



Massachusetts, New Jersey, Pennsylvania and Washington

(as of July 21, 2005)

Massachusetts, New Jersey, Pennsylvania and Washington are states where legislation exists that encourage local housing trust funds. Only Washington and Massachusetts have state housing trust funds in addition to enabling legislation.

Massachusetts

Since 2000, *75 communities* in the state have approved a referendum allowing them to levy a community-wide property tax surcharge through the Community Preservation Act.

New Jersey

Thanks to 1985 legislation allowing local jurisdictions to levy fees on developers to raise money for affordable housing, there are *161 municipal affordable housing trust funds* in the state of New Jersey. Passed as a solution to the Mt. Laurel court decisions, which mandated that every local jurisdiction provide for its "fair-share" of low-and moderate-income housing needs, the New Jersey Fair Housing Act allows municipalities to develop a housing plan that details how it will meet those needs.

Pennsylvania

Pennsylvania counties have had an option to create a county Housing Trust Fund since the passage of the 1992 Optional Affordable Housing Trust Fund Act, commonly referred to as Act 137. The legislation identifies a revenue source that can, under certain circumstances, be used for defined affordable housing activities. Currently, there are *40 county housing trust funds* in the state.

Washington

In 1993 the Washington State Legislature passed an act allowing counties, cities, and towns to "exceed statutory property tax limitations for the purpose of financing affordable housing for very low-income households." These levies may, in turn, be used to support local affordable housing trust funds.

The legislation specifically cites the need for localities to provide matching funds in order to obtain certain federal grants for affordable housing, and indicates that without allowing for these levies such funds would not be accessible to the towns.

The Washington Legislature passed a "document recording fee" bill in 2002 authorizing an increase of \$10 to the fee currently charged by counties for recording. Washington currently has *13 county housing trust funds*.