

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Official Code*

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To establish a Senior Citizens Housing Modernization Grant Fund and to authorize the Deputy Mayor for Planning and Economic Development to make grants from the Senior Citizens Housing Modernization Grant Fund to qualified senior citizens who reside in an area affected by a planned unit development for repairs and improvements to their single-family dwellings.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Senior Housing Modernization Grant Fund Act of 2010".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Deputy Mayor" means the Deputy Mayor for Planning and Economic Development.

(2) "Fund" means the Senior Citizens Housing Modernization Grant Fund established by section 3.

(3) "Planned unit development" or "PUD" means a plan for the development of residential, institutional, and commercial developments, industrial parks, urban renewal projects, or a combination of these as defined in section 199 of Title 11 of the District of Columbia Municipal Regulations (11 DCMR § 199).

(4) "Principal place of residence" means a single-family dwelling in which a person lives in a particular locality with the intent to make it a fixed and permanent home.

(5) "Qualified senior citizen" means the owner of a single-family dwelling located in the District that is his or her principal place of residence who:

(A) Is 65 years of age or older;

(B) Is a resident of the District;

(C) Has resided in his or her principal place of residence for at least 3 years preceding the date of the application for assistance under this act; and

(D) Whose income does not exceed that for a household within the Section 8 low-income guidelines established by the Secretary of the United States Department

of Housing and Urban Development pursuant to section 8 of the United States Housing Act of 1937, approved August 22, 1974 (88 Stat. 662; 42 U.S.C. § 1437f).

Sec. 3. Senior Citizens Housing Modernization Grant Fund.

(a) There is established as a nonlapsing fund the Senior Citizens Housing Modernization Grant Fund ("Fund"). All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(b) The Fund shall be continually available to the Deputy Mayor for the purpose of providing one-time grants of up to \$5,000 to qualified senior citizens to enable them to make repairs and improvements to their single-family dwellings to ensure their health and safety in their principal places of residence.

(c) Deposits into the Fund shall consist of the following:

(1) Payments by developers seeking relief from zoning laws by way of the PUD process, which may be considered part of the required community benefits package of the proposed PUD;

(2) Appropriated funds;

(3) Other District funds; or

(4) Private gifts.

Sec. 4. Eligibility for grants.

(a)(1) An applicant shall receive a grant if he or she is a qualified senior citizen residing within the boundaries of an Advisory Neighborhood Commission in which a developer, seeking relief from zoning laws by way of the PUD process, has made a payment to the Senior Citizens Housing Modernization and Grant Fund.

(2) An applicant is eligible for a grant if he or she is a qualified senior citizen, provided, that the Deputy Mayor gives priority consideration to lower-income applicants.

(b) To determine the eligibility of an applicant, the Deputy Mayor shall develop an application form.

(c) To apply for a grant under this act, an applicant shall complete the application form and return it to the Deputy Mayor at the time and in the manner in which the Deputy Mayor shall prescribe.

(d) The Deputy Mayor shall verify the contents of the application form to determine if the applicant is eligible for a grant and to determine if the applicant shall receive funding, or be given priority consideration pursuant to subsection (a) of this section.

(e) The Deputy Mayor shall establish rules for payment to qualified home improvement contractors, which may include establishing a list of program-eligible contractors.

Sec. 5. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia