## **HOUSE BILL 957**

C8 (3lr2486)

## ENROLLED BILL

Road and Examined by Proofreedors.

— Environmental Matters/Education, Health, and Environmental Affairs — Introduced by **Delegates Rosenberg <del>and Carr, Carr, Healey, and Glenn</del>** 

Toda ana	Examined by 1 roomeaders.
	Proofreader.
	Proofreader.
Sealed with the Great Seal and	presented to the Governor, for his approval this
day of	at o'clock,M.
	Speaker.
	CHAPTER
AN ACT concerning	
	le Housing for Senior Homeowners <del>Programs,</del> and Individuals with Disabilities
Program; adding a certal Rehabilitation Program; ad special loan programs under authorizing the Department certain grants to families Rehabilitation Program under the requirement that certain the Department of Housing a certain amount to finance authorizing the Department	the Accessible Homes for Senior Homeowners Grant ain grant program to the Maryland Housing dding a certain grant program to a certain list of the Maryland Housing Rehabilitation Program; at of Housing and Community Development to make of limited income under the Maryland Housing der certain circumstances; providing an exception to in loans comply with certain conditions; authorizing and Community Development to make grants up to the certain activities for certain elderly homeowners; and for the Housing and Community Development to the etermine eligibility for a certain grant program;

## EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

1

2 3

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments



1 providing for the application of a certain grant program; clarifying that 2 rehabilitation projects of an elderly homeowner's home may be financed by a 3 certain grant program; requiring certain persons to comply with a certain 4 checklist when engaging in certain rehabilitation projects; providing categories 5 that a certain checklist must include: requiring the Department of Housing and 6 Community Development to provide a sample of a certain checklist on the 7 Department's Web site; establishing the Option Counselors for Senior Homeowners Pilot Program; providing for the funding for a certain pilot 8 9 program; providing for a certain application of a certain pilot program; 10 requiring the Department of Aging to make a certain report about a certain pilot program on or before a certain date; authorizing the Department of Aging 11 to establish an advisory committee to oversee the community education and 12 outreach efforts of a certain pilot program requiring the Secretary of Aging to 13 report annually on the operation and performance of certain accessible housing 14 services counseling; requiring certain State agencies to develop certain 15 materials on accessible housing programs and services for older adults and 16 17 individuals with disabilities; providing for the termination of certain provisions of this Act; altering and defining certain terms; making stylistic changes; and 18 19 generally relating to accessible housing for senior homeowners <del>programs</del>, older 20 adults, and individuals with disabilities.

- 21 BY repealing and reenacting, with amendments,
- 22 Article Housing and Community Development
- 23 Section 4–505, 4–901(j) and (l), 4–905, 4–916(a), 4–917(b), and 4–923
- 24 Annotated Code of Maryland
- 25 (2006 Volume and 2012 Supplement)
- 26 BY repealing and reenacting, without amendments,
- 27 Article Housing and Community Development
- 28 Section 4–901(a) and (d)
- 29 Annotated Code of Maryland
- 30 (2006 Volume and 2012 Supplement)
- 31 BY adding to
- 32 Article Housing and Community Development
- 33 Section 4–931 <del>and 4–932</del>
- 34 Annotated Code of Maryland
- 35 (2006 Volume and 2012 Supplement)
- 36 BY repealing and reenacting, with amendments,
- 37 Article Human Services
- 38 Section 10–206
- 39 Annotated Code of Maryland
- 40 (2007 Volume and 2012 Supplement)
- 41 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 42 MARYLAND, That the Laws of Maryland read as follows:

