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Transfer of programs to the Department of Housing

Housing/Appropriations/Human Services Committee public hearing – January 29, 2013

Statement of Raphael L. Podolsky

I would like to offer the Committees two comments on the report of the Interagency Council and to urge the legislature to incorporate these comments into the new Department.

(1) It is critical that the new Department of Housing both be mission-driven and have adequate staff to accomplish that mission. The Interagency Council's report correctly recognizes the consequences of "the absence of sufficient affordable housing opportunities throughout the state and rental assistance subsidies to the extent needed" (Report, p. 10) and defines the mission of the new Department as "eliminating homelessness and meeting the needs of low- and moderate-income individuals, families and communities in Connecticut for quality and sustainable housing" (Report, p. 20). It is essential that the implementation of the new Department make this mission real.

(a) Mission-driven: It is already clear in the statutes that the Department has a substantive purpose, which is, at the least, to assure that decent affordable housing is available to every Connecticut resident. In the 1995 merger of the former DOH with the former DED, this statutory mission was allowed to fade into the background. As the state housing agency which will oversee both bonded housing programs and appropriated programs, such as the key Rental Assistance Program (RAP), the core of this mission should be viewed as the implementation of the principles contained in Conn. Gen. Stat. 8-37cc, which requires each housing agency to:

- Serve households with income less than 50% of the area median income, including households with incomes less than 25% of the area median income;
- Serve households in the lower range of the income group for which the housing program was developed; and
- Affirmatively promote fair housing choice and racial and economic integration in all programs.

This mission includes not only new construction and substantial rehabilitation, but also rent subsidy. The Interagency Council report appears to put its emphasis on new construction, which is very important, but the General Assembly should be sure that at least equal status is given to the expanded use of rent subsidies so as to make existing private housing affordable to low-income residents. No one should be appointed to a position of leadership in the new agency without a strong commitment to the mission of bringing affordable housing to all, using both bonded and appropriated programs.

(b) Adequate staffing: The housing staffing positions at both DECD and DSS have dwindled in the face of the state's fiscal problems. If the new DOH is to have the capacity to carry out its mission, it cannot draw its staff solely by transfer of the few housing staff still at those two agencies. If we are serious about the new DOH, it should be adequately staffed.

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(2) Full programs should be transferred to the new Department and not merely isolated statutory provisions. Sections 112 to 114 of June 12 Special Session Public Act 12-1 have already transferred Chapters 128, 129, 130, 135, and 136 (all of which are parts of Title 8) to the new Department. The master chart included with the Interagency Council report continues to omit (unintentionally, I believe) the across-the-board transfer of other sections. Specific examples include:

- The chart lists for transfer the Window Repair and Replacement Program under Sec. 8-37ww but omits the Rental Housing Revolving Fund under Sec. 8-37vv, the income-targeting requirements of Sec. 8-37cc, and the affirmative action requirements of Sec. 8-37ff. It is not clear why the entirety of Chapter 127c (which covers Secs. 8-37r through 8-37*LLL*) are not included.

- It includes some of the housing sections in Chapter 133 (Secs. 8-201 through 8-239a) but not others.

- It transfers the pre-1983 Condominium Conversion Act (Sec. 47-88b) but not the equivalent section that replaced it in 1983 (Sec. 47-288).

The General Assembly should draft its legislation so that all statutory references to the Commissioner of Economic and Community Development in relation to housing programs will be deemed to be references to the Commissioner of Housing.