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Elderly Rental Assistance Program (RAP)

Sec. 8-119kk-1. Definitions

As used in sections 8-119kk-1 to 8-119kk-8, inclusive, of the Regulations of Connecticut State Agencies:

(1) “Adjusted gross income” means the aggregate annual income of all household members from all sources, less allowable deductions, as determined by the commissioner.

(2) “Allowable deductions” means deductions for alimony payments ordered by the courts for dependents and certified as paid and non-reimbursable medical and dental expenses, in excess of 3% of gross income.

(3) “Assistance agreement” means a written agreement between the state and a grantee that contains the terms and conditions under which they will participate, and the amount of rental assistance payments to be made by the State for each eligible household.

(4) “Base rent” means the minimum rental charge determined by the commissioner to be necessary for the operation, upkeep and long-term maintenance and capital replacement reserves of a housing development.

(5) “Commissioner” means the commissioner of the Department of Economic and Community Development.

(6) “Department” means the Department of Economic and Community Development.

(7) “Grantee” means a housing authority, not for profit corporation or a partnership, consisting of: (A) a housing authority, a nonprofit corporation, a municipal developer, or any combination thereof; and (B) a business corporation incorporated pursuant to chapter 601 of the general statutes having as one of its purposes the construction, rehabilitation, ownership and operation of such housing.

(8) “Rental assistance” means the amount payable by the state toward the cost of the contract rent.

(9) “Utility allowance” means the estimated monthly allowance, as approved by the commissioner, for a household for heat and other utilities, excluding telephone and cable TV, which is not supplied or paid for by the grantee.

(Adopted effective July 3, 2008)

Sec. 8-119kk-2. Program description

(a) The commissioner shall implement a non-entitlement program of rental assistance for elderly persons living in State-assisted rental housing developed, under section 8-112a to 8-119c, inclusive, of the Connecticut General Statutes, that will allow such persons to afford decent, safe and sanitary housing. The commissioner may limit access to the rental assistance program dependent upon the availability of funds. Previous participation in the rental assistance program does not guarantee a grantee the right to participate in the program if a change in the applicant’s circumstances occurs, that results in ineligibility, prior to execution of the rental assistance contract. The commissioner may suspend or cancel already existing rental assistance contracts based on lack of funds.

(b) The department shall oversee the program established by section 8-119kk of the Connecticut General Statutes. The grantee shall be responsible for administrative responsibilities of the program established by section 8-119kk of the Connecticut General Statutes, including tenant selection, annual unit inspections, initial and annual reexamination of tenant income and rent adjustments, maintenance of records and other duties as required by the commissioner.

(c) Should a qualified tenant who is receiving a subsidy under the program be otherwise eligible to relocate to another state-assisted rental housing facility that is participating in the program, and choose to do so, the state shall notify the tenant and the grantee that the tenant's certificate will be transferred to that new facility and the qualified tenant will continue to receive rental assistance at the new facility.

(Adopted effective July 3, 2008)

Sec. 8-119kk-3. Fair housing and equal opportunity requirements

Grantees participating in the program established by section 8-119kk of the Connecticut General Statutes are required to comply with all applicable federal and state fair housing laws, rules and regulations. The commissioner may suspend participation of a grantee in this program based on that grantee's lack of compliance, as noted above, so long as any eligible tenant is not seriously harmed by such suspension. "Seriously harmed" for purposes of this section shall mean that an eligible tenant would be required to pay in excess of thirty five percent (35%) of his/her adjusted gross monthly income for rent, less a utility allowance (if applicable).

(Adopted effective July 3, 2008)

Sec. 8-119kk-4. Grantee and tenant eligibility and selection

(a) The commissioner shall select a grantee to participate in the program based on criteria that shall include but not be limited to the following:

- (1) Demonstration of the need for rental assistance;
- (2) Demonstration that the grantee has an approved management plan for the period;
- (3) Demonstration that the grantee is in good standing with the department;
- (4) The apparent capability of the grantee to manage the project in a decent, safe and fiscally prudent manner; and
- (5) The availability of funds from sources other than the program established by section 8-119kk of the Connecticut General Statutes.

(b) A tenant is eligible to receive rental assistance as part of the program if the tenant:

- (1) Is current on his/her annual recertification of income; and
- (2) Pays more than thirty percent (30%) of his/her adjusted gross income for rent, less a utility allowance.

(c) Any rental assistance provided under this subsection shall be provided to the grantee to make one or more dwelling units affordable to low income households residing in state financed elderly housing. These units shall continue for the term of the assistance agreement entered into between the department and the grantee, so long as funds are available for such purposes.

(Adopted effective July 3, 2008)

Sec. 8-119kk-5. Rental assistance computation

(a) The tenant contribution shall be thirty percent (30%) of the tenant's adjusted gross monthly income less a utility allowance, if applicable. The amount of rental assistance shall be the difference between the tenant contribution and the base rent for housing projects subject to the provisions of Sections 8-112a to 8-119c, inclusive, of the Connecticut General Statutes.

(b) The maximum allowable rent for an eligible elderly housing project shall be established by the commissioner, or his agent, in such a manner that the grantee shall manage and operate the elderly housing project at the lowest possible rate consistent with the production of revenues, which, together with all other available

money, revenues, income and receipts from whatever sources derived, will be sufficient to pay for the operation or management plan for such project or projects, which shall be adequate for debt service on any notes or bonds issued for such development cost, administration, including a State service charge as established by the commissioner, other operating costs and establishment of reasonable reserves for repairs, maintenance and replacements, vacancy and collection losses. This maximum rental charge shall be determined through the review and approval of an annual operating budget and management plan by the commissioner, or his agent.

(Adopted effective July 3, 2008)

Sec. 8-119kk-6. Recertification of household income

(a) The grantee shall conduct a re-examination of household income and composition annually. The grantee shall adjust the amount of each household's assistance payment at the time of the effective date of the annual recertification to reflect changes in the household's adjusted gross income.

(b) During the term of the household's rental agreement, the household may request a redetermination of its contribution because of significant changes in its adjusted gross income and the household is required to report substantial changes in income or any change in household composition to the grantee.

(Adopted effective July 3, 2008)

Sec. 8-119kk-7. Disbursement of funds

(a) The grantee shall administer the funds in accordance with the provisions of Section 8-115a of the Connecticut General Statutes and shall maintain complete and accurate books and records in accordance with the department's housing and accounting manuals.

(b) Rental assistance payments shall be paid to the grantee by the department. These payments shall cover the difference between base rent and the portion of the rent payable by the households, as submitted on Exhibit A to the assistance agreement.

(c) Payments shall be made twice a year, upon submission by the grantee and approval by the department of a request for payment in a form and manner acceptable to the department.

(Adopted effective July 3, 2008)

Sec. 8-119kk-8. Reporting requirements and audits

(a) The grantee shall submit periodic financial and program reports to the department in accordance with the terms specified in its contractual agreement with the department.

(b) The grantee shall be subject to audit of all books and records related to the program established by section 8-119kk of the Connecticut General Statutes.

(c) The grantee subject to a federal and/or state single audit shall have an audit performed of its account annually. The audit shall be in accordance with the department's audit guide and the requirements established by federal law and state statute. If the grantee is not subject to a federal and/or state single audit, it shall be subject to a project specific audit of its accounts within ninety (90) days of the completion of the project or at such times as required by the commissioner. Such audit shall be in accordance with the department's audit guide. An independent public accountant as defined by generally accepted government-auditing standards (GAGAS) shall conduct the audits. At the discretion and with the approval of the commissioner, examiners from the department may conduct project specific audits.

(Adopted effective July 3, 2008)