

Offered by Councilor Kenzie Bok, Essaibi-George, Mejia, Flaherty, Breadon, Campbell, Arroyo, Flynn, O'Malley, Wu, Edwards and Janey

**CITY OF BOSTON
IN CITY COUNCIL**



**ORDER FOR A HEARING REGARDING INCREASING
PUBLIC HOUSING IN THE CITY OF BOSTON**

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WHEREAS: Public housing secures public health, by providing stable homes for low-income families, seniors, and people with disabilities, and the pandemic has highlighted our need for more such housing, as Boston has scrambled to expand our shelter capacity and called on landlords to house homeless families with vouchers; *and*

WHEREAS: Boston built much of its public housing early in the federal program, enabling the creation of public housing communities in almost every neighborhood of the City, communities that have become one of the only anchors for low-income people and people of color as many parts of the City have gentrified; *and*

WHEREAS: The rent structure of public housing enables people to stay housed even when experiencing shocks like the illness or job loss brought on by the COVID-19 crisis, and families who gain access to public housing are immediately able to spend more on food and healthcare for their children (Gubits *et al*, 2016); *and*

WHEREAS: More than 50,000 families are waiting for a Boston Housing Authority (BHA) public housing unit, demonstrating great need despite federal disinvestment; *and*

WHEREAS: A stark reduction in the federal supply of public housing began in the 1970s, when President Richard Nixon declared a moratorium on its new construction, and continued in 1999, when President Bill Clinton signed into law the Faircloth Amendment to the Housing Act of 1937, legally limiting the number of public housing units that could receive capital and operating subsidies from the U.S. Department of Housing and Urban Development (HUD) to the number operated by each housing authority on October 1, 1999, known as a "Faircloth Limit"; *and*

WHEREAS: Recognizing the need for government reinvestment in public housing, several federal politicians have proposed repealing the Faircloth Amendment to allow housing authorities to build new public housing beyond their Faircloth Limits, including most recently a repeal amendment introduced by Representative Alexandria Ocasio Cortez (D-N.Y.) that passed the U.S. House in early July; *and*

WHEREAS: Boston need not wait on Washington: the Boston Housing Authority's Faircloth Limit is 12,086 units, but due to redevelopment in the 2000s that de-densified Boston's public housing stock, the BHA only has 9622 public housing units receiving HUD capital and operating subsidies, also known as ACC units; *and*

WHEREAS: Boston could therefore build, buy, or certify up to 2464 more public housing ACC units and immediately begin receiving federal subsidies for each one, thereby taking advantage of an untapped federal resource to increase our number of permanent deeply affordable units up to the BHA's Faircloth Limit; *and*

WHEREAS: The BHA could also transform new ACC units through HUD's Rental Assistance Demonstration (RAD) program to make them more financially sustainable; *and*

WHEREAS: Such subsidies provide a reliable source of income for landlords, even within times of economic uncertainty, as rents are guaranteed by both the federal government and the BHA, so that converting units within existing buildings to ACC/RAD units could help prevent evictions and foreclosures, especially as the supply of federal project-based and mobile vouchers remains limited; *and*

WHEREAS: Boston could also use these federal subsidies in combination with the City's Inclusionary Development Policy (IDP) or its Acquisition Opportunity Program (AOP) to secure deeper long-term affordability—including for families making 30% of area median income or less—within either large-scale new redevelopment projects or existing apartment buildings scooped off the speculative market; *and*

WHEREAS: Boston should explore building new public housing units on public land, whether at existing housing developments, on vacant lots, or above other public assets, as a way to truly utilize the full value of public land for public good in every corner of the City, including neighborhoods from which people of color and low-income people have been historically excluded in violation of fair housing; *and*

WHEREAS: The capital funds to support building new public housing could be secured through two home-rule petitions passed by the Boston City Council that the State House ought to vote to approve this week: the ability for the City to adjust its linkage fees (H. 4115) and the real estate transfer fee (H. 4514); *and*

WHEREAS: The City could also expand its capital budget to build these new public housing units, as a countercyclical investment in our local economy, a step towards the \$300 million for affordable housing called for in the Council President's *Black & Brown Agenda for Boston*, and a statement that public housing is long-term public infrastructure that truly preserves our communities; *NOW THEREFORE BE IT*

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to discuss increasing the number of public housing "ACC" units in the City of Boston up to the Faircloth Limit, as well as the benefits to the City and to developers of building and managing ACC and/or RAD units, and that members of the Administration including Chief Sheila Dillon, Administrator Kate Bennett, and other representatives from DND, BHA, and the Boston Planning & Development Agency, along with housing advocates, developers of affordable housing, and the public, be invited to testify.

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