

General Counsel - (2400601)

The Executive Office of Housing & Livable Communities is seeking a General Counsel!

AGENCY MISSION:

The Executive Office of Housing and Livable Communities (EOHLC) is charged with creating more homes in Massachusetts and lowering housing costs for residents.

Formerly known as the Department of Housing and Community Development (DHCD), EOHLC works with municipalities, local housing authorities, non-profit organizations, and development partners to provide affordable housing options, financial assistance, and other support to Massachusetts communities.

OVERVIEW OF ROLE:

The General Counsel reports directly to the Secretary and is responsible for advising the Secretary and the staff of the EOHLC on legal and policy issues; supervising and managing the staff of the Office of the General Counsel (OGC); coordinating legal matters and activities throughout the Secretariat, and with the Governor's Office of Legal Counsel. The General Counsel is responsible for reviewing any official action of the Secretary or the Secretariat for legal adequacy. The position involves the application of a mix of legal, managerial and policy expertise. The General Counsel represents the Secretary and the Secretariat in interagency and outside meetings as required and communicates directly with stakeholders and the public regarding legal matters.

The General Counsel directly, or through oversight, participates in the negotiation and approval of contracts, agreements, and memoranda of understanding between EOHLC and other governmental and private entities. The General Counsel serves as the Secretariat's legal representative for disputes or lawsuits including coordination with the Office of the Attorney General or other investigatory agency in the event of litigation or an internal investigation.

The General Counsel collaborates with the Undersecretary/Chief of Staff to provide input into setting agency priorities and performance strategies and participates in strategy sessions with senior managers. They sensitize, educate and inform EOHLC staff relative to potential legal issues in the administration of EOHLC programs and policies and the utilization of Secretariat funds. The General Counsel works with the Division heads, Chief Financial Officer and key State Finance Law Compliance appointees to ensure Department compliance with state finance law requirements. They identify state finance law and other legal requirements applicable to the Department and assist in the development of appropriate staff training to support staff compliance.

The General Counsel will report directly to the Secretary of the Executive Office of Housing and Livable Communities (EOHLC).

The General Counsel oversees the Legal Division which includes 30 staff and will directly supervise 5 attorneys.

DUTIES AND RESPONSIBILITIES (NOT ALL INCLUSIVE):

1) Leadership and Legal Guidance:

- For the Secretary, Deputy Secretary and Undersecretary/Chief of Staff, and for Governor's Office, as necessary, frames legal questions and provides answers with analysis that includes policy and programmatic implications.
- Provides legal advice to EOHLC divisions and staff on agency policies and initiatives or the resolution of issues that set precedent and troubleshoot legal issues that cross all EOHLC divisions.
- Provides rapid, accurate analysis of complex legal issues requiring significant technical expertise, particularly those involving (1) a mix of housing law and tax law, such as the federal and state low income housing tax credit programs (LIHTC) and the interplay of LIHTC with other federal and state programs, including grants and tax credits under the Inflation Reduction Act; and (2) the impact of

proposed legislation, regulations and/or guidance on program operations as well as consistency with law.

- Advises on matters of alleged fraud, waste and abuse involving staff, grantees, or sub-recipients.
- Manages operations and provides leadership to staff in the Office of the General Counsel.
- Oversees the Public Record Requests response process.

2) Legislation:

- Drafts legislation for the Secretariat including annual budget line item language.
- Provides an analysis of any difference between legislation ultimately passed by the Legislature and legislation submitted by the Secretariat/Administration.

3) Regulations:

- Drafts regulations, legal policies, procedures, forms and notices for agency; conducts legal research and drafts memoranda of law; reviews documents, such as contracts and Request for Responses (RFRs).
- Reviews and makes recommendations to the Secretary and Governor's Office on legislation filed by other parties that is related to housing, community development and/or municipal governance.

4) Other:

- The General Counsel ensures that all written and electronic communications from the Office of the Comptroller, Executive Office for Administration and Finance, Governor's Office of Legal Counsel, and other applicable oversight agencies are disseminated to the appropriate Secretariat personnel in a timely manner.
- The General Counsel assists in the design and delivery of training of Secretariat policy and practice to EOHLC staff, as well as stakeholders.

