

HOUSE BILL 957

C8

3lr2486

By: **Delegates Rosenberg and Carr**

Introduced and read first time: February 7, 2013

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Housing – Elderly – Accessible Housing for Senior Homeowners Programs**

3 FOR the purpose of establishing the Accessible Homes for Senior Homeowners Grant
4 Program; adding a certain grant program to the Maryland Housing
5 Rehabilitation Program; adding a certain grant program to a certain list of
6 special loan programs under the Maryland Housing Rehabilitation Program;
7 authorizing the Department of Housing and Community Development to make
8 grants up to a certain amount to finance certain activities for certain elderly
9 homeowners; authorizing the Department of Housing and Community
10 Development to establish standards to determine eligibility for a certain grant
11 program; providing for the application of a certain grant program; clarifying
12 that rehabilitation projects of an elderly homeowner's home may be financed by
13 a certain grant program; requiring certain persons to comply with a certain
14 checklist when engaging in certain rehabilitation projects; providing categories
15 that a certain checklist must include; requiring the Department of Housing and
16 Community Development to provide a sample of a certain checklist on the
17 Department's Web site; establishing the Option Counselors for Senior
18 Homeowners Pilot Program; providing for the funding for a certain pilot
19 program; providing for a certain application of a certain pilot program;
20 requiring the Department of Aging to make a certain report about a certain
21 pilot program on or before a certain date; authorizing the Department of Aging
22 to establish an advisory committee to oversee the community education and
23 outreach efforts of a certain pilot program; providing for the termination of
24 certain provisions of this Act; altering and defining certain terms; making
25 stylistic changes; and generally relating to accessible housing for senior
26 homeowners programs.

27 BY repealing and reenacting, with amendments,
28 Article – Housing and Community Development
29 Section 4–505, 4–901(j) and (l), 4–905, and 4–923
30 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2006 Volume and 2012 Supplement)

2 BY repealing and reenacting, without amendments,
3 Article – Housing and Community Development
4 Section 4–901(a)
5 Annotated Code of Maryland
6 (2006 Volume and 2012 Supplement)

7 BY adding to
8 Article – Housing and Community Development
9 Section 4–931 and 4–932
10 Annotated Code of Maryland
11 (2006 Volume and 2012 Supplement)

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

14 **Article – Housing and Community Development**

15 4–505.

16 (a) In this section, “Fund” means the Special Loan Programs Fund.

17 (b) There is a Special Loan Programs Fund.

18 (c) As provided in the State budget and subject to subsection (d) of this
19 section, the Department shall use the Fund to:

20 (1) operate, pay expenses of, and make loans under the Group Home
21 Financing Program;

22 (2) operate, pay expenses of, and make grants and loans under the
23 Lead Hazard Reduction Grant Program and the Lead Hazard Reduction Loan
24 Program;

25 (3) operate, pay expenses of, and make **GRANTS AND** loans under the
26 Maryland Housing Rehabilitation Program, including reserves for anticipated future
27 losses directly related to the Maryland Housing Rehabilitation Program;

28 (4) make loans under the Regular Rehabilitation Program; and

29 (5) make loans **AND GRANTS** under the special loan programs.

30 (d) During the first 6 months of each fiscal year the Department shall
31 reserve at least 25% of the appropriation for the Fund to make loans to rehabilitate
32 buildings with four or fewer dwelling units.

1 (e) (1) The Department annually shall allocate money in the Fund to the
2 Lead Hazard Reduction Grant Program and the Lead Hazard Reduction Loan
3 Program.

4 (2) If the number of eligible applications under the Lead Hazard
5 Reduction Grant Program, or the Lead Hazard Reduction Loan Program is insufficient
6 to commit all money allocated to that Program within 6 months after the allocation,
7 the Department may reallocate the uncommitted money to other programs of the
8 Fund.

9 (f) The Fund shall be administered in accordance with this section.

