



General Assembly

February Session, 2006

Raised Bill No.

545

LCO No. 2210



Referred to Committee on

Introduced by: **PLANNING & DEVELOPMENT**  
(PD)

**AN ACT CONCERNING HOUSING PRESERVATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2006, and applicable to any*  
2 *termination of subsidy for the rental housing development occurring on or*  
3 *after July 1, 2007*) As used in sections 2 and 3 of this act:

4 (1) "Development" means a rental housing development that  
5 receives government assistance under any covered program, including  
6 any property whose mortgage is held by the United States Department  
7 of Housing and Urban Development and was formerly insured under  
8 any covered program but excluding the foreclosure of a development  
9 by an applicable agency.

10 (2) "Covered program" means:

11 (A) New construction, substantial rehabilitation, moderate  
12 rehabilitation, property disposition and loan management set-aside  
13 programs or any other program providing project-based assistance  
14 under Section 8 of the United States Housing Act of 1937, as from time  
15 to time amended;

16 (B) The Below Market Interest Rate Program under Section 221(d)(3)  
17 of the National Housing Act, 12 USC 1715l(d)(3), (5);

18 (C) Section 236 of the National Housing Act, 12 USC 1715z-1;

19 (D) Section 202 of the Housing Act of 1959, 12 USC 1701q;

20 (E) Programs for rent supplement assistance under Section 101 of  
21 the Housing and Urban Development Act of 1965, 12 USC 1701s;

22 (F) Programs under Section 515 of the Housing Act of 1949, 42 USC  
23 1485;

24 (G) Programs under Section 521 of the Housing Act of 1949, 42 USC  
25 1490a; or

26 (H) The Low Income Housing Tax Credit program, 26 USC 42.

27 (3) "Applicable agency" means any governmental agency that  
28 administers a covered program.

29 (4) "Assisted unit" means a dwelling unit in a development,  
30 including a cooperative, that is receiving assistance pursuant to a  
31 covered program.

32 (5) "Owner" means an individual, partnership, corporation,  
33 association, joint venture or business entity that owns or controls a  
34 development or any successor in interest of such individual,  
35 partnership, corporation, association, joint venture or business entity.

36 (6) "Tenant" means a tenant, subtenant, lessee, sublessee or other  
37 person entitled to possession, occupancy or benefits of a rental unit  
38 within the development.

39 (7) "Tenant association" means an association, organization or other  
40 entity that represents tenants in a development, including, but not  
41 limited to, an association that is incorporated as a nonprofit  
42 corporation or a cooperative.

43 (8) "Cooperative" shall have the same meaning as in subdivision (10)  
44 of section 47-202 of the general statutes. For purposes of sections 2 and  
45 3 of this act, a cooperative shall be deemed to be a rental housing  
46 development, and the terms "rent" and "rental" shall include  
47 occupancy payments made by a member of a cooperative, and the  
48 term "tenants" shall include residents of a cooperative.

49 (9) "Low and moderate income household" means any household  
50 with an adjusted gross income that satisfies the occupancy  
51 requirements for income-restricted units in the development existing  
52 before termination of subsidy for the development.

53 (10) "Termination of subsidy for the development" or "termination  
54 of subsidy" means: (A) Any sale, transfer of title, lease or prepayment  
55 of a loan that was made pursuant to a covered program with respect to  
56 a development that would result in the cessation or reduction of the  
57 financial assistance or regulatory requirements designed to make the  
58 assisted unit affordable to low and moderate income households; (B)  
59 an owner's decision not to extend or renew its contractual participation  
60 in a covered program, either at or prior to the scheduled date of the  
61 expiration of the contract; or (C) the expiration of restrictions for a  
62 development that may result in an increase in tenant rent or a change  
63 in the form of the subsidy from project-based to tenant-based.

64 (11) "Affordability preservation transaction" means a transaction  
65 described in section 3 of this act.

