Massachusetts Association of Community Development Corporations

December 8, 2025

The Honorable Julian Cyr
Co-Chair, Joint Committee on Housing
MA State House, Room 111
Boston, MA, 02133

The Honorable Richard Haggerty
Co-Chair, Joint Committee on Housing
MA State House, Room 146
Boston, MA, 02133

Dear Chairs Cyr and Haggerty, and esteemed members of the Committee,

On behalf of the MA Association of Community Development Corporations (MACDC) and our members throughout the state, we write to encourage a favorable report on *An Act to Guarantee a Tenant's Right of First Refusal* (H.1544 / S.998). MACDC is the policy and capacity-building arm of the state's community development sector, representing over 100 community development non-profits in all corners of Massachusetts. Our membership develops and preserves thousands of units of affordable housing every year, and we see every day the benefits of preserving affordable housing, as well as the consequences of letting it slip away.

Affordable housing developers like CDCs are ready to partner with tenant associations on preserving their naturally occurring affordable buildings. And as we've seen in other testimony, in many cases they are already doing so, only with less efficiency and higher financial cost—both private and public—than if the Tenant Opportunity to Purchase Act (TOPA) were in place. And of course, the biggest cost in this instance falls on the vulnerable families caught up in the sale, many of whom end up being displaced during the negotiations. If we had TOPA on the books, these transactions would be quicker and smoother, saving scarce public resources to be used for other investments like producing additional new affordable housing units.

As was reported in the Boston Globe just last month about investor purchases in the city of Randolph, corporate investors repeatedly ignore health and safety issues while at the same time drastically increasing rent and adding sometimes illegal fees, all in an effort to get tenants to leave or be evicted so they can flip the unit. On the other hand, CDCs and other affordable development partners hold the health and safety of residents as part of their core mission.

We've all heard repeatedly about the 222k housing units we need to build by 2035, and opponents of TOPA often cite Washington DC—which has had a similar but more expansive version in place for several decades—asserting that TOPA has had disastrous effects on DC's overall housing production. However, the truth is quite the opposite. According to US Census data, between 2010 and 2020, 53,000 new units were built in DC, from a starting point of around 300,000 units. In other words, they increased their housing stock by a whopping 18%. For a sense of scale, an 18% increase here would produce over 500,000 new homes, or well more than twice the number we have all agreed we need. And again, DC's version of TOPA is much more expansive than what is proposed here.

The reality is that TOPA is a simple and effective tool to level the playing field between low-income renters and corporate investors who wish displace the residents for profit. It should be low-hanging fruit in our efforts to keep people in their homes while we continue to boost supply.

In the end, what we hope you will come away with from all the testimony you've heard and received on this bill is the following:

- TOPA preserves a seller's ability to realize the maximum market value of their property, while giving tenants the option to partner with a new owner that is committed to keeping them in their homes. It's a win-win.
- TOPA allows state and local resources to go farther by avoiding the long and costly battles that in many cases result in an affordable purchase anyway, but at much higher financial and human cost.
- TOPA will result in healthier, safer, more stable housing units.
- TOPA is a pathway to homeownership for many tenants who would otherwise never be able to afford it.
- TOPA fills the gaping hole in our state's housing policy relative to preserving naturally occurring affordable housing.
- TOPA has absolutely not hindered housing production in communities where it exists today, with a prime example of success being Washington DC, whose housing stock has exploded in recent decades, despite having a much more expansive version of TOPA than is proposed in this bill.

We urge you to report this bill out favorably and thank you for your consideration.

Sincerely,

Emily Haber

Emily Haber
President & CEO

Nathanael Shea
Director of Public Policy