PREFERRED QUALIFICATIONS:

1. Applicants must have a Juris Doctor (JD) Degree, a current license to practice law in Massachusetts and a member in good standing of the Massachusetts Bar.
2. A minimum of 10 years of experience with housing and community development programs of which at least 5 must be as a legal counsel.
3. Knowledge of state and federal housing and community development programs and shelter programs; ability to blend policy and programmatic concerns and practicalities into legal advice and recommendations.
4. Outstanding verbal and written communication skills.
5. Exceptional judgment for weighing inputs and evaluating potential courses of action.
6. Strategic acumen and excellent problem-solving capabilities.

Performing this job effectively requires significant technical expertise relating to one or more of the primary housing or shelter programs administered by EOHLC, including (a) low income housing tax credits and tax-exempt bonds, (b) federal and state rental assistance, (c) state-aided public housing, and (d) emergency shelter and homelessness programs.

Expertise in administrative law is key to providing effective and accurate advice on state finance law, the state budget and legislative process, regulatory promulgation, procurement, contracting, and other aspects of operating a cabinet-level executive branch agency.

COMMENTS:

Please upload resume and cover letter.

This position would be expected to follow a hybrid model of reporting to work that combines in-office workdays and work from home days, as needed.

Salary placement is determined by years of experience and education directly related to the position and the Human Resources Division's Recruiting Guidelines. In the case of a promotional opportunity, the salary

provisions of the applicable collective bargaining agreement will apply to placement within the appropriate salary range.

Education, licensure and certifications will be verified in accordance with the Human Resources Division's Hiring Guidelines. Education and license/certification information provided by the selected candidate(s) is subject to the Massachusetts Public Records Law and may be published on the Commonwealth's website.

PRE-OFFER PROCESS:

A background check will be completed on the recommended candidate as required by the regulations set forth by the Human Resources Division prior to the candidate being hired.

QUALIFICATIONS

MINIMUM ENTRANCE REQUIREMENTS:

Applicants must have at least (A) seven (7) years of full-time or, equivalent part-time, professional, administrative, supervisory, or managerial experience in a particular specialty (i.e. scientific, professional, or technical) and must possess current license and/or registration requirements established for the performance of the position, of which (B) at least four (4) years must have been in a managerial capacity.

Comprehensive Benefits

When you embark on a career with the Commonwealth, you are offered an outstanding suite of employee benefits that add to the overall value of your compensation package. We take pride in providing a work experience that supports you, your loved ones, and your future.

Want the specifics? [Explore our Employee Benefits and Rewards!](https://www.mass.gov/commonwealth-employee-benefits-and-rewards) at <https://www.mass.gov/commonwealth-employee-benefits-and-rewards>

An Equal Opportunity / Affirmative Action Employer. Females, minorities, veterans, and persons with disabilities are strongly encouraged to apply.

The Commonwealth is an Equal Opportunity Employer and does not discriminate on the basis of race, religion, color, sex, gender identity or expression, sexual orientation, age, disability, national origin, veteran status, or any other basis covered by appropriate law. Research suggests that qualified women, Black, Indigenous, and Persons of Color (BIPOC) may self-select out of opportunities if they don't meet 100% of the job requirements. We encourage individuals who believe they have the skills necessary to thrive to apply for this role.

Official Title: Program Manager Specialist X

Functional Title: General Counsel

Primary Location: United States-Massachusetts-Boston-100 Cambridge Street

Job: Legal Services

Agency: Executive Office of Housing and Livable Communities

Schedule: Full-time

Shift: Day

Job Posting: Jul 16, 2024, 12:11:03 PM

Number of Openings: 1

Salary: \$123,783.20 - \$180,000.00 Yearly

If you have Diversity, Affirmative Action or Equal Employment Opportunity questions or need a Reasonable Accommodation, please contact Diversity Officer / ADA Coordinator: Jessica Molina - 8572480160

Bargaining Unit: M99-Managers (EXE)

Confidential: No

Potentially Eligible for a Hybrid Work Schedule: Yes

HOW TO APPLY:

Apply online at <https://massanf.taleo.net/careersection/ex/jobdetail.ftl?job=240006O1>