



AN ACT CONCERNING THE RENTAL ASSISTANCE PROGRAM AND HOUSING FOR ELDERLY PERSONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-812 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) The Commissioner of Social Services shall implement and
4 administer a program of rental assistance for low-income families
5 living in privately-owned rental housing. For the purposes of this
6 section, a low-income family is one whose income does not exceed fifty
7 per cent of the median family income for the area of the state in which
8 such family lives, as determined by the commissioner.

9 (b) Housing eligible for participation in the program shall comply
10 with applicable state and local health, housing, building and safety
11 codes.

12 (c) In addition to an element in which rental assistance certificates
13 are made available to qualified tenants, to be used in eligible housing
14 which such tenants are able to locate, the program may include a
15 housing support element in which rental assistance for tenants is
16 linked to participation by the property owner in other municipal, state
17 or federal housing repair, rehabilitation or financing programs. The
18 commissioner shall use rental assistance under this section so as to
19 encourage the preservation of existing housing and the revitalization

20 of neighborhoods or the creation of additional rental housing.

21 (d) The commissioner shall administer the program under this
22 section to promote housing choice for certificate holders and
23 encourage racial and economic integration. The commissioner shall
24 establish maximum rent levels for each municipality in a manner that
25 promotes the use of the program in all municipalities, provided the
26 maximum rent level for each municipality shall not be less than one
27 hundred ten per cent of the rent levels established annually by the
28 United States Department of Housing and Urban Development under
29 the Section 8 certificate program. Any certificate issued pursuant to
30 this section may be used for housing in any municipality in the state.
31 The commissioner shall inform certificate holders that a certificate may
32 be used in any municipality and, to the extent practicable, the
33 commissioner shall assist certificate holders in finding housing in the
34 municipality of their choice.

35 (e) (1) As used in this subsection:

36 (A) "Eligible family" means a low income family, as defined in
37 subsection (a) of this section, who also meets one or more of the
38 following criteria: (i) A family with housing costs that are more than
39 fifty per cent of household income; (ii) a family that is homeless or at
40 risk of homelessness; (iii) a disabled person, that for purposes of this
41 subdivision means a person with a disability, as defined in the
42 Americans with Disabilities Act, 42 USCA12102; (iv) a family exposed
43 to domestic violence; (v) a family with lead-exposed children; (vi) a
44 family participating in Project CHOICE programs pursuant to section
45 10-266aa; (vii) a family residing in an emergency shelter or
46 participating in a transitional living program; (viii) a family receiving
47 benefits pursuant to section 17b-257 or 17b-78; or (ix) a family with
48 severe housing needs, as determined by the Commissioner of Social
49 Services; and

50 (B) "Support services" means activities that assist eligible families to
51 obtain available community services, such as physical health and

52 behavioral health services, housing mobility counseling, training in
53 independent living skills and tenant responsibilities, peer mentoring
54 and peer counseling, crisis intervention, conflict resolution and
55 mediation, employment training and education, employment
56 counseling and job retention supports.

57 (2) (A) The Commissioner of Social Services shall implement the
58 program of rental assistance with support services pursuant to this
59 subsection for not more than five hundred eligible families living in
60 privately-owned rental housing.

61 (B) The commissioner may contract with one or more entities to
62 provide rental assistance and support services pursuant to this
63 subsection, and shall consider such entity's demonstrated capability to
64 (i) make available or arrange for clean and safe affordable rental
65 housing to eligible families, and (ii) provide or arrange for one or more
66 support services.

67 (C) On or before January 1, 2003, and annually thereafter, the
68 commissioner shall submit a report to the select committee of the
69 General Assembly having cognizance of matters relating to housing,
70 analyzing the ability of the program established pursuant to this
71 subsection to stabilize eligible families.

72 (f) (1) For purposes of this subsection, an "eligible family" means a
73 low income family, as defined in subsection (a) of this section,
74 provided such family includes a person with psychiatric disabilities or
75 a person with substance abuse disabilities, as defined in section 17a-
76 458.

77 (2) The commissioner shall enter into an interagency agreement
78 with the Commissioner of Mental Health and Addiction Services to
79 implement and administer a program of rental assistance for not more
80 than two hundred fifty eligible families living in privately-owned
81 rental housing.

