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**By: Chairman, Economic and Environmental Affairs Committee (Departmental - Housing and Community Dev.)**

Introduced and read first time: January 27, 1997

Rule 32(e) suspended

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 1997

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Housing Policy Commission - Repeal**

3 FOR the purpose of repealing the Maryland Housing Policy Commission; altering the  
4 membership of the Board of Trustees of the Maryland Affordable Housing Trust;  
5 and generally relating to the Department of Housing and Community Development.

6 BY repealing and reenacting, with amendments,  
7 Article 83B - Department of Housing and Community Development  
8 Section 1-204, 2-202(b), 2-804, 2-809(a), and 11-103(c)  
9 Annotated Code of Maryland  
10 (1995 Replacement Volume and 1996 Supplement)

11 BY repealing  
12 Article 83B - Department of Housing and Community Development  
13 Section 8-101 through 8-105, inclusive, and the subtitle "Subtitle 1. Commission  
14 Established"; and 8-201 through 8-203, inclusive, and the subtitle "Subtitle 2.  
15 Functions and Responsibilities" and the title "Title 8. Maryland Housing  
16 Policy Commission"  
17 Annotated Code of Maryland  
18 (1995 Replacement Volume and 1996 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article 83B - Department of Housing and Community Development  
21 Section 11-101  
22 Annotated Code of Maryland

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1 (1995 Replacement Volume and 1996 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
3 MARYLAND, That the Laws of Maryland read as follows: 6

4 **Article 83B - Department of Housing and Community Development**

5 1-204.

6 (a) The following agencies, boards, commissions, councils, corporations,  
7 authorities, trusts, and divisions shall be included within the Department:

8 (1) Division of Development Finance;

9 (2) [Maryland Housing Policy Commission;

10 (3)] Community Development Administration;

11 [(4)] (3) Division of Credit Assurance;

12 [(5)] (4) Maryland Housing Fund;

13 [(6)] (5) Division of Neighborhood Revitalization;

14 [(7)] (6) Division of Historical and Cultural Programs;

15 [(8)] (7) Historic St. Mary's City Commission;

16 [(9)] (8) Commission on African American History and Culture;

17 [(10)] (9) Commission on Indian Affairs; and

18 [(11)] (10) Maryland Historical Trust.

19 (b) The Department shall also include such other agencies, commissions, boards,  
20 committees, councils, or units of government as may hereafter pursuant to law be  
21 declared to be part of the Department.

22 (c) (1) The Department shall establish the advisory councils, boards, and  
23 committees as shall be determined by the Governor and the Secretary.

24 (2) The advisory bodies shall advise and assist the Secretary on matters  
25 pertaining to policies, programs, and activities of the Department.

26 (3) The size, qualifications, method of appointment, terms, compensation,  
27 manner of removal, and method of filling vacancies shall be as determined by the  
28 Governor and the Secretary.

29 2-202.

30 (b) (1) There is a Housing Finance Review Committee of the Department.

31 (2) Upon recommendation of the Secretary, the Governor shall appoint the  
32 following persons to serve as the Housing Finance Review Committee:

33 (i) 3 employees of the Department, one of whom may be the  
34 Secretary;

3

1 (ii) 1 employee of the executive branch of State government, who is  
2 not employed by the Department; and

3 (iii) 3 members of the public.

4 (3) [The public members shall include the chairman of the Maryland  
5 Housing Policy Commission or the designee that the chairman appoints with the advice of  
6 the Secretary.

7 (4) The public members shall serve for a term of 4 years beginning July 1,  
8 1983, provided that a member appointed to fill a vacancy in an unexpired term or to  
9 succeed a member who is holding over serves only for the remainder of the term.

10 [(5)] (4) The Housing Finance Review Committee shall review and make  
11 recommendations to the Secretary on the following:

12 (i) Specific loan requests or categories of loan requests; and

13 (ii) The investment and project financing policies of the  
14 Administration.

15 [(6)] (5) The Secretary may approve a specific loan request without  
16 receiving the recommendation of the Housing Finance Review Committee when the  
17 nature of the request requires urgent action.

18 2-804.

19 (a) In addition to the specific powers granted and duties imposed by this subtitle,  
20 the Administration has the powers and duties set forth in this section.

21 (b) The Administration shall:

22 (1) Manage and supervise the Program;

23 (2) Adopt policies to insure that rental property is made available to  
24 low-income elderly households;

25 (3) Develop regulations [in consultation with the Maryland Housing Policy  
26 Commission] to implement the Program; and

27 (4) Use federal and State programs that complement or facilitate carrying  
28 out the Program.

29 (c) The Administration shall set income guidelines by considering:

30 (1) The median income for the area;

31 (2) Minimum income needed to afford available standard rental units in the  
32 area; and

33 (3) Any other factors the Administration finds relevant.

34 (d) The Administration shall adopt rules and regulations to carry out the Program  
35 in conformance with statutory requirements [and in consultation with the Maryland  
36 Housing Policy Commission].

