



General Assembly

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Amendment

LCO No. 8405

HB0664208405HDO

Offered by:

REP. AMANN, 118 th Dist.	REP. HEWETT, 39 th Dist.
REP. GREEN, 1 st Dist.	REP. KEELEY, 129 th Dist.
SEN. GOMES, 23 rd Dist.	REP. MCCLUSKEY, 20 th Dist.
REP. MILLER, 122 nd Dist.	REP. MCCRORY, 7 th Dist.
SEN. MCKINNEY, 28 th Dist.	REP. MOUKAWSHER, 40 th Dist.
SEN. DOYLE, 9 th Dist.	REP. NAFIS, 27 th Dist.
REP. ABERCROMBIE, 83 rd Dist.	REP. PAWELKIEWICZ, 49 th Dist.
REP. BARTLETT, 2 nd Dist.	SEN. PRAGUE, 19 th Dist.
REP. BURNS, 77 th Dist.	REP. ROLDAN, 4 th Dist.
REP. BUTLER, 72 nd Dist.	REP. ROY, 119 th Dist.
SEN. CAPPIELLO, 24 th Dist.	REP. RYAN, 139 th Dist.
REP. FOX, 146 th Dist.	REP. SHARKEY, 88 th Dist.
REP. GENGA, 10 th Dist.	REP. TABORSAK, 109 th Dist.
REP. GIANNAROS, 21 st Dist.	REP. TALLARITA, 58 th Dist.
REP. GODFREY, 110 th Dist.	REP. URBAN, 43 rd Dist.
SEN. GUGLIELMO, 35 th Dist.	REP. WRIGHT, 41 st Dist.
REP. HAMM, 34 th Dist.	REP. ORANGE, 48 th Dist.
REP. HENNESSY, 127 th Dist.	

To: Subst. House Bill No. 6642

File No. 864

Cal. No. 347

"AN ACT CONCERNING THE SUSTAINABILITY OF STATE-ASSISTED HOUSING AND REQUIRING A COMPREHENSIVE PHYSICAL NEEDS ASSESSMENT FOR PUBLIC HOUSING."

1 Strike everything after the enacting clause and substitute the

2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2007*) (a) As used in sections 2 to
4 4, inclusive, of this act:

5 (1) "Authority" means the Connecticut Housing Finance Authority;

6 (2) "Eligible housing" means the housing that is in the housing loan
7 portfolio that was transferred from the Department of Economic and
8 Community Development to the Connecticut Housing Finance
9 Authority pursuant to section 8-37uu of the general statutes;

10 (3) "Financial assistance" means grants, deferred loans, no interest
11 and low interest loans, loan guarantees, interest subsidies and similar
12 financings; and

13 (4) "Fund" means the State-Assisted Housing Sustainability Fund
14 established pursuant to section 2 of this act.

15 Sec. 2. (NEW) (*Effective from passage*) (a) The Connecticut Housing
16 Finance Authority, in consultation with the State-Assisted Housing
17 Sustainability Advisory Committee, established pursuant to section 3
18 of this act, shall establish and maintain the State-Assisted Housing
19 Sustainability Fund for the purpose of the preservation of eligible
20 housing. The moneys of the fund shall be available to the authority to
21 provide financial assistance, consistent with the recommendations of
22 the State-Assisted Housing Sustainability Advisory Committee, to the
23 owners of eligible housing for the maintenance, repair, rehabilitation,
24 and modernization of eligible housing and for other activities
25 consistent with preservation of eligible housing, including, but not
26 limited to, (1) emergency repairs to abate actual or imminent
27 emergency conditions that would result in the loss of habitable
28 housing units, (2) major system repairs or upgrades, including, but not
29 limited to, repairs or upgrades to roofs, windows, mechanical systems
30 and security, (3) reduction of vacant units, (4) remediation or
31 abatement of hazardous materials, including lead, (5) increases in
32 development mobility and sensory impaired accessibility in units,

33 common areas and accessible routes, (6) relocation costs and
34 alternative housing for not more than sixty days, necessary because of
35 the failure of a major building system, and (7) a comprehensive
36 physical needs assessment. Financial assistance shall be awarded to
37 applicants consistent with the recommendations of the State-Assisted
38 Housing Sustainability Advisory Committee.