66 Sec. 2. (NEW) *(Effective July 1, 2006, and applicable to any termination of*  
67 *subsidy for the rental housing development occurring on or after July 1, 2007)*  
68 On and after July 1, 2006, any owner of a development shall, not later  
69 than one year before the termination of subsidy for the development,  
70 provide written notice of the owner's intent to terminate the subsidy.  
71 Such notice shall be sent by first class mail or hand-delivered to (1)  
72 each tenant residing in the development, (2) each tenant association  
73 representing tenants in the development, (3) the executive director of  
74 any housing authority of the municipality in which the development is

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SECTION

75 located, (4) the chief executive officer of the municipality in which the  
76 development is located, (5) the executive director of the Connecticut  
77 Housing Finance Authority, (6) the Commissioner of Economic and  
78 Community Development, and (7) the executive director of the  
79 Connecticut Housing Coalition. The notice shall be posted in a  
80 conspicuous common area of the development accessible to the  
81 tenants. A copy of the notice shall be filed in the land records of the  
82 municipality in which the development is located.

83       Sec. 3. (NEW) (*Effective July 1, 2006, and applicable to any termination of*  
84 *subsidy for the development occurring on or after July 1, 2007*) The  
85 provisions of sections 1 to 3, inclusive, of this act shall not apply to an  
86 affordability preservation transaction undertaken by the owner in  
87 connection with the refinancing of such a development's governmental  
88 program mortgage, or undertaken by a buyer in connection with the  
89 sale, transfer or other disposition of such a development by contract or  
90 agreement with a proposed new mortgage lender or equity investor, or  
91 with the United States Department of Housing and Urban  
92 Development, the Connecticut Housing Finance Authority, the  
93 Department of Economic and Community Development or any other  
94 governmental agency or body, provided the contract or agreement  
95 requires the owner or buyer and owner's or buyer's respective  
96 successors and assigns to comply with all of the following affordability  
97 preservation criteria contained in a regulatory agreement that has been  
98 recorded against the property:

99       (1) To maintain the development as low and moderate income  
100 housing on terms at least as advantageous to existing and future  
101 tenants as the terms required by the affected development's  
102 governmental program in effect before the date of notice required by  
103 section 2 of this act for a period of time at least as long as what the  
104 remaining term of the governmental program would have been but for  
105 the termination of subsidy or for a period of time not less than twenty  
106 years after the date of the termination of subsidy, whichever is greater;

107 (2) To maintain at least as many dwelling units as low and moderate  
 108 income housing as were required to be affordable to such households  
 109 under the governmental program in effect prior to the termination of  
 110 subsidy for a period of time not less than twenty years after the date of  
 111 the termination of subsidy; and

112 (3) To maintain as rental subsidy program units such number of  
 113 units as were required to be subsidy program units under the contract  
 114 for the rental subsidy program in effect prior to the termination of  
 115 subsidy for a period of time not less than twenty years after the date of  
 116 the termination of subsidy, subject to the existence of a rental subsidy  
 117 program.

118 Sec. 4. Section 8-68c of the general statutes is repealed. (*Effective July*  
 119 *1, 2006, and applicable to any termination of subsidy for the development*  
 120 *occurring on or after July 1, 2007*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006, and applicable to any termination of subsidy for the rental housing development occurring on or after July 1, 2007</i>	New section
Sec. 2	<i>July 1, 2006, and applicable to any termination of subsidy for the rental housing development occurring on or after July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2006, and applicable to any termination of subsidy for the development occurring on or after July 1, 2007</i>	New section

<p>Sec. 4</p>	<p><i>July 1, 2006, and applicable to any termination of subsidy for the development occurring on or after July 1, 2007</i></p>	<p>Repealer section</p>
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**Statement of Purpose:**

To expand the notice provisions concerning a potential loss of federally-assisted low or moderate income housing.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*



## Senate

CONNECTICUT STATE LIBRARY  
LEGISLATIVE REFERENCE SECTION

General Assembly

**File No. 112**

February Session, 2006

Senate Bill No. 545

*Senate, March 23, 2006*

The Committee on Planning and Development reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

### **AN ACT CONCERNING HOUSING PRESERVATION.**

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2 *termination of subsidy for the rental housing development occurring on or*  
3 *after July 1, 2007*) As used in sections 2 and 3 of this act:

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5 receives government assistance under any covered program, including  
6 any property whose mortgage is held by the United States Department  
7 of Housing and Urban Development and was formerly insured under  
8 any covered program but excluding the foreclosure of a development  
9 by an applicable agency.