## Article - Housing and Community Development 1 2 4-505.3 In this section, "Fund" means the Special Loan Programs Fund. (a) There is a Special Loan Programs Fund. 4 (b) As provided in the State budget and subject to subsection (d) of this 5 6 section, the Department shall use the Fund to: 7 operate, pay expenses of, and make loans under the Group Home (1) 8 Financing Program: 9 operate, pay expenses of, and make grants and loans under the (2)10 Lead Hazard Reduction Grant Program and the Lead Hazard Reduction Loan 11 Program: 12 (3)operate, pay expenses of, and make GRANTS AND loans AND 13 GRANTS under the Maryland Housing Rehabilitation Program, including reserves for 14 anticipated future losses directly related to the Maryland Housing Rehabilitation 15 Program: 16 make loans AND GRANTS under the Regular Rehabilitation **(4)** 17 Program; and 18 (5)make loans AND GRANTS under the special loan programs. 19 During the first 6 months of each fiscal year the Department shall reserve at least 25% of the appropriation for the Fund to make loans to rehabilitate 20 21buildings with four or fewer dwelling units. 22The Department annually shall allocate money in the Fund to the (e) 23Lead Hazard Reduction Grant Program and the Lead Hazard Reduction Loan 24Program. 25 If the number of eligible applications under the Lead Hazard (2)26 Reduction Grant Program, or the Lead Hazard Reduction Loan Program is insufficient 27 to commit all money allocated to that Program within 6 months after the allocation, 28the Department may reallocate the uncommitted money to other programs of the 29 Fund.

- 30 (f) The Fund shall be administered in accordance with this section.
- 31 (g) (1) The Fund consists of:

1 2	including:	(i)	mone	y appropriated by the State for special loan programs,
3 4	of this title;		1.	the Special Rehabilitation Program under § 4–906(b)
5 6	of this title;		2.	the Regular Rehabilitation Program under § 4–906(b)
7 8	this title; [and]		3.	the Group Home Financing Program under § 4–602 of
9 10 11	4–708 of this title title; AND	and th	4. e Lead	the Lead Hazard Reduction Grant Program under $\$ Hazard Reduction Loan Program under $\$ 4–709 of this
12 13	HOMEOWNERS G	RANT	5. Prog	THE ACCESSIBLE HOMES FOR SENIOR RAM UNDER § 4–931 OF THIS TITLE;
14 15	made under these	(ii) progra		ments of principal and payments of interest on loans
16		(iii)	repay	ments of grants from the Fund;
17 18	from the Fund;	(iv)	repay	ments of principal and payments of interest on loans
19 20 21	4–502(e), 4–503(d) article; and	(v) ), and		y transferred to the Fund in accordance with §§ f) of this subtitle and §§ $3-203(i)$ and $6-310(g)$ of this
22		(vi)	invest	tment earnings of the Fund.
23 24 25	•	ved as	repayn	ander § 4–501(c) of this subtitle, may appropriate to the nent of principal or payment of interest on a loan made bilitation Program.
26 27 28 29	except as otherwis	se prov nent m	rided in ay tra	9 of the State Finance and Procurement Article and a the State budget, after the first 8 months of a fiscal ansfer unencumbered money in the Fund to any other e.
30	4-901			

31 (a) In this subtitle the following words have the meanings indicated.

1 2 3	(d) income does subtitle.	( <u>1)</u> s not e	"Family of limited income" means a family or individual whose xceed the limits that the Secretary establishes under § 4–915 of this
$\begin{matrix} 4\\5\\6\\7\end{matrix}$	<u>an individu</u>	al oth	"Family of limited income" includes a trust described in 42 U.S.C. § trust established for the benefit of an individual with a disability by er than the beneficiary and that is funded with assets that were ntrolled by the beneficiary, if:
8 9	limits estab	<u>lished</u>	(i) the income of the trust does not exceed the upper income by the Secretary under § 4–915 of this subtitle; and
LO L1	the resident	ial bu	(ii) the beneficiary of the trust is an individual who resides in ilding owned by the trust.
12 13	(j) Rehabilitati	_	gram loan" means a loan <b>OR GRANT</b> under the Maryland Housing ogram or a special loan program.
14	(l)	"Spec	cial loan program" means:
15		(1)	the Accessory, Shared, and Sheltered Housing Program;
16		(2)	the Indoor Plumbing Program;
L <b>7</b>		(3)	the Lead Paint Abatement Program;
18		(4)	the Migratory Worker Housing Program; [or]
19		(5)	the Radon and Asbestos Abatement Pilot Program; AND
20 21	PROGRAM.	(6)	THE ACCESSIBLE HOMES FOR SENIOR HOMEOWNERS GRANT
22	4–905.		
23	The N	//////////////////////////////////////	and Housing Rehabilitation Program includes:
24		(1)	the Accessory, Shared, and Sheltered Housing Program;
25		(2)	the Indoor Plumbing Program;
26		(3)	the Migratory Worker Housing Program;
27		(4)	the Nonprofit Rehabilitation Program; <del>[and]</del>

1	(5) the Radon and Asbestos Abatement Pilot Program; <u>AND</u>
2 3	(6) THE ACCESSIBLE HOMES FOR SENIOR HOMEOWNERS GRANT PROGRAM; AND
4 5	(7) THE OPTION COUNSELORS FOR SENIOR HOMEOWNERS PILOT PROGRAM.
6	<u>4–916.</u>
7 8 9	(a) (1) The Department may make Program loans for housing on terms that the Department considers necessary to make the housing affordable to families of limited income.
10 11	(2) THE DEPARTMENT MAY MAKE PROGRAM LOANS IN THE FORM OF A GRANT TO A FAMILY OF LIMITED INCOME IF:
12 13	(I) THE FAMILY OF LIMITED INCOME OWNS AND OCCUPIES THE DWELLING; AND
14 15 16	(II) THE DEPARTMENT DETERMINES THE FAMILY OF LIMITED INCOME CANNOT UNDERTAKE THE REHABILITATION PROJECT WITHOUT A GRANT.
17	[(2)] (3) The terms may include:
18 19 20	(i) <u>deferred payment of principal and interest until the</u> maturity date or the date of any sale or other transfer of the building or an interest in the building:
21 22 23	(ii) an interest rate as low as 0% or as high as is reasonable, given the incomes of the proposed occupants, if the interest rate does not violate any federal regulation governing the borrowing of money by the State;
24 25	(iii) increased interest rates or accelerated payments of principal and interest, if the borrower no longer qualifies for the Program loan; and
26 27	(iv) advance payments to a nonprofit sponsor for certain development costs, including architectural, engineering, and attorneys' fees.
28	<u>4–917.</u>
29 30 31	(b) (1) Except as provided under paragraphs (2), (3), [and] (4), AND (5) of this subsection, a Program loan of more than \$5,000 shall be secured wholly or partly by a recorded mortgage or deed of trust on real property.

$\frac{1}{2}$	recorded mor	<u>(2)</u> rtgage	A Program loan to a political subdivision may be secured by a e, deed of trust on real property, or other security device acceptable
3	to the Depar		
4 5 6			A Program loan to a trust described in 42 U.S.C. § 1396p(d)(4) may ecorded mortgage, deed of trust on real property, or other security to the Department.
7 8 9			(i) Subject to subparagraph (ii) of this paragraph, a Program of a cooperative housing corporation may be secured by a perfected the member's cooperative interest.
10 11 12 13 14	agreement woobligations o	vith th f the I	(ii) Before a Program loan is secured by a perfected security ember's cooperative interest, the Department shall enter into an ne cooperative housing corporation that establishes the rights and Department and the cooperative housing corporation with respect to ative interest.
15 16 17			A PROGRAM LOAN IN THE FORM OF A GRANT MAY BE SECURED BY A MORTGAGE, DEED OF TRUST, OR OTHER E ACCEPTABLE TO THE DEPARTMENT.
18	4–923.		
19	(a)	The p	urpose of a rehabilitation project is:
20 21 22		with a	to bring a building to a decent, safe, and sanitary condition in applicable codes and standards, including those for construction, and occupancy;
23		(2)	to maintain the building in that condition;
24		(3)	to make the building more useful and attractive;
25 26	code;	(4)	to conform the building to the appropriate minimum livability
27 28	the purposes	(5) set fo	to acquire a building containing more than four dwelling units for rth in items (1) through (4) of this subsection;
29		(6)	to provide, under applicable special loan programs:
30			(i) lead paint abatement;
31			(ii) indoor plumbing; or

1	(111) shared, accessory, or sheltered housing;
2 3 4 5	(7) in the case of a loan <b>OR GRANT</b> to an elderly household or a disabled homeowner, to modify or improve a dwelling to make it more accessible or functional for the occupants, if the building is, or after improvements will be structurally sound and free of health and safety hazards; or
6 7	(8) to provide, under applicable special loan pilot programs, radon abatement or asbestos abatement.
8 9	(b) (1) The applicable codes and standards under subsection (a)(1) of this section are:
10 11	(i) those in force in the political subdivision where the building is located; or
12 13 14 15	(ii) those that the Department sets by regulation for that political subdivision solely for purposes of this subtitle, if the political subdivision lacks codes and standards that the Secretary considers sufficient to promote the objectives of this subtitle.
16 17 18	(2) With the approval of the local enforcement authority, the Secretary may allow exceptions to a code or standard to preserve the historic or architectural value of a building undergoing rehabilitation under this subtitle.
19 20 21 22 23	(C) (1) In addition to any applicable codes and standards, a government unit, nonprofit agency, or private company engaging in a rehabilitation project involving an elderly household shall comply with a checklist that addresses the specific safety needs of elderly homeowners.
24 25	(2) THE UNIFORM HOME SAFETY CHECKLIST SHALL INCLUDE THE FOLLOWING CATEGORIES:
26	<del>(I)</del> <del>LIGHTING;</del>
27	(H) FLOORING; AND
28	(III) RAILS AND SUPPORT.
29 30	(3) THE DEPARTMENT SHALL PROVIDE A SAMPLE UNIFORM HOME SAFETY CHECKLIST ON THE DEPARTMENT'S WEB SITE.
31	4–931.

	HOUSE BILL VV
1	(A) IN THIS SECTION, "GRANT PROGRAM" MEANS THE ACCESSIBLE
2	HOMES FOR SENIOR HOMEOWNERS GRANT PROGRAM.
3	(B) THERE IS AN ACCESSIBLE HOMES FOR SENIOR HOMEOWNERS
4	GRANT PROGRAM.
5	(C) THE DEPARTMENT MAY MAKE A GRANT OF UP TO \$25,000 PER
6	HOUSEHOLD TO FINANCE AN ACCESSIBILITY-RELATED RENOVATION OR REPAIR
7	ACTIVITY FOR AN ELDERLY HOMEOWNER.
8	(D) THE DEPARTMENT MAY ESTABLISH STANDARDS TO DETERMINE
9	THE ELIGIBILITY OF AN APPLICANT UNDER THE GRANT PROGRAM.
0	(E) IN DETERMINING WHETHER TO MAKE A GRANT UNDER THE GRANT
1	PROGRAM, THE DEPARTMENT SHALL REQUIRE THAT AN APPLICANT SUBMIT
12	EVIDENCE THAT THE APPLICANT CANNOT UNDERTAKE THE RENOVATION AND
13	REPAIRS WITHOUT A GRANT.
L4	(F) GRANTS UNDER THE GRANT PROGRAM MAY BE USED IN
15	CONJUNCTION WITH OTHER:
16	(1) ACCESSIBLE HOUSING FOR SENIORS LOANS; AND
L <b>7</b>	(2) SPECIAL LOAN PROGRAMS UNDER THIS SUBTITLE.
18	(G) THE DEPARTMENT MAY REQUIRE THAT ALL OR PART OF THE
19	GRANT UNDER THE GRANT PROGRAM BE REPAID IF CONDITIONS SPECIFIED BY
20	THE DEPARTMENT OCCUR.
21	<u> Article - Human Services</u>
_	
22	<u>10–206.</u>
23	(a) (1) With the advice and recommendation of the Commission on Aging.
24	the Secretary shall report to the Governor and, subject to § 2–1246 of the State
25	Government Article, to the General Assembly on or before January 1 of each year.
26	[(b)] (2) The report shall include:
27	[(1)] (I) a description of the senior citizen activities centers in each
28	county;
_	<del></del>

29 <u>[(2)] (II)</u> the allocation and use of funds made available for senior citizen activities centers;

1	[(3)] (III) the results of any studies; and
2	[(4)] (IV) any recommendations for legislation.
3	(B) ON OR BEFORE JANUARY 1 OF EACH YEAR, THE SECRETARY SHALI
4	REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE
5	STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE OPERATION
6	AND PERFORMANCE OF ACCESSIBLE HOUSING SERVICES COUNSELING
7	PROVIDED BY THE AGING AND DISABILITY RESOURCE CENTER PROGRAM.
8	SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
9	read as follows:
10	Article - Housing and Community Development
11	<del>4-932.</del>
12	(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
13	MEANINGS INDICATED.
10	
14	(2) "DEPARTMENT" MEANS THE DEPARTMENT OF AGING.
15	(3) "LOW-INCOME ELDERLY HOMEOWNER" MEANS A
16	HOMEOWNER WHO:
17	(I) IS AT LEAST 55 YEARS OF AGE; AND
18	(II) HAS AN INCOME OF 80% OF THE AREA MEDIAN INCOME
19	<del>OR LESS PER YEAR.</del>
20	(4) "Opmion Country one Procedure, Menance man Opmion
20	(4) "OPTION COUNSELORS PROGRAM" MEANS THE OPTION
21	Counselors for Senior Homeowners Pilot Program.
22	(B) THERE IS AN OPTION COUNSELORS FOR SENIOR HOMEOWNERS
23	PILOT PROGRAM.
24	(c) The purpose of the Option Counselors Program is to
25	ASSIST LOW-INCOME ELDERLY HOMEOWNERS WITH ACCESSIBILITY RELATED
26	REPAIR AND RENOVATION NEEDS.
27	(d) The Option Counselors Program shall be open to
28	COMMUNITIES WITH HIGH CONCENTRATIONS OF LOW-INCOME ELDERLY
29	HOMEOWNERS, INCLUDING PORTIONS OF:

1	<del>(1)</del>	Anne Arundel County;
2	<del>(2)</del>	BALTIMORE CITY;
3	<del>(3)</del>	BALTIMORE COUNTY;
4	<del>(4)</del>	GARRETT COUNTY; AND
5	<del>(5)</del>	WICOMICO COUNTY.
6	<del>(E)</del> <del>(1)</del>	THE OPTION COUNSELORS PROGRAM SHALL PROVIDE LOCAL
7	NONPROFIT AGI	ENCIES AND GOVERNMENT UNITS LOCATED IN THE COUNTIES
8	LISTED IN SUB	SECTION (D) OF THIS SECTION WITH OPTION COUNSELORS
9	TRAINED TO AS	<del>SSIST ELDERLY HOMEOWNERS THROUGH THE PROCESS OF</del>
10	REPAIRING AND	RENOVATING THE ELDERLY HOMEOWNERS' HOMES.
11	<del>(2)</del>	AN OPTION COUNSELOR SHALL:
12		(I) HAVE A WELL DEVELOPED KNOWLEDGE OF THE LOCAL
13	STATE, AND FED	ERAL RESOURCES AVAILABLE TO HELP ELDERLY HOMEOWNERS
14	,	AIR AND RENOVATION NEEDS;
15		(H) LISTEN TO ISSUES OF CONCERN AND COUNSEL ELDERLY
16	HOMEOWNERS O	N HOW TO ADDRESS THE ISSUES OF CONCERN; AND
1 7		(III) HELD ELDEDLY HOMEOWAYEDG ADDLY TO CDECIELO
17	HOHOMO LOAN	(HI) HELP ELDERLY HOMEOWNERS APPLY TO SPECIFIC
18	HUUDING, LUAIN,	<del>- OR GRANT PROGRAMS.</del>
19	(F) THE	OPTION COUNSELORS PROGRAM SHALL BE FUNDED AS
20		E STATE BUDGET.
_ •		
21	(G) THE D	DEPARTMENT SHALL DISTRIBUTE GRANTS TO ADMINISTER THE
22	<b>OPTION COUNS</b>	ELORS PROGRAM TO EACH LOCAL AREA AGENCY ON AGING
23	<del>LOCATED IN THE</del>	COUNTIES LISTED IN SUBSECTION (D) OF THIS SECTION.
0.4	(77)	22 22 22 22 22 22 22 22 22 22 22 22 22
24	• •	OR BEFORE DECEMBER 31, 2013, AND EACH YEAR THEREAFTER
25		NT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE
26	· ·	OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
27		THE OPERATION AND PERFORMANCE OF THE OPTION
28	<del>COUNSELORS FO</del>	OR SENIOR HOMEOWNERS PILOT PROGRAM.
29	SECTION	3. AND BE IT FURTHER ENACTED, That the Secretary of Aging
30		n advisory committee to oversee the community education and
$\sim$ $\circ$	ma, countini <del>a</del> .	is all, is or a committee to operate the committee of continuity consistent and

$\frac{1}{2}$	outreach efforts under the Option Counselors for Senior Homeowners Pilot Program established under Section 2 of this Act.
3 4	SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2013.
5	SECTION 2. AND BE IT FURTHER ENACTED, That:
6 7 8 9	(a) The Department of Aging, the Department of Housing and Community Development, the Maryland Department of Disabilities, and the Department of Health and Mental Hygiene shall work collaboratively so as to provide a coordinated system of information and access for older adults and individuals with disabilities by:
10	(1) developing information;
11	(2) expanding on the Uniform Home Safety Checklist;
12 13 14	(3) studying the feasibility of instituting an option counselors program administered by the Aging and Disability Resource Center in the Department of Aging; and
15 16 17	(4) providing training materials on accessible housing programs and services that will be used by the option counselors in the Aging and Disability Resource Center Program.
18 19	(b) The training materials developed shall be designed to ensure that an option counselor will have a well-developed knowledge of:
20 21 22	(1) the local, State, and federal resources available to help homeowners who are older adults and individuals with disabilities with home repair and renovation needs;
23 24	(2) how to listen to issues of concern and counsel homeowners who are older adults and individuals with disabilities on how to address issues of concern; and
25 26	(3) how to assist homeowners who are older adults and individuals with disabilities apply to specific housing, loan, or grant programs.
27 28 29 30	(c) The counseling provided by the Aging and Disability Resource Center Program on accessible housing programs and services shall be statewide, with particular attention given to communities with high concentrations of low–income elderly homeowners, including portions of:
31	(1) Anne Arundel County;
32	(2) Baltimore City;

<u>(3)</u>	Baltimore County;
<u>(4)</u>	Garrett County;
<u>(5)</u>	Wicomico County; and
<u>(6)</u>	Prince George's County.
shall take effect (period of 3 years	5. 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act October 1, 2013. \(\frac{1}{2}\) Section 2 of this Act shall remain effective for a s and, at the end of September 30, 2016, with no further action seneral Assembly, Section 2 of this Act shall be abrogated and of no effect.
Approved:	
	Governor.
	Speaker of the House of Delegates.
Senate.	President of the