

SECOND AMENDMENT

TO

**AMENDED AND RESTATED MOVING TO WORK AGREEMENT
BETWEEN
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
AND
MASSACHUSETTS DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT**

This Second Amendment to the Moving to Work ("MTW") Agreement dated June 19, 2008 ("Agreement") is entered into by and between the United States of America through the U.S. Department of Housing and Urban Development ("HUD") and the Massachusetts Department of Housing and Community Development ("Agency") and is effective as of July 2, 2010, 2010. Unless otherwise defined herein, all capitalized terms used herein shall have the same meanings ascribed to them in the Agreement. Attachment D is amended as follows:

Attachment A to the Agreement is amended as follows:

Section A(4) of Attachment A to the Amended and Restated Agreement is repealed and the following substituted therein:

4. Administrative Fee eligibility will be based on voucher leasing during the base period, defined as the calendar year immediately preceding the initial year. For the initial period (CY), the fee eligibility will be calculated by applying the current year's administrative fee rates to that base period's leasing. For subsequent years, the fees will be based upon applying each subsequent year's administrative fee rates to the base period's leasing. This methodology will apply only to those vouchers for which administrative fees are not included in the MTW block grant. In every year, fee eligibility will be pro-rated at the same level as applies to all other agencies. Administrative fees for vouchers added to the agency's inventory after the base period will be paid according to each year's appropriation requirements.

03/29/2010

IN WITNESS WHEREOF, the parties have caused this Second Amendment to be executed by their duly authorized representatives.

MASSACHUSETTS DEPARTMENT OF
HOUSING AND COMMUNITY
DEVELOPMENT

By: Tina Brooks
Name: Tina Brooks

Its: Undersecretary

Date: June 28, 2010

UNITED STATES DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT

By: Milan Ozdinec
Name: Milan Ozdinec

Its: Acting Assistant Secretary,
Public and Indian Housing

Date: July 2, 2010

ATTACHMENT A
CALCULATION OF SUBSIDIES
TO
MOVING TO WORK AGREEMENT
BETWEEN
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
AND
MASSACHUSETTS DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

This Attachment A, executed _____, 2010, hereby replaces the Attachment A dated June 5, 2008.

Upon execution of the Moving to Work (MTW) Agreement (MTW Agreement) between the U.S. Department of Housing and Urban Development (HUD) and the Massachusetts Department of Housing and Community Development (Agency), HUD will provide the Agency with Housing Choice Voucher Program assistance as described below.

A. Housing Choice Voucher Program (HCVP) Subsidy

For the balance of CY08, MADHCD will operate its existing 183-unit MTW program, with funding for said component retaining the original funding PUC-based funding formula.

1. For purposes of the Housing Choice Voucher Program (HCVP) funding, the Initial Year is calendar year 2009 (January 1, 2009 through December 31, 2009).
2. For purposes of the Housing Choice Voucher program funding, the base period for calculating initial funding is federal fiscal year 2008 (October 1, 2007 through September 30, 2008).
3. Initial year (CY 2009) HCVP housing assistance payments (HAP) subsidy will be based on the greater of actual HAP expenses incurred by the Agency as reported in the Voucher Management System (VMS) in the base period (FFY 2008) or what the Agency is eligible to receive in calendar year 2008. Initial year administrative fees will be based on what the Agency is eligible to receive in calendar year 2008.
4. Administrative Fee eligibility will be based on voucher leasing during the base period, defined as the calendar year immediately preceding the initial year. For the initial period (CY), the fee eligibility will be calculated by applying the current year's administrative fee rates to that base period's leasing. For subsequent years, the fees will be based upon applying each subsequent year's administrative fee rates to the base period's leasing. This methodology will apply only to those vouchers for which administrative fees are not included in the MTW block grant. In every year, fee eligibility will be pro-rated at the same level as applies to all other agencies. Administrative fees for vouchers added to the agency's inventory after the base period will be paid according to each year's appropriation requirements.

5. If the Agency receives incremental HCVP funding, the Agency must decide to either apply the incremental funding to their MTW block grant or to keep the incremental funding separate, as provided by law. In some cases, incremental funding may not be eligible for inclusion in the block grant as may be dictated by law.
6. All HCVP funding provided by HUD and not restricted under item 5, above, or otherwise prohibited by law in the Initial Year and subsequent years under this agreement may be eligible for inclusion in the MTW flexible block grant.
7. The Agency will be eligible to receive Family Self Sufficiency coordinator funding in accordance with available appropriations and requirements.
8. There will be no year-end settlement of annual funds provided for the MTW HCVP subsidy. All funds not expensed will remain available for authorized purposes.
9. Funding for five-year mainstream vouchers, moderate rehabilitation vouchers, and VASH vouchers allocated in or after 2008 ,whether new allocations or renewals of existing vouchers, shall not be included in the MTW Block Grant.
10. The Agency will receive administrative fees to administer any incremental vouchers received, including Family Self Sufficiency funding, in accordance with laws and regulations in effect. Such fees will be calculated assuming all vouchers are in use.
11. The Agency's MTW funding for tenant based voucher assistance shall be based solely on dollars and not units.