).

275
276 (f) The owner shall promptly, but in any event within 7 days of execution thereof, provide the department
277 with a copy of any new or amended purchase contract executed with respect to the property during the 2
278 year period set forth in subsections (c) , (d) and (e), and shall promptly, but in any event within 7 days of
279 recording or filing thereof, provide the department with a copy of any deed or other document transferring
280 owner's interest in the publicly assisted housing development.

281 (g) Any submission to the department of a third party purchase contract, amended third party purchase
282 contract, or deed or other document transferring owner's interest in the publicly assisted housing
283 development shall include a certification by owner and, with respect to any document executed by the
284 third party buyer, the third party buyer, that same is accurate and complete, and there are no other

285 agreements between owner and the third party buyer, or any affiliate of either, with respect to the sale of
286 the publicly assisted housing development.

287 Section 5. For the purposes of this chapter, an affected municipality shall not be subject to the provisions
288 of section 16 of chapter 30B.

289 Section 6.

290 (a) The provisions of section 3 and section 4 shall not apply to any of the following: (i) a government
291 taking by eminent domain or negotiated purchase in lieu of eminent domain; (ii) a forced sale pursuant to
292 a foreclosure; (iii) a deed-in-lieu-of foreclosure; (iv) a proposed sale that, as determined by the
293 department, is to a purchaser pursuant to terms and conditions that preserves affordability; (v) a proposed
294 sale of a publicly assisted development which the department has determined has a section 8 contract, as
295 defined in publicly assisted housing in section 1, for all the units in the development and the buyer has
296 agreed, in a regulatory agreement, to renew project-based section 8 assistance, or any successor program,
297 for all units in the development provided that at the time of such renewal, such assistance is available to
298 the owner on economic terms and conditions that are comparable to the existing assistance contract; (vi) a
299 proposed sale of a publicly assisted development to an affiliate of the owner that is not a termination as
300 determined by the department; and (vii) a proposed sale pursuant to a binding agreement in effect on the
301 effective date of this chapter.

302

303 (b) An owner seeking an exemption under clauses (a)(iv), (v) or (vi) shall include the name and address of
304 any tenant organization in the request, and shall provide a copy of its request to the Chief Elected Official
305 of the affected municipality, CEDAC, the local legal services organization as designated by the
306 department, and the tenant organization at the time it files its exemption request with the department. The
307 department shall provide a copy of its written determination under clauses (a)(iv), (v) or (vi) to the owner,
308 CEDAC, the local legal services organization, and any tenant organization.

309

310 Section 7. For a period of 3 years after termination, the rent for a protected low-income tenant who does
311 not receive an enhanced section 8 voucher may not be increased more than once annually by the increase
312 in the consumer price index applicable to the area in which the publicly assisted housing development is
313 located during the prior 12 months plus 3%. The foregoing shall not apply to a low-income tenant (i) who
314 is income eligible for an enhanced section 8 voucher but does not obtain one solely due to some action or
315 inaction of the tenant on or after the date he or she is eligible to apply for an enhanced voucher; or (ii)
316 who would be eligible for an enhanced section 8 voucher if this provision was not in effect. For a period
317 of 3 years after termination, a protected low-income tenant shall not be evicted or involuntarily displaced
318 from his or her apartment except for good cause related to tenant fault.

319

320 Section 8. Any purchase by the department or by a purchaser pursuant to this chapter shall be subject to a
321 regulatory agreement.

322

323 Section 9. An owner who has complied with the provisions of sections 2 and section 3 which has not
324 resulted in a purchase by the department or its designee, or which has resulted in a sale pursuant to section
325 4 may apply to the department for a certificate of compliance by submitting a written request for said
326 certificate in the form and with such documentation as required by the department to establish the owner's
327 compliance to the satisfaction of the department. At the same time, the owner shall provide a copy of the
328 request to CEDAC and the Chief Executive Officer of the affected municipality. The owner shall provide
329 a copy of the owner's request to any tenant of the publicly assisted housing upon request. The department
330 shall issue the certificate of compliance within 30 days of receipt of the application if it determines that
331 the owner has complied with the provisions of sections 2 and 3. Upon issuance, the certificate of
332 compliance shall be filed with the registry of deeds within 1 year after the date of issuance.

333 Section 10. Within 45 days of the passage of this chapter, the department shall establish a 12-member
334 advisory committee, to consist of the undersecretary of the department or her designee, the executive
335 director of the Community Economic Development Assistance Corporation, 1 member selected by the
336 Massachusetts Mayors Association, 1 member selected by the Massachusetts Municipal Association, 1
337 member selected by Citizens' Housing and Planning Association, 1 member selected by the Greater
338 Boston Real Estate Board, 1 member selected by the Real Estate Bar Association for Massachusetts, 1
339 member selected by the Massachusetts Association of Community Development Corporations, 1 member
340 selected by Massachusetts Legal Assistance Corporation, 1 member affiliated with the Affordable
341 Housing Preservation Initiative of the Local Initiatives Support Corporation, and 2 additional members
342 chosen by the department to provide advice and recommendations to the department regarding regulations
343 to implement this act; provided further, that the department shall promulgate regulations to effectuate the
344 purposes and to implement the provisions of this chapter within 150 days of the passage of this chapter.