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1 2-809.

2 (a) [In consultation with the Maryland Housing Policy Commission, the] THE  
3 Administration shall adopt regulations regarding applications for moneys from the Fund,  
4 including regulations on the standards of eligibility, terms, and fees and charges which  
5 shall be imposed on deferred payment, subordinated loans.

6 [Title 8. Maryland Housing Policy Commission.]

7 [Subtitle 1. Commission Established.]

8 [8-101.

9 There is a Maryland Housing Policy Commission to assist the Secretary in  
10 identifying opportunities to increase the housing supply for individuals of low and  
11 moderate income and to increase opportunities for the home ownership by those  
12 individuals.]

13 [8-102.

14 The Commission shall consist of 15 members who shall be appointed by the  
15 Governor from the various regions of the State and shall include:

16 (1) 1 citizen actively engaged in the residential building industry;

17 (2) 1 citizen actively engaged in the banking or mortgage banking industry;

18 (3) 2 local public officials involved with housing and community  
19 development activities;

20 (4) 1 citizen who is a resident of government assisted housing;

21 (5) 1 citizen who is a member of a neighborhood organization or civic group  
22 concerned with promoting low income housing; and

23 (6) 9 members of the public at large.]

24 [8-103.

25 The Speaker of the House of Delegates or his designee and the President of the  
26 State Senate or his designee shall serve as nonvoting members of the Commission.]

27 [8-104.

28 The members of the Commission appointed by the Governor shall serve terms of 4  
29 years. The terms of these members are staggered as required by the terms of the members  
30 on July 1, 1987. A member appointed to fill a vacancy in an unexpired term or to succeed  
31 a member who is holding over serves only for the remainder of the term. A member  
32 appointed to serve a term of less than 4 years, for the purpose of implementing staggered  
33 terms, may be reappointed to serve a full 4-year term. After serving a full 4-year term, a  
34 member may not be reappointed until at least 1 year after the expiration of that member's  
35 prior tenure.]

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1 [8-105.

2           The Governor shall designate a chairman and a vice-chairman from among the  
3 public members of the Commission.]

4           [Subtitle 2. Functions and Responsibilities.]

5 [8-201.

6           For the purposes set forth in § 8-101 of this title and under the direction of the  
7 Secretary, the Commission shall:

8                   (1) Develop, adopt, and annually update a housing plan, policy, and needs  
9 statement for the State which shall be consistent with the purposes of § 8-101 of this title,  
10 include an assessment of the progress of the Department in implementing the plan,  
11 policy, and needs statement, and be presented to the Governor and the General  
12 Assembly;

13                   (2) Examine, develop, and recommend to the Secretary innovative programs  
14 relating to the building, financing, insuring and managing of housing for those families,  
15 elderly citizens, and other special populations that cannot be adequately served by the  
16 private market;

17                   (3) Review federal housing programs and make recommendations to the  
18 Secretary on the most effective use of those programs in this State;

19                   (4) Appear before federal agencies, Congress, and the General Assembly to  
20 advocate the need for housing policies and legislation designed to fulfill the purposes of  
21 § 8-101 of this title;

22                   (5) Assist the Secretary in developing a public information service designed  
23 to bring available housing resources to the attention of populations in need;

24                   (6) On an annual basis, review existing housing programs within the  
25 Department and make appropriate recommendations for modification to the Secretary;

26                   (7) Review departmental proposals for new housing programs and make  
27 appropriate recommendations to the Secretary; and

28                   (8) Encourage and assist the efforts of local governments to develop mutual  
29 and cooperative solutions to common housing problems.]

30 [8-202.

31           The Secretary shall provide staff support to the Commission.]

32 [8-203.

33           Each public member shall serve without compensation but be entitled to  
34 reimbursement for expenses under the Standard State Travel Regulations.]

35 11-101.

36           (a) In this title the following words have the meaning indicated.

6

1 (b) "Award" means money from the Trust used to make grants, loans, deferred  
2 payment loans, guarantees of loans from other sources, or any other financial assistance.

3 (c) "Board" means the Board of Trustees of the Trust.

4 (d) "Fund" means the Maryland Affordable Housing Trust Fund.

5 (e) "Trust" means the Maryland Affordable Housing Trust.

6 11-103.

7 (c) (1) The Board of Trustees shall include one representative of each of the  
8 following:

9 (i) Title companies doing business in the State;

10 (ii) The Maryland ~~Low Income Housing Coalition~~ CENTER FOR  
11 COMMUNITY DEVELOPMENT;

12 (iii) Financial institutions doing business in the State;

13 (iv) Local governments;

14 (v) Nonprofit housing developers;

15 (vi) For profit housing developers;

16 (vii) [The Maryland Housing Policy Commission;

17 (viii)] Public housing authorities; and

18 [(ix)] (VIII) Social services providers.

19 (2) The Board of Trustees shall include [two] THREE representatives of  
20 the general public.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 July 1, 1997.