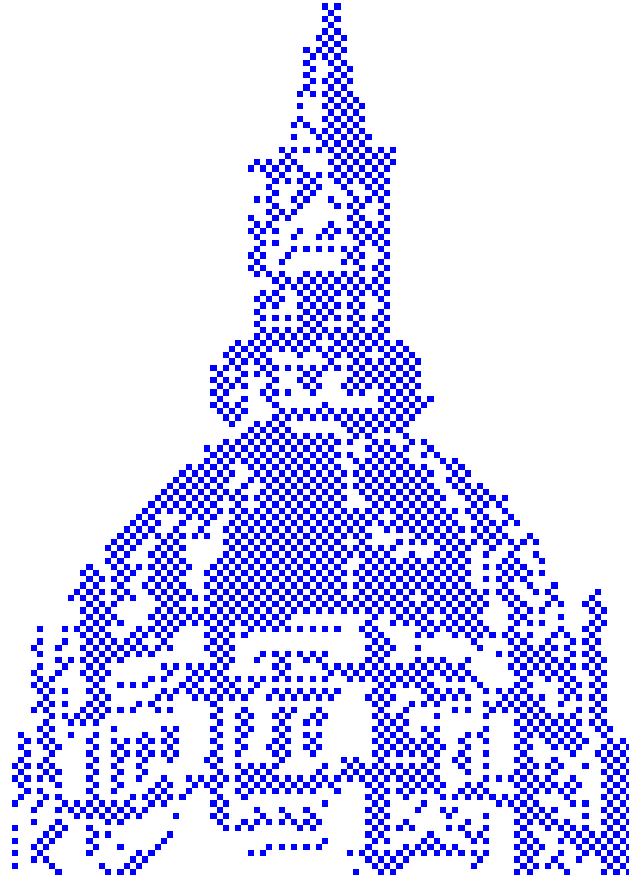




## ACTS AFFECTING HOUSING



2015-R-0190

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## **NOTICE TO READERS**

This report provides highlights of new laws (public acts) affecting housing enacted during the 2015 legislative session. It does not include vetoed acts. In each summary, we indicate the public act (PA) number and effective date.

Not all provisions of the acts are included here. Complete summaries of all 2015 public acts are available on OLR's webpage: <http://cga.ct.gov/olr/olrsums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

**TABLE OF CONTENTS**

**BONDING**..... **4**  
    Bond Authorizations for State Agency Projects and Grants ..... 4  
    Bond Authorizations for Statutory Programs and Grants ..... 5  
**COMMON INTEREST COMMUNITIES** ..... **5**  
    Termination of Master Associations ..... 5  
    CIOA Executive Board Actions ..... 5  
**DEPARTMENT OF HOUSING** ..... **5**  
    Administrative Hearings ..... 5  
**ENERGY EFFICIENCY** ..... **6**  
    Heating Assistance Programs Study ..... 6  
    Operation Fuel ..... 6  
    Residential Solar Permitting ..... 6  
    Solar Home Renewable Energy Credits ..... 6  
**FORECLOSURE** ..... **7**  
    Foreclosure Mediation Program ..... 7  
**HOMELESSNESS PREVENTION** ..... **7**  
    Homeless Youth Program ..... 7  
    Information on Services for Homeless Children and Youth ..... 7  
**HOUSING PRESERVATION** ..... **8**  
    Community Investment Account (CIA) Funds for the Connecticut  
    Trust for Historic Preservation ..... 8  
**LANDLORD AND TENANT** ..... **8**  
    Notice of Fire Sprinkler System in Leases ..... 8  
**PUBLIC HOUSING** ..... **8**  
    Exemption from Requirements on the Disposal Housing Projects ..... 8  
    Political Activity in Public Housing ..... 9  
**RELOCATION ASSISTANCE** ..... **9**  
    Mobility Counseling ..... 9  
**TAXES**..... **9**  
    Housing Authorities' Payments in Lieu of Taxes ..... 9

## BONDING

### ***Bond Authorizations for State Agency Projects and Grants***

The bond act authorizes new general obligation (GO) bonds for FY 16 and FY 17 for certain housing-related state projects and grant programs, as Table 1 shows. The bonds are subject to standard issuance procedures and have a maximum term of 20 years.