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11 (A) New construction, substantial rehabilitation, moderate  
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14 under Section 8 of the United States Housing Act of 1937, as from time  
15 to time amended;

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17 of the National Housing Act, 12 USC 1715l(d)(3), (5);

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21 the Housing and Urban Development Act of 1965, 12 USC 1701s;

22 (F) Programs under Section 515 of the Housing Act of 1949, 42 USC  
23 1485;

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25 1490a; or

26 (H) The Low Income Housing Tax Credit program, 26 USC 42.

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30 including a cooperative, that is receiving assistance pursuant to a  
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33 association, joint venture or business entity that owns or controls a  
34 development or any successor in interest of such individual,  
35 partnership, corporation, association, joint venture or business entity.

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37 person entitled to possession, occupancy or benefits of a rental unit  
38 within the development.

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40 entity that represents tenants in a development, including, but not



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41 limited to, an association that is incorporated as a nonprofit  
42 corporation or a cooperative.

43 (8) "Cooperative" shall have the same meaning as in subdivision (10)  
44 of section 47-202 of the general statutes. For purposes of sections 2 and  
45 3 of this act, a cooperative shall be deemed to be a rental housing  
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47 occupancy payments made by a member of a cooperative, and the  
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58 assisted unit affordable to low and moderate income households; (B)  
59 an owner's decision not to extend or renew its contractual participation  
60 in a covered program, either at or prior to the scheduled date of the  
61 expiration of the contract; or (C) the expiration of restrictions for a  
62 development that may result in an increase in tenant rent or a change  
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70 provide written notice of the owner's intent to terminate the subsidy.  
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72 each tenant residing in the development, (2) each tenant association

73 representing tenants in the development, (3) the executive director of  
74 any housing authority of the municipality in which the development is  
75 located, (4) the chief executive officer of the municipality in which the  
76 development is located, (5) the executive director of the Connecticut  
77 Housing Finance Authority, (6) the Commissioner of Economic and  
78 Community Development, and (7) the executive director of the  
79 Connecticut Housing Coalition. The notice shall be posted in a  
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82 municipality in which the development is located.

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86 affordability preservation transaction undertaken by the owner in  
87 connection with the refinancing of such a development's governmental  
88 program mortgage, or undertaken by a buyer in connection with the  
89 sale, transfer or other disposition of such a development by contract or  
90 agreement with a proposed new mortgage lender or equity investor, or  
91 with the United States Department of Housing and Urban  
92 Development, the Connecticut Housing Finance Authority, the  
93 Department of Economic and Community Development or any other  
94 governmental agency or body, provided the contract or agreement  
95 requires the owner or buyer and owner's or buyer's respective  
96 successors and assigns to comply with all of the following affordability  
97 preservation criteria contained in a regulatory agreement that has been  
98 recorded against the property:

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100 housing on terms at least as advantageous to existing and future  
101 tenants as the terms required by the affected development's  
102 governmental program in effect before the date of notice required by  
103 section 2 of this act for a period of time at least as long as what the  
104 remaining term of the governmental program would have been but for  
105 the termination of subsidy or for a period of time not less than twenty  
106 years after the date of the termination of subsidy, whichever is greater;

107 (2) To maintain at least as many dwelling units as low and moderate  
 108 income housing as were required to be affordable to such households  
 109 under the governmental program in effect prior to the termination of  
 110 subsidy for a period of time not less than twenty years after the date of  
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112 (3) To maintain as rental subsidy program units such number of  
 113 units as were required to be subsidy program units under the contract  
 114 for the rental subsidy program in effect prior to the termination of  
 115 subsidy for a period of time not less than twenty years after the date of  
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118 Sec. 4. Section 8-68c of the general statutes is repealed. (*Effective July*  
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Sec. 2	<i>July 1, 2006, and applicable to any termination of subsidy for the rental housing development occurring on or after July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2006, and applicable to any termination of subsidy for the development occurring on or after July 1, 2007</i>	New section

Sec. 4	<i>July 1, 2006, and applicable to any termination of subsidy for the development occurring on or after July 1, 2007</i>	Repealer section
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**PD**      *Joint Favorable*

[1067]

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill expands notice provisions to certain property owners and has no fiscal impact to the state or municipalities.