10 (g) (1) The Fund consists of:

11 (i) money appropriated by the State for special loan programs,
12 including:

13 1. the Special Rehabilitation Program under § 4-906(b)
14 of this title;

15 2. the Regular Rehabilitation Program under § 4-906(b)
16 of this title;

17 3. the Group Home Financing Program under § 4-602 of
18 this title; [and]

19 4. the Lead Hazard Reduction Grant Program under §
20 4-708 of this title and the Lead Hazard Reduction Loan Program under § 4-709 of this
21 title; AND

22 **5. THE ACCESSIBLE HOMES FOR SENIOR**
23 **HOMEOWNERS GRANT PROGRAM UNDER § 4-931 OF THIS TITLE;**

24 (ii) repayments of principal and payments of interest on loans
25 made under these programs;

26 (iii) repayments of grants from the Fund;

27 (iv) repayments of principal and payments of interest on loans
28 from the Fund;

29 (v) money transferred to the Fund in accordance with §§
30 4-502(e), 4-503(d), and 4-504(f) of this subtitle and §§ 3-203(i) and 6-310(g) of this
31 article; and

32 (vi) investment earnings of the Fund.

1 (2) The State, under § 4–501(c) of this subtitle, may appropriate to the
2 Fund money received as repayment of principal or payment of interest on a loan made
3 by the Maryland Housing Rehabilitation Program.

4 (h) Subject to § 7–209 of the State Finance and Procurement Article and
5 except as otherwise provided in the State budget, after the first 8 months of a fiscal
6 year, the Department may transfer unencumbered money in the Fund to any other
7 fund established under this title.

8 4–901.

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

10 (j) “Program loan” means a loan **OR GRANT** under the Maryland Housing
11 Rehabilitation Program or a special loan program.

12 (l) “Special loan program” means:

13 (1) the Accessory, Shared, and Sheltered Housing Program;

14 (2) the Indoor Plumbing Program;

15 (3) the Lead Paint Abatement Program;

16 (4) the Migratory Worker Housing Program; [or]

17 (5) the Radon and Asbestos Abatement Pilot Program; **AND**

18 **(6) THE ACCESSIBLE HOMES FOR SENIOR HOMEOWNERS GRANT**
19 **PROGRAM.**

20 4–905.

21 The Maryland Housing Rehabilitation Program includes:

22 (1) the Accessory, Shared, and Sheltered Housing Program;

23 (2) the Indoor Plumbing Program;

24 (3) the Migratory Worker Housing Program;

25 (4) the Nonprofit Rehabilitation Program; [and]

26 (5) the Radon and Asbestos Abatement Pilot Program;

1 **(6) THE ACCESSIBLE HOMES FOR SENIOR HOMEOWNERS GRANT**
2 **PROGRAM; AND**

3 **(7) THE OPTION COUNSELORS FOR SENIOR HOMEOWNERS**
4 **PILOT PROGRAM.**

5 4–923.

6 (a) The purpose of a rehabilitation project is:

7 (1) to bring a building to a decent, safe, and sanitary condition in
8 accordance with applicable codes and standards, including those for construction,
9 health, safety, fire, and occupancy;

10 (2) to maintain the building in that condition;

11 (3) to make the building more useful and attractive;

12 (4) to conform the building to the appropriate minimum livability
13 code;

14 (5) to acquire a building containing more than four dwelling units for
15 the purposes set forth in items (1) through (4) of this subsection;

16 (6) to provide, under applicable special loan programs:

17 (i) lead paint abatement;

18 (ii) indoor plumbing; or

19 (iii) shared, accessory, or sheltered housing;

20 (7) in the case of a loan **OR GRANT** to an elderly household or a
21 disabled homeowner, to modify or improve a dwelling to make it more accessible or
22 functional for the occupants, if the building is, or after improvements will be,
23 structurally sound and free of health and safety hazards; or

24 (8) to provide, under applicable special loan pilot programs, radon
25 abatement or asbestos abatement.

26 (b) (1) The applicable codes and standards under subsection (a)(1) of this
27 section are:

28 (i) those in force in the political subdivision where the building
29 is located; or

1 (ii) those that the Department sets by regulation for that
2 political subdivision solely for purposes of this subtitle, if the political subdivision
3 lacks codes and standards that the Secretary considers sufficient to promote the
4 objectives of this subtitle.

5 (2) With the approval of the local enforcement authority, the Secretary
6 may allow exceptions to a code or standard to preserve the historic or architectural
7 value of a building undergoing rehabilitation under this subtitle.

8 (C) (1) IN ADDITION TO ANY APPLICABLE CODES AND STANDARDS, A
9 GOVERNMENT UNIT, NONPROFIT AGENCY, OR PRIVATE COMPANY ENGAGING IN
10 A REHABILITATION PROJECT INVOLVING AN ELDERLY HOUSEHOLD SHALL
11 COMPLY WITH A CHECKLIST THAT ADDRESSES THE SPECIFIC SAFETY NEEDS OF
12 ELDERLY HOMEOWNERS.

13 (2) THE UNIFORM HOME SAFETY CHECKLIST SHALL INCLUDE THE
14 FOLLOWING CATEGORIES:

15 (I) LIGHTING;

16 (II) FLOORING; AND

17 (III) RAILS AND SUPPORT.

18 (3) THE DEPARTMENT SHALL PROVIDE A SAMPLE UNIFORM
19 HOME SAFETY CHECKLIST ON THE DEPARTMENT'S WEB SITE.

20 4-931.

21 (A) IN THIS SECTION, "GRANT PROGRAM" MEANS THE ACCESSIBLE
22 HOMES FOR SENIOR HOMEOWNERS GRANT PROGRAM.

23 (B) THERE IS AN ACCESSIBLE HOMES FOR SENIOR HOMEOWNERS
24 GRANT PROGRAM.

25 (C) THE DEPARTMENT MAY MAKE A GRANT OF UP TO \$25,000 PER
26 HOUSEHOLD TO FINANCE AN ACCESSIBILITY-RELATED RENOVATION OR REPAIR
27 ACTIVITY FOR AN ELDERLY HOMEOWNER.

28 (D) THE DEPARTMENT MAY ESTABLISH STANDARDS TO DETERMINE
29 THE ELIGIBILITY OF AN APPLICANT UNDER THE GRANT PROGRAM.

30 (E) IN DETERMINING WHETHER TO MAKE A GRANT UNDER THE GRANT
31 PROGRAM, THE DEPARTMENT SHALL REQUIRE THAT AN APPLICANT SUBMIT

1 EVIDENCE THAT THE APPLICANT CANNOT UNDERTAKE THE RENOVATION AND
2 REPAIRS WITHOUT A GRANT.

3 (F) GRANTS UNDER THE GRANT PROGRAM MAY BE USED IN
4 CONJUNCTION WITH OTHER:

5 (1) ACCESSIBLE HOUSING FOR SENIORS LOANS; AND

6 (2) SPECIAL LOAN PROGRAMS UNDER THIS SUBTITLE.

7 (G) THE DEPARTMENT MAY REQUIRE THAT ALL OR PART OF THE
8 GRANT UNDER THE GRANT PROGRAM BE REPAID IF CONDITIONS SPECIFIED BY
9 THE DEPARTMENT OCCUR.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
11 read as follows:

12 **Article – Housing and Community Development**

13 **4-932.**

14 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
15 MEANINGS INDICATED.

16 (2) “DEPARTMENT” MEANS THE DEPARTMENT OF AGING.

17 (3) “LOW-INCOME ELDERLY HOMEOWNER” MEANS A
18 HOMEOWNER WHO:

19 (I) IS AT LEAST 55 YEARS OF AGE; AND

20 (II) HAS AN INCOME OF 80% OF THE AREA MEDIAN INCOME
21 OR LESS PER YEAR.