39 (b) In each of the fiscal years ending June 30, 2008, and June 30,
40 2009, the authority may expend not more than seven hundred fifty
41 thousand dollars from the fund for reasonable administrative costs
42 related to the operation of the fund, including the expenses of the
43 State-Assisted Housing Sustainability Advisory Committee, the
44 development of analytic tools and research concerning the capital and
45 operating needs of eligible housing for the purpose of advising the
46 General Assembly on policy regarding eligible housing and the study
47 required by section 5 of this act. Thereafter, the authority shall prepare
48 an administrative budget which shall be effective upon the approval of
49 said committee.

50 (c) The authority shall adopt written procedures in accordance with
51 section 1-121 of the general statutes to implement the provisions of this
52 section. Such procedures shall establish (1) guidelines for grants and
53 loans, and (2) a process for certifying an emergency condition in not
54 more than forty-eight hours and for committing emergency funds,
55 including costs of resident relocation, if necessary, not more than five
56 business days after application by the owner of eligible housing for
57 emergency repair financial assistance. The guidelines under
58 subdivision (1) of this subsection shall provide for deferred payment of
59 principal and interest upon approval of the committee.

60 (d) In reviewing applications and providing financial assistance
61 under this section, the authority, in consultation with the State-
62 Assisted Housing Sustainability Advisory Committee, shall consider
63 the long term viability of the eligible housing and the likelihood that
64 financial assistance will assure such long term viability. As used in this
65 section, "viability" includes, but is not limited to, continuous

66 habitability and adequate operating cash flow to maintain the existing
67 physical plant and any capital improvements and to provide basic
68 services required under the lease and otherwise required by local
69 codes and ordinances.

70 (e) On or before February 1, 2009, and annually thereafter, the
71 authority, in consultation with the State-Assisted Housing
72 Sustainability Advisory Committee, shall submit a report on the
73 operation of the fund, for the previous calendar year, to the General
74 Assembly, in accordance with section 11-4a of the general statutes. The
75 report shall include an analysis of the distribution of funds and an
76 evaluation of the performance of said fund and may include
77 recommendations for modification to the program.

78 Sec. 3. (NEW) (*Effective July 1, 2007*) (a) (1) There is established a
79 State-Assisted Housing Sustainability Advisory Committee. The
80 committee shall consist of the following members:

81 (A) The chairpersons and ranking members of the select committee
82 of the General Assembly having cognizance of matters relating to
83 housing;

84 (B) The chairpersons and ranking members of the joint standing
85 committee of the General Assembly having cognizance of matters
86 relating to planning and development;

87 (C) One appointed by the speaker of the House of Representatives
88 who shall represent a housing authority with one hundred or more
89 units of eligible housing but less than two hundred fifty units and be
90 appointed from a list submitted by the Connecticut Chapter of the
91 National Association of Housing and Redevelopment Officials;

92 (D) One appointed by the president pro tempore of the Senate who
93 shall represent a housing authority with two hundred fifty or more
94 units of eligible housing and be appointed from a list submitted by the
95 Connecticut Chapter of the National Association of Housing and
96 Redevelopment Officials;

97 (E) One appointed by the majority leader of the House of
98 Representatives who shall represent a housing authority with one
99 hundred or more but less than two hundred fifty units of eligible
100 housing and be appointed from a list submitted by the Connecticut
101 Chapter of the National Association of Housing and Redevelopment
102 Officials;

103 (F) One appointed by the majority leader of the Senate who shall
104 represent a housing authority with fewer than one hundred units of
105 eligible housing and be appointed from a list submitted by the
106 Connecticut Chapter of the National Association of Housing and
107 Redevelopment Officials by the majority leader of the Senate;

108 (G) One appointed by the minority leader of the House of
109 Representatives who shall represent a housing authority with two
110 hundred fifty or more units of eligible housing and be appointed from
111 a list submitted by the Connecticut Chapter of the National
112 Association of Housing and Redevelopment Officials;

113 (H) One appointed by the minority leader of the Senate who shall
114 represent a housing authority with fewer than one hundred units of
115 eligible housing and be appointed from a list submitted by the
116 Connecticut Chapter of the National Association of Housing and
117 Redevelopment Officials; and

118 (I) Eight appointed by the executive director of the Connecticut
119 Housing Finance Authority as follows: (i) Two representing
120 organizations that advocate for residents of state-funded public
121 housing; (ii) two residents of state-funded public housing; (iii) two
122 who are advocates for persons with disabilities; (iv) one representing a
123 nonprofit housing organization; and (v) one representing a for-profit
124 housing organization.