**The Out Years**

None

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**OLR BILL ANALYSIS****SB 545*****AN ACT CONCERNING HOUSING PRESERVATION.*****SUMMARY:**

By law, owners of federally subsidized housing projects must notify tenants and other parties before they prepay the project's mortgage, which could remove restrictions making some or all of the units affordable to low- and moderate-income people. This bill (1) expands the range of events subject to this notification requirement, (2) broadens the types of federal programs subject to the requirement, and (3) requires owners to notify more parties. But it also exempts owners from giving notice for certain transactions if the project remains affordable to low- and moderate-income people.

**EFFECTIVE DATE:** July 1, 2006 and applicable to any action terminating a housing project's subsidy occurring on or after July 1, 2007

**EVENTS REQUIRING NOTIFICATION**

An owner must notify the specified parties at least one year before an event that could end the project's federal subsidy if:

1. he decides to sell or lease the project, transfer its title, or prepay a federally insured loan if the outcome ends or reduces federal requirements intended to make the units affordable to low- and moderate-income people;
2. he decides not to extend or renew the contract under which the federal program subsidizes the project, including decisions made at or before the contract's expiration date; or

3. federal rent restrictions expire, which could lead to rent increases. The owner must also give notice if the subsidy changes from a "project-based subsidy" to a "tenant-based subsidy." (Project-based subsidies are those that keep rents down by reducing the owner's cost of developing and operating the project. Tenant-based subsidies are those that go pay a portion of the tenant's rent.)

### FEDERAL PROJECTS AFFECTED

The bill increases the types of federally subsidized rental and cooperative housing projects whose owners must notify tenants and other parties before an event that could remove federal restrictions. Under current law, an owner must give notice if the project's mortgage was guaranteed under the following programs:

1. Below Market Interest Rate Program (12 USC § 1715l (d) (3), (5));
2. rental and cooperative housing for lower-income families (12 USC 1715z-1); and
3. housing and related facilities for elderly, handicapped, low- and moderate-income people and families, or other low-income people and families in rural areas (42 USC § 1485).

The bill extends the notice requirement to projects that were subsidized under the following programs:

1. project-based subsidies under Section 8 of the 1937 U.S. Housing Act (42 USC § 1437 et seq.);
2. supportive housing for the elderly (12 USC § 1701q);
3. rent supplement programs for qualified lower-income families (12 USC § 1701s);
4. rural rental assistance payments (42 USC 1490a); and
5. Low Income Housing Tax Credit Program (26 USC § 42).

**PARTIES TO BE NOTICED**

The bill requires owners to notify more parties. Current law requires them to give written notice to the tenants of the affected project, the chief executive officer of the town where it is located, and the economic and community development commissioner. The bill also requires owners to notify each tenant association in the project, the executive director of the town's housing authority, and the executive directors of the Connecticut Housing Finance Authority and the Connecticut Housing Coalition. He must hand the notice to each party or send it to them by first-class mail.

**ACTIONS EXEMPTED FROM NOTIFICATION**

The bill exempts owners from the notification requirement for transactions under which the project remains affordable to low- and moderate-income people (i.e., "affordability preservation transactions"). An owner does not have to give notice when he refinances a project's federally subsidized mortgage. Nor does he have to give notice if a party acquires the project under a contract or agreement with a new mortgage lender, equity investor, U.S. Department of Housing and Urban Development, Connecticut Housing Finance Authority, Department of Economic and Community Development, and any other government agency.

In both cases, the exemption applies only if the contract governing the transaction requires the owner or buyer and their respective successors and assigns to comply with the certain assurances, which must be specified in a regulatory agreement recorded against the property. The agreement must stipulate these requirements:

1. It must require the owner or buyer to maintain the project as low- and moderate-income housing. The terms under which they must do so must be at least as advantageous to the current and future tenants as those that were imposed by the program that subsidized the project and that were still in effect one year before the subsidy ended. The terms must remain in effect for



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the greater of two time periods: the period that is at least as long as the period remaining under the program if it continued subsidizing the project, or 20 years after the subsidy's termination date.

2. The owner or buyer must maintain at least the same number of low- and moderate-income units that the program required before the subsidy ended.
3. If the project receives a rent subsidy, the number of subsidized units must at least equal the number of units that were subsidized under the program before the project's initial subsidy expired. The owner or buyer must maintain that number for at least 20 years from the date after the subsidy ended.