**Table 1: GO Bond Authorizations for State Projects and Grant Programs for FY 16 and FY 17**

§§	AGENCY	FOR	FY 16	FY 17
<b><i>Housing Projects</i></b>				
9, 28, 57	Department of Housing (DOH)	Housing development and rehabilitation, including improvements to various kinds of state-assisted affordable housing and housing-related financial assistance programs; requires DOH to use up to \$30 million in each FY to revitalize moderate rental housing units in the Connecticut Housing Finance Authority's state housing portfolio	135,000,000	135,000,000
	DOH	Homelessness prevention and response fund (see below)	15,000,000	15,000,000

**Table 1 (Cont.)**

§§	AGENCY	FOR	FY 16	FY 17
<b><i>Grants</i></b>				
13(f), 32(g)	DOH	Main Street Investment Fund	5,000,000	5,000,000
32(i)	Department of Development Services	Grants to private nonprofit organizations for supportive housing	0	20,000,000

### ***Homelessness Prevention and Response Fund.***

The act authorizes up to \$15 million in GO bonds each year in FY 16 and FY 17 to DOH for a homelessness prevention and response fund. Under the act, the fund provides forgivable loans and grants to landlords (1) participating in a rapid rehousing program (e.g., waiving security deposits or abating rent for a designated period) and (2) abating rent for scattered supportive housing units. The act allows DOH to retain up to 5% of the bond proceeds for administrative purposes.

Participating landlords receive loans and grants to (1) renovate multifamily homes, under the rapid rehousing program, and (2) renovate multifamily homes, fund ongoing maintenance and repair, or capitalize operating and replacement reserves, under the supportive housing rent abatement program. For both programs, renovations include building code

compliance work and major improvements.

([PA 15-1, June Special Session](#), §§ 9, 13(f), 28, 32(g), 32(i), and 57, effective July 1, 2015 for FY 16 bond authorizations and July 1, 2016 for FY 17 authorizations)

### ***Bond Authorizations for Statutory Programs and Grants***

The bond act increases bond authorization limits for various statutory grants and purposes, and allocates new bonding for these purposes. For the Housing Trust Fund, it allocates \$40 million in FY 16 and \$25 million in FY 17, increasing the authorization limit from \$220 to \$285 million.

([PA 15-1, June Special Session](#), § 56, effective July 1, 2015 for FY 16 bond authorizations and July 1, 2016 for FY 17 authorizations)

### **COMMON INTEREST COMMUNITIES**

#### ***Termination of Master Associations***

The Common Interest Ownership Act (CIOA) establishes a process under which certain master associations, upon the consent of owners with at least 25% of the units, may terminate and transfer their assets to a new non-stock corporation. A master association is an association comprised of other common interest community associations.

Under prior law, this process applied to master associations with 400 or more units. New legislation narrows its applicability. Under the new law, only master associations with 400 to 600 units may utilize this process.

([PA 15-211](#), § 25, effective upon passage)

### ***CIOA Executive Board Actions***

Under prior law, executive boards could act under CIOA by unanimous consent of the members, instead of meeting. A new law lowers this threshold to two-thirds consent. As under prior law, the act continues to require executive boards to meet at least twice a year.

([PA 15-211](#), §§ 26 & 27, effective October 1, 2015)

### **DEPARTMENT OF HOUSING**

#### ***Administrative Hearings***

[PA 13-234](#) transferred, from the Department of Social Services (DSS) to DOH, certain housing programs under which individuals denied program benefits could request an administrative hearing. A new law establishes the same hearing and appeals procedures for DOH as existing law establishes for DSS. By law, the DOH programs under which individuals may request a hearing are the (1) rental assistance program (RAP), (2) transitional rental assistance program (T-RAP), and (3) security deposit guarantee program.

