

ATTORNEY GENERAL CAMPBELL SUES NINE TOWNS OVER MBTA COMMUNITIES ACT NONCOMPLIANCE

The MBTA Communities Act (Section 3A), Massachusetts' mandate for multifamily zoning in transit-accessible cities and towns, just marked [its five-year anniversary](#). But a dozen communities [have yet to adopt such zoning](#), leaving Section 3A's implementation incomplete.

After the final compliance deadline for "adjacent small towns" came and went on December 31, 2025, Attorney General Andrea Campbell announced the state [is suing nine of the twelve noncompliant municipalities](#). The defendants in the lawsuit range from small North Shore towns to urban enclaves in the immediate Boston area to semi-rural communities west of Worcester. Three other noncompliant towns—Carver, Freetown, and Rehoboth—were not named as defendants in the lawsuit, with Freetown having already scheduled [an upcoming vote](#) where it could adopt MBTA Communities zoning.

AG Campbell previously sued the Town of Milton over Section 3A noncompliance in February 2024. The Massachusetts Supreme Judicial Court subsequently [upheld the law's constitutionality](#), but required the state to re-do its regulatory rollout, giving communities more time to comply. In June 2025, a year and a half after its original deadline, Milton [passed compliant zoning](#).

It's unclear what legal basis exists for refusing to comply with Section 3A that didn't exist at the time of the Milton



case. But this time around, [some observers](#) have suggested that the nine towns named in the state's lawsuit could continue to eschew compliance even if a court rules against them, forcing AG Campbell to play out her hand further. Thus, it could be at least a couple more years before the nine towns have to come into compliance, and at that point the details could be in the hands of a judge, not town officials.

Meanwhile, by their own volition, some communities far exceeded the requirements of Section 3A, and as of December 2025, [34 communities](#) have Section 3A projects in the permitting pipeline. Despite backtracking on its initial above-and-beyond approach, Lexington is still the poster child for Section 3A results, with [1,286 homes](#) either proposed or under construction, the most of any community in the state. Only Newton—a community with nearly three times Lexington's population—has more individual developments in progress under Section 3A. A [Boston Indicators report](#) released in January 2026 has a comprehensive list of such developments around the state.

It's still too early to assess the overall impact of the MBTA Communities Act. As of this writing, few very projects built under the law have begun welcoming new residents, and there may be an initial surge in development that lessens in pace over time. In the coming years, it will become clearer how Section 3A will affect the rate and characteristics of multifamily housing growth in the region on an ongoing basis.

Nationally, 67 percent of new single-family homes built in 2024 were included in homeowners' associations, up from 46 percent in 2009. In 2024, just 38 percent of new single-family homes built in the Northeast were included in homeowners' associations, compared to 51 percent in the Midwest and 71 percent each in the South and West.

[Source: [U.S. Census Bureau](#)]

NEW DATA SHOW WHERE IN MASSACHUSETTS HOMEOWNERS ARE MOST LIKELY TO OVERESTIMATE THEIR PROPERTY'S MARKET VALUE

For many American households, the equity built up in their homes is [their largest asset](#), a form of retirement savings and intergenerational wealth. Most mortgaged homeowners in the U.S. [have fixed monthly payments](#), so a critical “swing variable” in building equity is how the market home value changes over time.

A [January 2026 data release](#) from the American Community Survey (ACS) provides median home value estimates over a five-year sample period for every municipality in the country. Because this data is self-reported, it offers a window into how homeowners value their own properties, and offers an easy point of comparison to algorithmic home value estimates based on sales data.