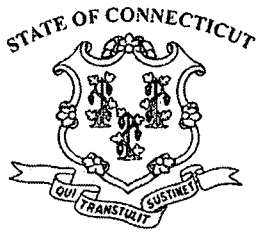
**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 16    Nay 0    (03/13/2006)

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SECTION



General Assembly

February Session, 2006

[SENATE] Amendment [A.]

LCO No. 3976



Offered by:

SEN. COLEMAN, 2<sup>nd</sup> Dist.

To: Senate Bill No. 545

File No. 112

Cal. No. 129

**"AN ACT CONCERNING HOUSING PRESERVATION."**

1 Strike lines 1 to 120, inclusive, and insert the following in lieu  
2 thereof:

3 "Section 1. Section 8-68c of the general statutes is repealed and the  
4 following is inserted in lieu thereof (*Effective July 1, 2006*):

5 [On and after July 1, 1988, any owner of multifamily rental housing  
6 for persons and families of low and moderate income, which housing  
7 is financed by a mortgage insured under 12 USCA 1715l, 12 USCA  
8 1715z-1 or 42 USCA 1485(b), shall, not later than one year prior to  
9 prepaying any such mortgage, provide written notice of the owner's  
10 intent to prepay such mortgage to the Commissioner of Economic and  
11 Community Development, the chief executive officer of the  
12 municipality in which such housing is located and to all tenants  
13 residing in such housing. Nothing in this section or subsection (b) of  
14 section 36a-755 shall be construed to limit the ability of such owner to  
15 prepay any such mortgage or to interfere with any existing contract.]

16 (a) As used in this section, "covered program" means:

17 (1) New construction, substantial rehabilitation, moderate  
 18 rehabilitation, property disposition and loan management set-aside  
 19 programs or any other program providing project-based assistance  
 20 under 42 USC 1437f, including, but not limited to, housing regulated  
 21 pursuant to 24 CFR 983.1 to 24 CFR 983.262, inclusive, 24 CFR Parts  
 22 880 to 884, inclusive and 24 CFR Part 886;

23 (2) The Below Market Interest Rate Program under Section 221(d)(3)  
 24 of the National Housing Act, 12 USC 1715l(d)(3), (5);

25 (3) Section 236 of the National Housing Act, 12 USC 1715z-1;

26 (4) Section 202 of the Housing Act of 1959, 12 USC 1701q;

27 (5) Programs for rent supplement assistance under Section 101 of  
 28 the Housing and Urban Development Act of 1965, 12 USC 1701s;

29 (6) Programs under Section 515 of the Housing Act of 1949, 42 USC  
 30 1485;

31 (7) Programs under Section 521 of the Housing Act of 1949, 42 USC  
 32 1490a;

33 (8) The Low Income Housing Tax Credit program, 26 USC 42; or

34 (9) Supportive Housing for Persons with Disabilities under 42 USC  
 35 8013.

36 (b) On and after July 1, 2006, any owner of multifamily rental  
 37 housing for persons and families of low and moderate income, that is  
 38 assisted pursuant to a contract, mortgage, or mortgage insured under  
 39 any covered program shall, not later than one year prior to the  
 40 expiration or planned or proposed termination of any subsidy for the  
 41 development, sale, transfer of title, lease of the development,  
 42 prepayment of any such contract or mortgage, or maturity of such  
 43 mortgage, if any such action will result in the cessation or reduction of

44 the financial assistance or regulatory requirements designed to make  
45 the assisted units affordable to low and moderate income households,  
46 provide written notice of such action to the Commissioner of Economic  
47 and Community Development, the chief executive officer of the  
48 municipality in which such housing is located and to all tenants  
49 residing in such housing. Nothing in this section shall be construed to  
50 limit the contractual rights or the ability of such owner to prepay any  
51 such mortgage or to interfere with any existing contract. Not later than  
52 ten business days after receipt of any notice, the Commissioner of  
53 Economic and Community Development shall cause such notice to be  
54 posted on the web site of the department. Such notice shall also be  
55 made available electronically to those persons who have provided the  
56 commissioner with a written request to receive such notices along with  
57 a current electronic mail address.