Statutes governing RAP and T-RAP previously required that hearings for these programs follow the Uniform Administrative Procedure Act (UAPA) ([CGS § 4-176e et seq.](#)). The act instead requires that these hearings follow its procedures. By practice and regulation, hearings for the security deposit guarantee program already follow the act's procedures ([Conn. Agencies Regs. §§ 17b-802-12](#)).

([PA 15-29](#), effective October 1, 2015)

## **ENERGY EFFICIENCY**

### ***Heating Assistance Programs Study***

By January 1, 2016, a new law requires the Low-Income Energy Advisory Board to recommend to the Appropriations, Energy and Technology, and Human Services committees ways to improve the implementation of heating assistance programs, particularly those created to benefit low-income households, by coordinating and optimizing existing energy efficiency and assistance programs.

([PA 15-5, June Special Session](#), § 107, effective October 1, 2015)

### ***Operation Fuel***

New legislation increases, from \$1.1 million to \$2.1 million, the amount that must be annually transferred to Operation Fuel, Inc. from the funds the electric companies collect through the systems benefit charge. Operation Fuel,

Inc., a non-profit organization, provides emergency home heating assistance during the heating season to qualifying households.

([PA 15-5, June Special Session](#), § 411, effective upon passage)

### ***Residential Solar Permitting***

A new law requires each municipality, by January 1, 2016, to incorporate residential solar photovoltaic (PV) systems in their building permit application processes or use a residential solar PV system permit application supplement. It also allows municipalities to (1) post applications online, (2) permit electronic filing, and (3) waive certain fees. Under the act, municipalities must inform a permit applicant whether the application is approved or disapproved within 30 days of receiving an application.

([PA 15-194](#), § 3, effective October 1, 2015)

### ***Solar Home Renewable Energy Credits***

A new law expands the Connecticut Green Bank's residential solar investment program by allowing the program to support up to 300 megawatts (MW) of new residential solar PV installations by the end of 2022, instead of limiting it to 30 MW of PV installations by that time. The act also creates solar home renewable energy credits (SHRECs), which are owned by the Green Bank and generated when certain residential PV

systems produce electricity. The act requires the electric companies to purchase SHRECs from the Green Bank under a master purchase agreement negotiated between each company and the Green Bank. It allows the electric companies to recover their costs for purchasing the SHRECs through a reconciling (adjustable) component of their electric rates, as determined by the Public Utilities Regulatory Authority.

([PA 15-194](#), §§ 1 & 2, effective upon passage)

## **FORECLOSURE**

### ***Foreclosure Mediation Program***

A new law makes changes to the state's foreclosure mediation program. Principally, it extends the program for three years, until July 1, 2019. Courts may not accept mediation requests on or after that date, and the program terminates when the mediation of all previously submitted requests concludes. Under prior law, courts could not accept mediation requests on or after July 1, 2016.

Among other things, the new law also expands the scope of the program for foreclosure actions with a return date on or after October 1, 2015. In these cases, it makes eligible an owner-occupant who is not a borrower on the mortgage but who is a permitted successor-in-interest (i.e., a person who, among other things, holds title to the property as a result of certain events, such as divorce, legal

separation, property settlement, or the borrower's death).

([PA 15-124](#), effective July 1, 2015)

## **HOMELESSNESS PREVENTION**

### ***Homeless Youth Program***

A new law transfers, from DCF to DOH, responsibility for administering the state's homeless youth program. However, it requires DOH to establish the program in collaboration with DCF. DOH must run the program within available appropriations, just as DCF had to do under prior law.

The act expands program eligibility to include homeless youth age 23 or younger, instead of only those under age 21. By law, the program may provide public outreach, respite housing, or transitional living services to youth who are homeless or at risk of homelessness.