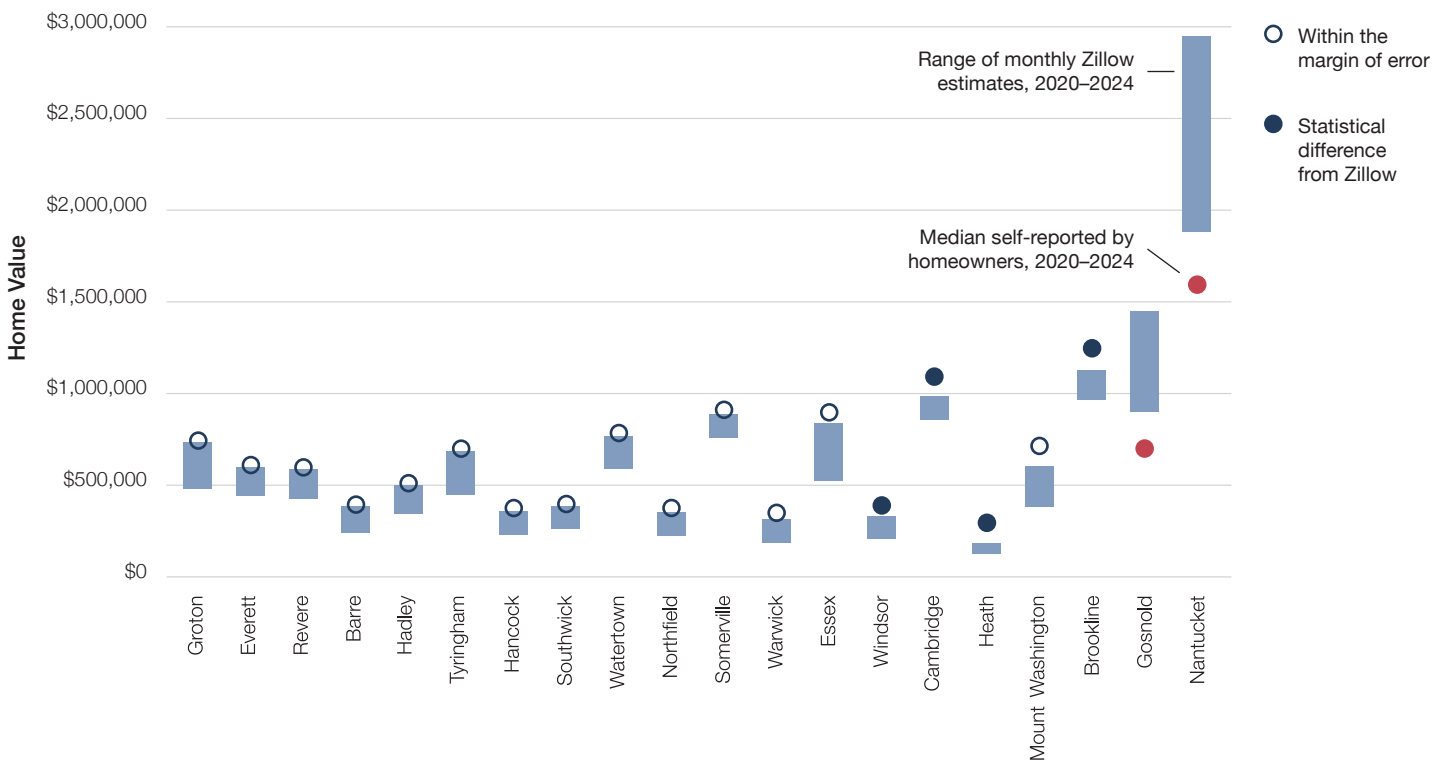
Collapsing five years of sample data into a single median home value estimate isn't always insightful, especially since home values have [grown so rapidly](#) in the United States during the sample period (2020–2024). But in some communities, the median self-reported home value estimate is outside the range of algorithmic estimates for every month in those five years. Thus, homeowners in 18 communities in Massachusetts seem to be systematically overestimating their home values, and those in two others are systematically underestimating them (see Figure 1).

These communities generally come in one of three categories. The first consists of cities and towns in the immediate Boston area, like Everett, Cambridge, and Brookline. Interestingly, these communities had some of the [fastest home appreciation rates](#) in the state in the late 2010s, but slower appreciation since COVID relative to other Massachusetts communities. It's possible that residents of such communities falsely expected their homes to continue appreciating faster than the state average, even as home values [ballooned nationwide](#) in the first couple years after COVID.

Second, many smaller towns, mostly west of Worcester, seem to have over-optimistic homeowners as well—places like Barre, Warwick, and Hancock. A few things could be going on here. The most boring option is that, because the towns are small, the samples that inform both the ACS and Zillow estimates are unrepresentative of the homes in the community.

But in some of these small towns, the Zillow home value estimates are still well outside the margin of error of the ACS home value data. Academic research [generally shows](#) that owners of relatively inexpensive housing tend to be more likely to overestimate its value, and most

Figure 1: Property Owners' Median Self-Reported Home Value and Range of Monthly Zillow Home Value Estimates from 2020–2024*



*Graph displays only the 20 Massachusetts municipalities for which the two home value measures don't align.

of the Zillow estimates fall well below the state median home price in these towns. And in towns where there are generally few home sales in a given year, a small number of high-dollar transactions could shift homeowners' perceptions of their home values substantially. But exactly why some of these towns have overestimated home values and other low-cost, low-turnover places don't is hard to discern with the available data.

Lastly, the true outliers: Nantucket and Gosnold. These island communities not only exhibit the dataset's largest gaps between the algorithmic home value estimates and self-reported ones, but they also are the only ones where self-reported values are *lower* than Zillow's. Nantucket and Gosnold are both communities with [a substantial number of seasonal residents](#), and ACS only interviews respondents about [their long-term residence](#) (i.e., where someone has stayed or is planning to stay for at least two months at the time of the interview). Thus, ACS may underestimate home values in these communities in large part because seasonal residents may be willing to pay much more for them than those who live and work on the island full-time.

It's also worth emphasizing that Zillow's home value estimates are [based mostly on sales data](#), and recently sold properties don't necessarily reflect the characteristics of all existing homes in a community. But based on this analysis, limitations though it has, Brookline appears to be the Massachusetts community where homeowners overestimate their home values by the largest margin, and Nantucket is where homeowners most underestimate them.



The single-family district, especially in the suburb, tended to shred community. [It] became easy to live one's life remote from neighbors on isolated cul de sacs with no connection to the environment or the people that surrounded them."

Harvard Law School Professor [Molly Brady](#) on the advent of single-family zoning.

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