

SENATE 782: **AN ACT PRESERVING PUBLICLY ASSISTED AFFORDABLE HOUSING**

SPONSORS: Senators Tucker, Augustus, Jr., Moore, Resor, McGee, Wilkerson, Fargo, Chandler and Tarr, Representatives Eldridge, Peake, Brownsberger and other members of the House of Representatives

LEGISLATIVE HISTORY:

01/11/07	Senate referred to the committee on Housing
01/11/07	House concurred
07/17/07	Public hearing held
04/22/08	House rules suspended
04/22/08	House reporting date extended to May 15, 2008
04/24/08	Senate concurred
05/19/08	Senate bill accompanied by S770, S772, S774, S2152, S2192, H1276, H1284, H1289, H1295, H3950, H4051 and H4433
05/19/08	Bill reported favorably by committee and referred to the committee on Senate Ways and Means

EXISTING LAWS AFFECTED:

None

PROPOSED LEGISLATION:

- This legislation creates a new chapter in the General Laws for the preservation of publicly assisted housing.
- This legislation will provide a fair and efficient opportunity to preserve some of the Commonwealth's publicly assisted affordable housing by:
 - Requiring written notice be given 24 months prior to affordability termination;
 - Requiring owners to give notice of intent to complete termination 12 months before termination;
 - Requiring owners to offer the Department of Housing and Community Development or its designee an opportunity to purchase the publicly assisted property within 90 days;
 - Allowing the Department to select a designee, which may be the affected municipality, to act on its behalf;
 - Giving the Department the right of first refusal to purchase any publicly assisted housing development;
 - Restricting the owner from offering more materially favorable terms to a third party; and
 - Allowing the Department to make a counter offer to the owner.

- This bill ensures the protection of tenants in publicly assisted affordable housing.
 - For a period of 3 years after a termination, the rent for a low income tenant who does not receive an enhanced section 8 voucher may not be increased more than once annually by the increase in the consumer price index applicable to the area during the prior 12 months plus 3%.
 - Tenants cannot be evicted except for good cause related to tenant fault.

- The Department of Housing and Community Development will establish a 12 member advisory committee to provide advice and recommendations to the Department regarding regulations to implement this act.

**AGENCY
COMMENTS:**

The Department of Housing and Community Development does not object to this legislation.

**ESTIMATED
COST:**

This legislation will not have a cost for the commonwealth.

(NC)