125 (2) The appointments made pursuant to subparagraphs (C) to (H),
126 inclusive, of subdivision (1) of this subsection shall be made from a list
127 submitted by the Connecticut Chapter of the National Association of
128 Housing and Redevelopment Officials as follows: Three shall represent

129 a housing authority with fewer than one hundred units of eligible
130 housing; three shall represent a housing authority with more than one
131 hundred units of eligible housing but fewer than two hundred fifty
132 units of eligible housing and three shall represent a housing authority
133 with two hundred fifty units or more of eligible housing.

134 (b) The committee shall meet at least quarterly and shall advise the
135 executive director of the Connecticut Housing Finance Authority on
136 the administration, management, procedures and objectives of the
137 financial assistance provided pursuant to section 2 of this act,
138 including, but not limited to, the establishment of criteria, priorities
139 and procedures for such financial assistance.

140 (c) The speaker of the House of Representatives and the president
141 pro tempore of the Senate shall select the chairpersons of the
142 committee, from among the members of the committee. The
143 chairperson, or the vice-chairperson in the absence of the chairperson,
144 may establish subcommittees and working groups of the members as
145 needed and designate a chairperson of each such subcommittee.

146 (d) The initial term of the members appointed to the committee
147 pursuant to subparagraphs (C) to (I), inclusive, of subdivision (1) of
148 subsection (a) shall be staggered by lottery conducted by the
149 committee. After the initial term, the terms of all members shall be
150 three years. Members may be reappointed for an unlimited number of
151 terms.

152 Sec. 4. (NEW) (*Effective July 1, 2007*) (a) The Connecticut Housing
153 Finance Authority shall design and administer a program of grants to
154 owners of eligible housing to pay the cost of a comprehensive physical
155 needs assessment for each eligible housing development. The final
156 design of this program shall be subject to the review and approval by
157 the State-Assisted Housing Sustainability Advisory Committee
158 established pursuant to section 3 of this act. Such assessment shall be a
159 twenty-year life cycle analysis covering all physical elements, adjusted
160 for observed conditions, and shall include, at a minimum, an

161 evaluation of (1) dwelling units; building interiors and building
162 envelopes; community buildings and amenities; site circulation and
163 parking; site amenities such as lots; mechanical systems, including an
164 analysis of technological options to reduce energy consumption and
165 pay-back periods on new systems that produce heat and domestic hot
166 water; and site conditions, (2) compliance with physical accessibility
167 guidelines under Title II of the federal Americans with Disabilities Act,
168 and (3) hazardous materials abatement, including lead paint
169 abatement. The costs of such needs assessments shall be paid from the
170 fund.

171 (b) A copy of each completed comprehensive physical needs
172 assessment shall be submitted to the Connecticut Housing Finance
173 Authority in a format prescribed by the authority. The format shall be
174 designed by the authority so that a baseline of existing and
175 standardized conditions of eligible housing can be prepared and
176 annually updated to reflect changes in the consumer price index and
177 annual construction costs.

178 Sec. 5. (*Effective July 1, 2007*) The State-Assisted Housing
179 Sustainability Advisory Committee, established pursuant to section 3
180 of this act, shall study and make recommendations concerning
181 modifications to the program of rental assistance for elderly and
182 disabled persons established pursuant to section 8-119kk of the general
183 statutes. In conducting such study, the committee shall consider
184 expanding to other eligible housing or replacing such program with
185 another program designed to assure the long-term viability of all
186 eligible housing, as defined in section 1 of this act, with minimal
187 impact on low and moderate income households. The committee shall
188 submit its report on or before July 1, 2009, to the select committee of
189 the General Assembly having cognizance of matters relating to
190 housing, in accordance with the provisions of section 11-4a of the
191 general statutes.

192 Sec. 6. Section 8-41 of the general statutes is repealed and the
193 following is substituted in lieu thereof (*Effective from passage*):