58 (c) Notwithstanding the provisions of subsection (b) of this section,  
59 the owner of multifamily rental housing that is assisted pursuant to a  
60 contract, mortgage or mortgage insured under any covered program  
61 that was not subject to the provisions of this section prior to July 1,  
62 2006, and which, as of July 1, 2006, has less than one year remaining  
63 prior to the expiration or planned or proposed termination of any  
64 subsidy for the development, sale, transfer of title, lease of the  
65 development, prepayment of any such contract or mortgage or  
66 maturity of such mortgage, if any such action will result in the  
67 cessation or reduction of the financial assistance or regulatory  
68 requirements designed to make the assisted units affordable to low  
69 and moderate income households, shall provide not less than ninety  
70 days written notice of such action. Said notice shall be delivered to the  
71 parties listed in subsection (b) of this section and shall be posted and  
72 made available in accordance with the provisions of said subsection  
73 (b)."

129

SENATE AMENDMENT

Calendar: 129

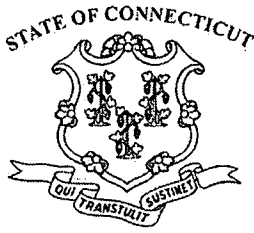
LCO: 3976

Bill: 545

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ADOPTED VOICES  REJECTED VOICES

ADOPTED roll  REJECTED roll



CONNECTICUT STATE LIBRARY  
LEGISLATIVE REFERENCE SECTION

General Assembly

**Amendment**

February Session, 2006

LCO No. 4617



Offered by:  
REP. MILLER, 122<sup>nd</sup> Dist.

To: Senate Bill No. 545

File No. 112

Cal. No. 430

(As Amended)

**"AN ACT CONCERNING HOUSING PRESERVATION."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective July 1, 2006*) (a) As used in this section,  
4 "affordable housing development", "affordable housing application"  
5 and "commission" shall have the same meaning as in section 8-30g of  
6 the general statutes.

7 (b) (1) Any person intending to file an affordable housing  
8 application with a zoning commission, planning commission, planning  
9 and zoning commission, zoning board of appeals or municipal agency  
10 exercising zoning or planning authority shall, not more than three  
11 months before such filing, submit an affordable housing proposal to  
12 the commission. Such commission shall immediately notify the  
13 Secretary of the Office of Policy and Management of the submission.

14 (2) Upon receipt of notification of the submission of a proposed  
15 affordable housing application to a commission, the Secretary of the  
16 Office of Policy and Management shall establish an affordable housing  
17 proposal review committee. Each such committee shall consist of (A)  
18 two members appointed by the secretary, one of whom shall be a  
19 representative of the Connecticut Chapter of the American Planning  
20 Association, selected from a list submitted by said association, and one  
21 a representative of the regional planning agency or regional council of  
22 governments that the municipality where the application was filed is a  
23 member, and (B) additional members appointed by the chief elected  
24 official of the municipality as follows: (i) A member of the legislative  
25 body; (ii) a member of the inland wetlands agency if the municipality  
26 has such an agency; (iii) a member of the conservation commission; (iv)  
27 an employee of the police department whose responsibilities include  
28 traffic; (v) an employee of the fire department; (vi) the planning and  
29 zoning administrator or the planning director; and (vii) the public  
30 works director or the engineer.

31 (3) The committee shall (A) evaluate the impact of the proposed  
32 affordable housing development on the municipality and its  
33 consistency with the plan of conservation and development of the  
34 municipality adopted under section 8-23 of the 2006 supplement to the  
35 general statutes, and (B) establish criteria for the following for the  
36 proposed affordable housing development: (i) Lot sizes or acceptable  
37 appropriate density of the project, (ii) building standards for the  
38 project, (iii) housing design that would be compatible with the  
39 surrounding neighborhoods, (iv) site design and landscaping that  
40 would enhance environmental quality, (v) data from the community  
41 that best represents that community's interest, (vi) identification of  
42 traffic problems before and after development and their impacts on the  
43 municipality, (vii) review and revision of the full scope of the  
44 proposed affordable housing development for consistency with the  
45 state plan of conservation and development adopted under chapter  
46 297 of the general statutes, and (viii) protection of environmental assets  
47 critical to public health and safety, for consistency with the state plan

48 of conservation and development adopted under chapter 297 of the  
49 general statutes.