([PA 15-5, June Special Session](#), §§ 418-419, effective July 1, 2017)

### ***Information on Services for Homeless Children and Youth***

Beginning by January 1, 2016, a new law requires DOH to make information on trauma-informed care and related services for homeless children and youth available to homeless shelters receiving state assistance. The homeless shelters must, to the extent feasible, refer homeless children and youth to the services and ensure that they can access them. Under the new law, DOH must make the information

available in collaboration with the Department of Mental Health and Addiction Services and the State Department of Education.

([PA 15-242](#), § 69, effective October 1, 2015)

## **HOUSING PRESERVATION**

### ***Community Investment Account (CIA) Funds for the Connecticut Trust for Historic Preservation***

By law, the CIA contains land use document recording fees town clerks remit to the state treasurer. Money from the account is distributed quarterly to, among other agencies, the Department of Economic and Community Development (DECD) for certain historic preservation purposes. A new law increases, from \$200,000 to \$380,000, the amount that DECD must distribute to the Connecticut Trust for Historic Preservation from its CIA funds.

The Connecticut Trust for Historic Preservation is a state-chartered nonprofit organization that administers preservation programs and provides technical assistance to municipalities, nonprofits, and developers, among others, to preserve buildings, sites, landscapes, and structures.

([PA 15-5, June Special Session](#), § 41, effective July 1, 2015)

## **LANDLORD AND TENANT**

### ***Notice of Fire Sprinkler System in Leases***

A new law requires landlords to include notices in leases disclosing whether dwelling units they rent have working fire sprinkler systems. If a unit has a working system, the lease must also include a notice indicating the date of its last maintenance and inspection. Both notices must be printed in 12-point, boldface, uniform font.

The act defines “fire sprinkler system” as a system of piping and appurtenances designed and installed according to generally accepted standards so that heat from a fire automatically causes water to discharge over the area, extinguishing the fire or preventing it from spreading.

([PA 15-5, June Special Session](#), § 57, effective October 1, 2015)

## **PUBLIC HOUSING**

### ***Exemption from Requirements on the Disposal Housing Projects***

Existing law sets requirements regarding the sale, lease, transfer, or destruction of projects owned by housing authorities that receive, or have received, state financial assistance. Generally, it prohibits these housing authorities from disposing of a housing project, or any part of it, if doing so would remove it from the low- or moderate-income rental market. A new law adds Marina Village in Bridgeport to the group of housing



projects that are exempt from these requirements.

([PA 15-5, June Special Session](#), § 502, effective upon passage)

### ***Political Activity in Public Housing***

A new law bans municipalities and entities operating state- or federally-funded public housing projects from prohibiting tenants from using common facilities or community rooms for political activities. The act defines “political activity” as, among other things, community political meetings and initiating, circulating, or signing petitions. By law, entities operating state- or federally-funded public housing projects are housing authorities, nonprofit corporations, and municipal developers.

([PA 15-119](#), effective July 1, 2015)

## **RELOCATION ASSISTANCE**

### ***Mobility Counseling***

A new law requires DOH to establish a residence mobility counseling program to help certain individuals and families relocate to higher opportunity areas through education and support services. It defines “opportunity areas” as those designated as such using opportunity mapping analysis that incorporates a census tract-level assessment of educational, economic, and neighborhood characteristics, including education data and crime rates.

Under the act, eligible individuals and families are those who currently hold federal Housing Choice (Section 8) vouchers or state Rental Assistance Program certificates. DOH may contract with nonprofit organizations to provide the mobility counseling, which must, among other things, (1) provide information on communities, schools, employment opportunities, and services in various areas and (2) help locate rental housing and facilitate relocation by negotiating with current and new landlords.

([PA 15-153](#), effective October 1, 2015)

## **TAXES**

### ***Housing Authorities' Payments in Lieu of Taxes***

Prior law (1) required housing authorities for moderate rental housing projects to make payments to municipalities in lieu of property taxes, special benefit assessments, and sewerage system use charges the municipality would otherwise impose and (2) specified how these payments had to be calculated. From June 30, 2015 through June 30, 2016, a new law prohibits municipalities from requiring these payments, unless a project receives federal funds to cover them.

([PA 15-5, June Special Session](#), § 495, effective upon passage)

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