



# COMMERCIAL REAL ESTATE INSIGHT & NEWS

The Bowditch & Dewey Real Estate Blog

## EOHLC Files Permanent Regulations to Implement the MBTA Communities Law, Nearly 70 Communities Already Compliant

BY JOSEPH R. DUQUETTE • MAY 7, 2025

In response to the Massachusetts Supreme Judicial Court (SJC) ruling in *Attorney General v. Town of Milton*, 495 Mass. 183 (2025), the Executive Office of Housing and Livable Communities (EOHLC) filed permanent regulations on March 28, 2025, and the Secretary of the Commonwealth published the permanent regulations on April 11, 2025, implementing the MBTA Communities Act.

The new regulations provide clarity and a structured path for communities to achieve compliance, including how to determine “reasonable size” of a zoning district in which multi-family housing is permitted as of right. Please visit the [Multi-Family Zoning Requirements for MBTA Communities](#) for the full regulations.

### KEY TAKEAWAYS FROM THE MBTA COMMUNITIES ACT AND COMPLIANCE

- **Compliance Progress:** 68 of the 177 MBTA Communities are now compliant or conditionally compliant, with 119 having adopted multifamily zoning.
- **Housing Development:** Nearly 4,000 new housing units are in the development pipeline according to the Healey-Driscoll administration.
- **MBTA Communities Catalyst Fund:** In March, the Healey-Driscoll Administration awarded \$8.7 million in MBTA Community Catalyst Funds to 10 fully compliant MBTA Communities and is available to fully compliant communities.

### UPCOMING DEADLINES

- **July 14, 2025:** Deadline for most non-compliant MBTA Communities to submit a district compliance application.
- **December 31, 2025:** Deadline for municipalities categorized as “Adjacent Small Towns” to file their compliance applications.