50 (4) Such committee shall review the proposed affordable housing  
51 application in accordance with the provisions of subdivision (3) of this  
52 subsection and submit a report of its findings and recommendations to  
53 the applicant, the secretary and the commission not more than three  
54 weeks after the date the committee received the proposed affordable  
55 housing application. The applicant may revise the affordable housing  
56 application based on the findings and recommendations of the  
57 committee but shall not be required to make such revisions.

58 Sec. 502. (NEW) (*Effective July 1, 2006*) There is established an  
59 affordable housing review grant program which shall be administered  
60 by the Office of Policy and Management. Grants may be made to  
61 municipalities for review of affordable housing development  
62 applications pursuant to section 501 of this act. The Secretary of the  
63 Office of Policy and Management shall adopt regulations, in  
64 accordance with chapter 54 of the general statutes, for the  
65 administration of this section.

66 Sec. 503. (*Effective July 1, 2006*) The sum of ten thousand dollars is  
67 appropriated to the Secretary of the Office of Policy and Management,  
68 from the General Fund, for the fiscal year ending June 30, 2007, for  
69 grants to municipalities pursuant to section 502 of this act."



5B545

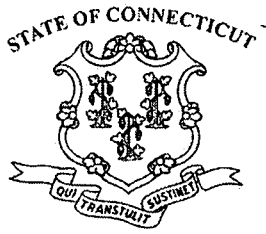
140R

STATE OF CONNECTICUT  
HOUSE OF REPRESENTATIVES

APR 25 2006

REJECTED

*Henry E. Deane*



General Assembly

**Amendment**

February Session, 2006

LCO No. 4647



Offered by:

REP. MILLER, 122<sup>nd</sup> Dist.

REP. ROWE, 123<sup>rd</sup> Dist.

REP. PISCOPO, 76<sup>th</sup> Dist.

REP. HARKINS, 120<sup>th</sup> Dist.

To: Senate Bill No. 545

File No. 112

Cal. No. 430

(As Amended)

**"AN ACT CONCERNING HOUSING PRESERVATION."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subsection (k) of section 8-30g of the 2006 supplement to  
4 the general statutes is repealed and the following is substituted in lieu  
5 thereof (*Effective from passage*):

6 (k) Notwithstanding the provisions of subsections (a) to (j),  
7 inclusive, of this section, the affordable housing appeals procedure  
8 established under this section shall not be available if the real property  
9 which is the subject of the application is located in a municipality in  
10 which at least [ten] five per cent of all dwelling units in the  
11 municipality are (1) assisted housing, or (2) currently financed by

12 Connecticut Housing Finance Authority mortgages, or (3) subject to  
13 binding recorded deeds containing covenants or restrictions which  
14 require that such dwelling units be sold or rented at, or below, prices  
15 which will preserve the units as housing for which persons and  
16 families pay thirty per cent or less of income, where such income is less  
17 than or equal to eighty per cent of the median income, or (4) mobile  
18 manufactured homes located in mobile manufactured home parks or  
19 legally-approved accessory apartments, which homes or apartments  
20 are subject to binding recorded deeds containing covenants or  
21 restrictions which require that such dwelling units be sold or rented at,  
22 or below, prices which will preserve the units as housing for which, for  
23 a period of not less than ten years, persons and families pay thirty per  
24 cent or less of income, where such income is less than or equal to  
25 eighty per cent of the median income. The municipalities meeting the  
26 criteria set forth in this subsection shall be listed in the report  
27 submitted under section 32-1m. As used in this subsection, "accessory  
28 apartment" means a separate living unit that (A) is attached to the  
29 main living unit of a house, which house has the external appearance  
30 of a single-family residence, (B) has a full kitchen, (C) has a square  
31 footage that is not more than thirty per cent of the total square footage  
32 of the house, (D) has an internal doorway connecting to the main  
33 living unit of the house, (E) is not billed separately from such main  
34 living unit for utilities, and (F) complies with the building code and  
35 health and safety regulations."

SB545

14B

STATE OF CONNECTICUT  
HOUSE OF REPRESENTATIVES

APR 25 2006

REJECTED

*David P. Donovan*