

HOUSE BILL 1098

C8

5lr0527

By: **Delegates Rosenberg and Holmes**

Introduced and read first time: February 13, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Public Housing Authorities – Property Transfers – Rights and Benefits of**
3 **Tenants**

4 FOR the purpose of requiring the Community Development Administration, after an
5 application is approved for low-income housing tax credits for a certain property that
6 is owned by a public housing authority and is to be transferred to a receiving entity,
7 to include in a certain covenant certain language regarding the duty of the owner of
8 the property; requiring the Administration to include in a certain additional
9 covenant regarding certain properties in Baltimore City certain language regarding
10 the duties of the owner of the property; providing for the effect of this Act; and
11 generally relating to the transfer of property from a public housing authority to a
12 receiving entity.

13 BY repealing and reenacting, without amendments,
14 Article – Housing and Community Development
15 Section 4–101(b)
16 Annotated Code of Maryland
17 (2006 Volume and 2014 Supplement)

18 BY adding to
19 Article – Housing and Community Development
20 Section 4–216
21 Annotated Code of Maryland
22 (2006 Volume and 2014 Supplement)

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

25 **Article – Housing and Community Development**

26 4–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) “Administration” means the Community Development Administration.

4-216.

(A) THIS SECTION APPLIES TO PROPERTY THAT IS IDENTIFIED IN AN APPLICATION TO THE ADMINISTRATION FOR LOW-INCOME HOUSING TAX CREDITS IF THE PROPERTY:

(1) IS OWNED BY A PUBLIC HOUSING AUTHORITY; AND

(2) IS TO BE TRANSFERRED TO A RECEIVING ENTITY.

(B) AFTER AN APPLICATION IS APPROVED, THE ADMINISTRATION SHALL INCLUDE IN THE LOW INCOME HOUSING TAX CREDIT COVENANT THE FOLLOWING LANGUAGE: “THE OWNER SHALL, AT A MINIMUM, MAINTAIN FOR TENANTS THE SAME RIGHTS AS THOSE PROVIDED UNDER SECTIONS 6 AND 9 OF THE UNITED STATES HOUSING ACT OF 1937.”.

(C) (1) THIS SUBSECTION APPLIES ONLY TO A PROPERTY THAT IS:

(I) LOCATED IN BALTIMORE CITY; AND

(II) IN THE RENTAL ASSISTANCE DEMONSTRATION PROGRAM TO ALLOW THE CONVERSION OF PUBLIC HOUSING PROPERTIES TO LONG-TERM SECTION 8 RENTAL ASSISTANCE CONTRACTS UNDER PUBLIC LAW 112-55 OF 2011, AS AMENDED BY PUBLIC LAW 113-235(H) OF 2014.

(2) IN ADDITION TO MEETING THE REQUIREMENTS OF THIS SECTION, THE ADMINISTRATION SHALL INCLUDE THE FOLLOWING PROVISIONS IN THE LOW INCOME HOUSING TAX CREDIT COVENANT:

(I) THE OWNER SHALL FULLY COMPLY WITH THE HOUSING AUTHORITY OF BALTIMORE CITY’S LONG-TERM AFFORDABLE CRITERIA;

(II) THE OWNER SHALL ACCEPT, AS TENANTS, ONLY APPLICANTS FROM THE PUBLIC HOUSING TRANSFER WAITING LIST OF THE HOUSING AUTHORITY OF BALTIMORE CITY;

(III) THE OWNER SHALL ACCEPT WITHOUT FURTHER RESCREENING ALL INCOME-ELIGIBLE RESIDENTS IN GOOD STANDING ON THE PUBLIC HOUSING TRANSFER WAITING LIST OF THE HOUSING AUTHORITY OF BALTIMORE CITY; AND

1 **(IV) THE OWNER MAY NOT ELECT ANY TENANT PREFERENCES.**

2 **(D) THIS SECTION DOES NOT LIMIT THE RIGHTS OR REMEDIES THAT**
3 **OTHERWISE ARE AVAILABLE UNDER LAW TO AN OWNER OR DEVELOPER.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2015.