

For the most up to date information go to <http://www.masshousing.com/dmhddssetaside>

1. Where is the documentation that a development is required to participate in the DMH/DDS Set-Aside Program?

The main document is a letter the owner/developer of the property signs agreeing to participate in the program as part of the loan closing process. This letter can be found in the legal closing documents of a property. The DMH/DDS Set-Aside program itself grew from the DMH/DDS Interagency Agreement on MassHousing Set-Asides whereby MassHousing agrees to execute 3% set-aside agreements at the time of closings with all developers of new projects with whom, in the opinion of MassHousing's legal counsel, MassHousing has the authority to do so. These set-aside units will be for consumers referred by the Department of Mental Health (DMH) or the Department of Developmental Services (DDS), according to the Memorandum of Understanding (MOU) between MassHousing, the Department of Housing and Community Development, the Executive Office of Health and Human Services, DMH and DDS. This MOU can be found on MassHousing's website.

2. How is the required number of DMH/DDS Set-Aside units calculated?

The DMH/DDS Set-Aside program requires that 3% of a development's low- and moderate-income units be set aside for referrals from the Departments of Mental Health (DMH) and Developmental Services (DDS). The number is always rounded up. For example, Shady Pines Apartments has 75 low- and/or moderate-income units. The required number of DMH/DDS Set-Aside units is 3.

3. How does a development begin participating in the DMH/DDS Set-Aside Program?

If you are new to the MassHousing DMH/DDS Set-Aside Program and need to understand how your development begins to participate, contact the Set-Aside Program Coordinator who will discuss with you the required number of units as well as a timeline to fulfill the DMH/DDS Set-Aside requirement.

4. How do I get referrals from DMH & DDS for an upcoming vacancy?

If you anticipate a vacancy and need to maintain or meet the required number of Set-Aside units at your development you must post this notice of vacancy by going to www.MassAccessHousingRegistry.org. Log into your development's page and list all the required details for the available unit. Once a unit has been occupied by a referral from DMH or DDS, the unit's status in Mass Access should be changed to occupied by [DMH or DDS].

5. How do I know which department should "get" an available DMH/DDS Set-Aside unit?

In a development currently participating in the program, the first option should be given to the department already occupying the unit. In developments new to the program, the first unit should be offered to DDS, the second unit should be offered to DMH. This pattern should be continued until the required number of DMH/DDS Set-Aside units has been occupied. Please note that in developments with an odd number of required DMH/DDS Set-Aside units, DDS should be offered the extra unit. There is one exception to this rule: units in developments with a SHARP subsidy should be occupied by whichever department presents an appropriate candidate first.

6. May a housing development designate more than the required 3% as DMH/DDS Set-Aside units?

Yes, but both the Asset Manager and the Set-Aside Program Coordinator should be notified.

7. What happens if a development does not meet the 3% DMH/DDS Set-Aside requirement?

Participation in the Set-Aside Program is part of the development's Property Management Review done by MassHousing. As with any other MassHousing requirement, participation can affect the overall outcome of the PMR.

8. Can a person use a Section 8 Voucher to rent a DMH/DDS Set-Aside unit?

A resident may use a Section 8 Voucher if there is no other project-based subsidy attached to the unit.

9. What happens if DMH or DDS cannot fill a vacant Set-Aside unit in normal turnover time?

If this happens the next person on the development's waiting list should fill the unit. When a comparable unit becomes available, it should again be offered to DMH/DDS.

10. What if the resident occupying a DMH/DDS Set-Aside unit requests a unit transfer within the development?

The unit to which the resident is transferred will be considered the DMH/DDS Set-Aside unit. DMH/DDS and MassHousing should be notified of the transfer by email. If the development receives a SHARP subsidy, DHCD must be notified before the transfer occurs.

11. What happens in a DMH/DDS Set-Aside shared living situation, e.g. a 2-bedroom unit, when one resident vacates the unit, but the other remains?

If the remaining resident wishes to remain in the unit, the full contract rent must be paid by either the remaining resident or the agency, until a suitable roommate is screened and moves in. If the remaining resident wishes to be transferred to a 1BR unit, then they should be placed on the internal transfer list. If there are no 1BR units at the development, then the agency will assist the resident in moving out.

12. If a resident in a DMH/DDS Set-Aside unit no longer needs the services of the DMH or DDS, may they continue to occupy the DMH/DDS Set-Aside unit?

Yes. If the resident continues to be lease compliant and income eligible, they can remain in the unit. However, DMH and/or DDS will continue to respond if a tenancy problem occurs. Please note that this unit remains a DMH/DDS Set-Aside unit.

13. Can a 2-bedroom unit be exchanged for a 1-bedroom unit if it suits the needs of DMH or DDS?

Yes. If both the property manager and DMH/DDS agree, this is allowable. Please note that this will NOT result in a requirement to have two 1-bedroom DMH/DDS Set-Aside units.

14. What happens if a resident in a DMH/DDS Set-Aside unit is hospitalized?

If there is a reasonable expectation that the resident will return to the unit, it is still considered the person's primary residence. If the tenant portion of the rent continues to be paid, the unit should be held. This remains true as long as the unit remains the tenants' primary residence for at least 6 months of the year.

15. What if the resident of a DMH/DDS Set-Aside unit is violating the lease?

Residents placed into DMH/DDS Set-Aside units should be treated like any other resident who is violating the lease. Notice of the violation should be sent to the resident along with a notice of a right to a reasonable accommodation. A manager should also contact the Set-Aside Program Coordinator as well as the regional housing coordinator for the appropriate agency to discuss the problem and possible solutions.