82 (g) Within available appropriations, the commissioner shall, at the

83 request of a certificate holder, provide such certificate holder with a
84 security deposit guarantee, not to exceed two months' rent. If a claim is
85 subsequently made against the guarantee, the commissioner shall not
86 pay such claim without first informing the certificate holder of the
87 claim and providing the certificate holder with an opportunity to
88 dispute it. If the commissioner pays a claim on a security deposit
89 guarantee made against a certificate holder under this program, the
90 commissioner shall not provide such certificate holder with a
91 subsequent security deposit guarantee unless the certificate holder has
92 repaid or made arrangements to repay such amount to the department
93 or for other good cause. The commissioner shall adopt regulations, in
94 accordance with chapter 54, to carry out the provisions of this
95 subsection.

96 [(e)] (h) Nothing in this section shall give any person a right to
97 continued receipt of rental assistance at any time that the program is
98 not funded.

99 [(f)] (i) The commissioner shall adopt regulations, in accordance
100 with the provisions of chapter 54, to carry out the purposes of this
101 section. The regulations shall establish maximum income eligibility
102 guidelines for such rental assistance and criteria for determining the
103 amount of rental assistance which shall be provided to eligible
104 families. Such regulations shall also include eligibility criteria for
105 entities providing rental assistance and support services pursuant to
106 subsection (e) of this section.

107 Sec. 2. Section 8-115a of the general statutes is repealed and the
108 following is substituted in lieu thereof:

109 (a) No housing project or projects for elderly persons shall be
110 developed until the Commissioner of Economic and Community
111 Development has approved the site, the plans and specifications, the
112 estimated development cost, including administrative or other cost or
113 expense to be incurred by the state in connection therewith as
114 determined by said commissioner, and an operation or management

115 plan for such project or projects which shall provide an income,
116 including contributions expected from any source, which shall be
117 adequate for debt service on any notes or bonds issued by an authority
118 to finance such development cost, administration, including a state
119 service charge as established by the commissioner, other operating
120 costs and establishment of reasonable reserves for repairs,
121 maintenance and replacements, vacancy and collection losses. During
122 the period of operation of such project or projects, the authority,
123 municipal developer, nonprofit corporation or housing partnership
124 shall submit to the commissioner for said commissioner's approval its
125 rent schedules and its standards of tenant eligibility and any changes
126 therein, and its proposed budget for each fiscal year, together with
127 such reports and financial and operating statements as the
128 commissioner finds necessary. Such authority, municipal developer,
129 nonprofit corporation or housing partnership shall also annually
130 submit verification that the significant facilities and services required
131 to be provided to the residents of such project pursuant to Title VIII of
132 the Civil Rights Act of 1968, as amended by the Fair Housing
133 Amendments Act of 1988 (42 USC 3600 et seq.) are being provided. On
134 and after July 1, 1997, the maximum income limits for admission to
135 such project shall be eighty per cent of the area median income
136 adjusted for family size.

137 (b) The commissioner shall have the right of inspection of any such
138 project at any time.

139 (c) The commissioner may, for periods of up to one year, authorize a
140 housing authority, municipal developer or nonprofit corporation to
141 admit to such a project persons who are not less than fifty-five years of
142 age and otherwise meet the eligibility requirements for the housing
143 project. The commissioner may only grant such authority upon receipt
144 from a housing authority, municipal developer or nonprofit
145 corporation of an application approved by the chief executive officer of
146 the municipality in which the housing authority, municipal developer
147 or nonprofit corporation is located demonstrating (1) that the housing
148 authority, municipal developer or nonprofit corporation is unable to

149 attract an adequate number of elderly persons to occupy the project,
150 and (2) that the housing authority, municipal developer or nonprofit
151 corporation (A) has published a notice, at least once each week during
152 the thirty days preceding the submission of its application, in one or
153 more newspapers having a substantial circulation in the municipality
154 in which the housing project is located, indicating that units in such
155 project are available, and (B) has sent such a notice, at least thirty days
156 preceding submission of its application, to each housing authority,
157 municipal developer or nonprofit corporation operating an elderly
158 housing project pursuant to this part and having fifty or more units.
159 No person admitted to such a project pursuant to this subsection shall
160 be evicted from or denied continued occupancy of such project solely
161 because such person is less than sixty-two years of age.