194 (a) When the governing body of a municipality other than a town
195 adopts a resolution as described in section 8-40, it shall promptly
196 notify the chief executive officer of such adoption. Upon receiving such
197 notice, the chief executive officer shall appoint five persons who are
198 residents of said municipality as commissioners of the authority,
199 except that where the authority operates more than three thousand
200 units the chief executive officer may appoint two additional persons
201 who are residents of the municipality. If the governing body of a town
202 adopts such a resolution, such body shall appoint five persons who are
203 residents of said town as commissioners of the authority created for
204 such town. The commissioners who are first so appointed shall be
205 designated to serve for a term of either one, two, three, four or five
206 years, except that if the authority has five members, the terms of not
207 more than one member shall expire in the same year. Terms shall
208 commence on the first day of the month next succeeding the date of
209 their appointment, and annually thereafter a commissioner shall be
210 appointed to serve for five years except that any vacancy which may
211 occur because of a change of residence by a commissioner, removal of
212 a commissioner, resignation or death shall be filled for the unexpired
213 portion of the term. If a governing body increases the membership of
214 the authority on or after July 1, 1995, such governing body shall, by
215 resolution, provide for a term of five years for each such additional
216 member. The term of the chairman shall be three years. At least one of
217 such commissioners of an authority having five members, and at least
218 two of such commissioners of an authority having more than five
219 members, shall be a tenant or tenants who live in housing owned or
220 managed by such authority, if any exists, provided that any such
221 tenant shall have resided in such housing for more than one year [.] or
222 is a tenant who previously resided in such housing for more than one
223 year and is receiving housing assistance in a housing program directly
224 administered by such authority and provided further that no such
225 tenant shall have the authority to vote on any matter concerning the
226 establishment or revision of the rents to be charged in any housing
227 owned or managed by such authority. If, on October 1, 1979, a
228 municipality has adopted a resolution as described in section 8-40, but

229 has no tenants serving as commissioners, the chief executive officer of
230 a municipality other than a town or the governing body of a town shall
231 appoint a tenant who meets the qualifications set out in this section as
232 a commissioner of such authority when the next vacancy occurs. No
233 commissioner of an authority may hold any public office in the
234 municipality for which the authority is created. A commissioner shall
235 hold office until his successor is appointed and has qualified. A
236 certificate of the appointment or reappointment of any commissioner
237 shall be filed with the clerk and shall be conclusive evidence of the
238 legal appointment of such commissioner, after he has taken an oath in
239 the form prescribed in the first paragraph of section 1-25. The powers
240 of each authority shall be vested in the commissioners thereof. Three
241 commissioners shall constitute a quorum if the authority consists of
242 five commissioners. Four commissioners shall constitute a quorum if
243 the authority consists of more than five commissioners. Action may be
244 taken by the authority upon a vote of not less than a majority of the
245 commissioners present, unless the bylaws of the authority require a
246 larger number. The chief executive officer, or, in the case of an
247 authority for a town, the governing body of the town, shall designate
248 which of the commissioners shall be the first chairman, but when the
249 office of chairman of the authority becomes vacant, the authority shall
250 select a chairman from among its commissioners. An authority shall
251 select from among its commissioners a vice chairman, and it may
252 employ a secretary, who shall be executive director, and technical
253 experts and such other officers, agents and employees, permanent and
254 temporary, as it requires, and shall determine their qualifications,
255 duties and compensation, provided, in municipalities having a civil
256 service law, all appointments and promotions, except the employment
257 of the secretary, shall be based on examinations given and lists
258 prepared under such law, and, except so far as may be inconsistent
259 with the terms of this chapter, such civil service law and regulations
260 adopted thereunder shall apply to such housing authority and its
261 personnel. For such legal services as it requires, an authority may
262 employ its own counsel and legal staff. An authority may delegate any
263 of its powers and duties to one or more of its agents or employees. A

264 commissioner, or any employee of the authority who handles its funds,
 265 shall be required to furnish an adequate bond. The commissioners
 266 shall serve without compensation, but shall be entitled to
 267 reimbursement for their actual and necessary expenses incurred in the
 268 performance of their official duties.

269 (b) Any tenant organization composed of tenants residing within
 270 units owned or managed by the appointing authority may indicate to
 271 such authority its desire to be notified of any pending appointment of
 272 any such commissioner. A reasonable time before appointing any such
 273 commissioner, the appointing authority shall notify any such tenant
 274 organization and, in making such appointment, such authority shall
 275 consider tenants suggested by such tenant organizations.

276 (c) Notwithstanding any provision of subsection (a) of this section
 277 or any other provision of the general statutes to the contrary, a
 278 commissioner of an authority may serve as a justice of the peace or a
 279 registrar of voters."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>July 1, 2007</i>	New section
Sec. 4	<i>July 1, 2007</i>	New section
Sec. 5	<i>July 1, 2007</i>	New section
Sec. 6	<i>from passage</i>	8-41