22 (4) “OPTION COUNSELORS PROGRAM” MEANS THE OPTION
23 COUNSELORS FOR SENIOR HOMEOWNERS PILOT PROGRAM.

24 (B) THERE IS AN OPTION COUNSELORS FOR SENIOR HOMEOWNERS
25 PILOT PROGRAM.

26 (C) THE PURPOSE OF THE OPTION COUNSELORS PROGRAM IS TO
27 ASSIST LOW-INCOME ELDERLY HOMEOWNERS WITH ACCESSIBILITY-RELATED
28 REPAIR AND RENOVATION NEEDS.

1 **(D) THE OPTION COUNSELORS PROGRAM SHALL BE OPEN TO**
2 **COMMUNITIES WITH HIGH CONCENTRATIONS OF LOW-INCOME ELDERLY**
3 **HOMEOWNERS, INCLUDING PORTIONS OF:**

4 **(1) ANNE ARUNDEL COUNTY;**

5 **(2) BALTIMORE CITY;**

6 **(3) BALTIMORE COUNTY;**

7 **(4) GARRETT COUNTY; AND**

8 **(5) WICOMICO COUNTY.**

9 **(E) (1) THE OPTION COUNSELORS PROGRAM SHALL PROVIDE LOCAL**
10 **NONPROFIT AGENCIES AND GOVERNMENT UNITS LOCATED IN THE COUNTIES**
11 **LISTED IN SUBSECTION (D) OF THIS SECTION WITH OPTION COUNSELORS**
12 **TRAINED TO ASSIST ELDERLY HOMEOWNERS THROUGH THE PROCESS OF**
13 **REPAIRING AND RENOVATING THE ELDERLY HOMEOWNERS' HOMES.**

14 **(2) AN OPTION COUNSELOR SHALL:**

15 **(I) HAVE A WELL DEVELOPED KNOWLEDGE OF THE LOCAL,**
16 **STATE, AND FEDERAL RESOURCES AVAILABLE TO HELP ELDERLY HOMEOWNERS**
17 **WITH HOME REPAIR AND RENOVATION NEEDS;**

18 **(II) LISTEN TO ISSUES OF CONCERN AND COUNSEL ELDERLY**
19 **HOMEOWNERS ON HOW TO ADDRESS THE ISSUES OF CONCERN; AND**

20 **(III) HELP ELDERLY HOMEOWNERS APPLY TO SPECIFIC**
21 **HOUSING, LOAN, OR GRANT PROGRAMS.**

22 **(F) THE OPTION COUNSELORS PROGRAM SHALL BE FUNDED AS**
23 **PROVIDED IN THE STATE BUDGET.**

24 **(G) THE DEPARTMENT SHALL DISTRIBUTE GRANTS TO ADMINISTER**
25 **THE OPTION COUNSELORS PROGRAM TO EACH LOCAL AREA AGENCY ON**
26 **AGING LOCATED IN THE COUNTIES LISTED IN SUBSECTION (D) OF THIS**
27 **SECTION.**

28 **(H) ON OR BEFORE DECEMBER 31, 2013, AND EACH YEAR THEREAFTER,**
29 **THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE**
30 **WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**

1 **ASSEMBLY ON THE OPERATION AND PERFORMANCE OF THE OPTION**
2 **COUNSELORS FOR SENIOR HOMEOWNERS PILOT PROGRAM.**

3 SECTION 3. AND BE IT FURTHER ENACTED, That the Secretary of Aging
4 may establish an advisory committee to oversee the community education and
5 outreach efforts under the Option Counselors for Senior Homeowners Pilot Program
6 established under Section 2 of this Act.

7 SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
8 take effect October 1, 2013.

9 SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
10 take effect October 1, 2013. It shall remain effective for a period of 3 years and, at the
11 end of September 30, 2016, with no further action required by the General Assembly,
12 Section 2 of this Act shall be abrogated and of no further force and effect.