162 (d) (1) For the purposes of this subsection, "seniors" means persons
163 sixty-two years of age or over who lack the amount of income that is
164 necessary, as determined by the authority or nonprofit corporation,
165 subject to approval by the commissioner, to enable them to live in
166 decent, safe and sanitary dwellings without financial assistance as
167 provided under this part, and "nonelderly disabled persons" means
168 persons sixty-one years of age or less who have been certified by the
169 Social Security board as being totally disabled under the federal Social
170 Security Act or certified by any other federal board or agency as being
171 totally disabled.

172 (2) A housing authority, municipal developer or nonprofit
173 corporation may use its customary method of filling vacancies in such
174 projects, or may give priority in placement to seniors in eighty per cent
175 of the units in such projects and to nonelderly disabled persons in
176 fifteen per cent of the units in such projects. The remaining five per
177 cent of the units shall be filled from the waiting list in a manner that
178 does not distinguish between seniors and nonelderly disabled persons.
179 In any project in which seniors occupy more than eighty-five per cent
180 of the units, vacancies shall be filled solely with nonelderly disabled
181 persons until at least fifteen per cent of the units are occupied by
182 nonelderly disabled persons. In any project in which nonelderly

183 disabled persons occupy more than twenty per cent of the units,
184 vacancies shall be filled solely with seniors until at least eighty per cent
185 of the units are occupied by seniors.

186 (3) If the waiting list has insufficient numbers of seniors to fill eighty
187 per cent of the units, the housing authority, municipal developer or
188 nonprofit corporation shall place nonelderly disabled persons in such
189 units, first giving priority in placement to nonelderly disabled persons
190 who are fifty-five years of age or over and then to other nonelderly
191 disabled persons. If the waiting list has insufficient numbers of
192 nonelderly disabled persons to fill fifteen per cent of the units, the
193 housing authority, municipal developer or nonprofit corporation shall
194 place seniors in such units.

195 (4) Any person lawfully residing in such projects may not be evicted
196 from or denied continued occupancy of a unit in such projects solely as
197 a result of the priorities in placement established in this subsection.

198 (5) The commissioner may adopt regulations, pursuant to chapter
199 54, to implement the placement priorities established in this
200 subsection. Such regulations may establish placement ratios between
201 seniors and nonelderly disabled persons to provide for an equitable
202 transition to such placement priorities.

203 [(d)] (e) The commissioner is authorized to make orders and to
204 adopt regulations, in accordance with chapter 54, with respect to the
205 development and the operation and management of such project or
206 projects by housing authorities, municipal developers, nonprofit
207 corporations and housing partnerships, and to determine the
208 allocation of funds to meet the development costs of such project or
209 projects, including administrative or other costs or expenses to be
210 incurred by the state. Such regulations shall establish maximum
211 income limits for admission to projects that reflect area median
212 incomes, as determined by the Department of Housing and Urban
213 Development.

214 Sec. 3. As of the effective date of this act, the commissioner shall

215 reserve ten per cent of the new rental assistance certificates created
216 pursuant to section 4 of this act to distribute to nonelderly disabled
217 persons, as defined in subsection (d) of section 2 of this act, who, as of
218 February 1, 2001, were on waiting lists for elderly housing projects.
219 The commissioner shall distribute such certificates to those nonelderly
220 disabled persons who have been on a waiting list for the longest
221 period of time.

222 Sec. 4. The sum of thirteen million four hundred fifty thousand
223 dollars is appropriated to the Department of Social Services, from the
224 General Fund, for the fiscal year ending June 30, 2002, for (1)
225 increasing the maximum rent levels for rental assistance certificates in
226 accordance with section 1 of this act, and (2) providing for one
227 thousand five hundred additional rental assistance certificates,
228 including (A) five hundred certificates with support services in
229 accordance with subsection (e) of section 1 of this act, (B) two hundred
230 fifty certificates pursuant to the interagency agreement authorized by
231 subsection (f) of section 1 of this act, and (C) seven hundred fifty other
232 certificates.

233 Sec. 5. The sum of fourteen million five hundred fifty thousand
234 dollars is appropriated to the Department of Social Services, from the
235 General Fund, for the fiscal year ending June 30, 2003, for continuing
236 the purpose of section 4 of this act.

237 Sec. 6. This act shall take effect July 1, 2001.

HSG	JOINT FAVORABLE SUBST. C/R	PD
PD	JOINT FAVORABLE SUBST. C/R	APP