

*Regulations of Connecticut State Agencies*

TITLE 8. Zoning, Planning, Housing, Economic and Community Development and Human Resources

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*Agency*

**Department of Housing**

*Subject*

**A Demonstration Program for the Development of Innovative Housing for the Homeless**

*Inclusive Sections*

**§§ 8-358-1—8-358-10**

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**A Demonstration Program for the Development of Innovative Housing for the Homeless**

**Sec. 8-358-1. Definitions**

(a) “Adjusted Monthly Income” means the gross monthly income of a person or family less an amount for dependents, child care and extraordinary medical expenses.

(b) “Commissioner” means the Commissioner of Housing.

(c) “Community housing development corporation” means a nonprofit corporation incorporated pursuant to Chapter 600 of the Connecticut General Statutes which has qualified for assistance under Section 8-217 of the Connecticut General Statutes.

(d) “Department” means the Department of Housing.

(e) “Emergency Shelter” means a privately or publicly supported structure designed to house persons on a temporary basis for whom shelter is not otherwise available.

(f) “Emergency Shelter Services” means the provision of temporary housing to homeless persons.

(g) “Homeless Person” means any person who does not have overnight shelter nor sufficient income or resources to secure such shelter.

(h) “Multi-family Dwelling” means a building capable of housing more than one person or family which complies with state and local codes and ordinances including, but not limited to, an apartment building, a dormitory, or a lodging or rooming house.

(i) “Nonprofit corporation” means a nonprofit corporation incorporated pursuant to Chapter 600 of the Connecticut General Statutes having as one of its purposes the construction, rehabilitation, ownership or operation of housing and having articles of incorporation approved by the Commissioner.

(j) “Project” means a rooming house or multi-family dwelling acquired, rehabilitated or constructed with state financial assistance as authorized by Public Act 85-485.

(k) “Rooming House” means a building in which separate sleeping rooms are rented providing sleeping accommodations for more than three persons, on either a transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants.

(l) “Utility allowance” means the average monthly amount a person or family spends for heat and other utilities, excluding telephone, which is not supplied or paid for by the owner of the dwelling unit rented by the person or family.

(Effective June 24, 1986)

**Sec. 8-358-2. Scope of program**

**(a) Rooming Houses**

The Commissioner of Housing may enter into a contract to provide state financial assistance to a community housing development corporation or a nonprofit corporation providing emergency shelter services for homeless persons in the form of a state grant-in-aid, loan, loan guarantee or interest subsidy to either such corporation for application to the cost of acquiring property for and rehabilitating or constructing a rooming house for

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homeless persons.

**(b) Multi-family dwellings**

The Commissioner of Housing may enter into a contract to provide state financial assistance to a community housing development corporation or a nonprofit corporation in the form of a state grant-in-aid, loan, loan guarantee or interest subsidy for application to the cost of acquiring property for and rehabilitating or constructing a multi-family dwelling for persons or families in need of transitional housing and support services for a period of six to twenty-four months.

**(c) Project Costs**

Project costs may include appraisal fees, the cost of real property, architectural, engineering or other professional services, site development, building rehabilitation or construction, relocation assistance as provided by the Uniform Relocation Assistance Act and such other costs as may be determined by the Commissioner.

(Effective June 24, 1986)

**Sec. 8-358-3. Applicant eligibility**

In order to be eligible for state financial assistance for the development of a project, a community housing development corporation or nonprofit corporation must have as one of its purposes the construction, rehabilitation, ownership or operation of housing and have articles of incorporation approved by the Commissioner. The corporation must also demonstrate to the Commissioner that its officers or agents can provide the expertise necessary in the development and management of affordable housing.

(Effective June 24, 1986)

**Sec. 8-358-4. Project criteria**

The Commissioner shall take into consideration the following criteria in determining which projects shall be eligible for assistance:

(1) evidence of the need for and suitability of the proposed project within the community, (2) whether the project has been approved by local planning and zoning commissions, (3) the amount of resources which have been committed to the project by the private sector and the municipality in which the project would be located, (4) the extent to which resources of existing social services agencies are planned to be utilized, (5) the extent to which both privacy and community living are planned for residents of the project, (6) whether the project is capable of operating without ongoing state subsidies and (7) the proximity of the project to schools, potential employers, stores and transportation, medical, child care and recreational facilities.

(Effective June 24, 1986)

**Sec. 8-358-5. Resident eligibility**

**(a) Rooming House**

Persons eligible to reside in a rooming house funded in part by state financial assistance

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as provided in Section 2 of Public Act 85-485 must be homeless persons referred by an emergency shelter, municipal welfare department, the Department of Human Resources or the Department of Income Maintenance.

**(b) Multi-family Dwelling**

Persons or families eligible to reside in a multi-family dwelling funded in part by state financial assistance as provided in Section 3 of Public Act 85-485 shall be those persons or families whose adjusted monthly incomes do not exceed 50% of the median household income as determined by the U.S. Department of Commerce, Bureau of the Census. Persons or families eligible to live in these multi-family dwellings must have received emergency shelter services or shelter services for battered women within six months prior to the date of application and must have been referred by an emergency shelter, municipal welfare department, the Department of Human Resources or the Department of Income Maintenance.

(Effective June 24, 1986)

**Sec. 8-358-6. Determination of rent**

**(a) One Person Households on General Assistance**

Rental payments for one person households on General Assistance shall be an amount equal to the shelter component of the General Assistance grant as determined by the town in which the project is located.

**(b) All Other Households**

Rental payments for all other households shall be 30% of the household's adjusted monthly income, less the household's utility allowance; or zero, whichever amount is greater.

**(c) Utility Allowance**

The utility allowance of a household or family shall take into consideration the size of the dwelling unit, the type of structure of the project and the type of fuel used.

(Effective June 24, 1986)

**Sec. 8-358-7. Program operations**

**(a) Application and Approval Process**

The following application and approval steps shall apply to all projects financed through this program:

- (1) Submission of a preliminary proposal based on criteria set forth in Section 4;
- (2) Approval of a preliminary proposal by the Commissioner, and invitation to submit a formal application;
- (3) Submission of a formal application package;
- (4) Submission of a funding allocation request to the State Bond Commission by the Commissioner;
- (5) Approval by the State Bond Commission;
- (6) Execution of a contract between the State of Connecticut and the community housing

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development corporation or nonprofit corporation.

**(b) Reporting Requirements**

Community housing development corporations or nonprofit corporations receiving financial assistance shall submit periodic financial and status reports, as required by the Department.

**(c) Audit**

Community housing development corporations or nonprofit corporations receiving financial assistance shall be subject to audit of all books and records related to the project. Audits shall be performed by independent public accountants registered to practice in the State of Connecticut, or by qualified Department personnel. All audits shall be in accordance with procedures established by the Department. An audit is to be completed as soon as possible following the completion of the project and at such other times as the Department may require.

**(d) Repayment of Grants or Loans**

All contracts for state financial assistance entered into pursuant to Public Act 85-485 shall provide that the community housing development corporation or nonprofit corporation repay the grant or loan if the property for which financial assistance is provided is conveyed or no longer used for the benefit of low income persons. The Department shall cause to be filed a notice of a lien on the property for which financial assistance is to be provided.

(Effective June 24, 1986)

**Housing for the Homeless**

**Sec. 8-358-8. Definitions**

(a) “Developers’ Fee” means a bonus earned by developers that have successfully completed key events in the development process.

(b) “Key Events” means the four main phases in the development process: (1) Preliminary Application Approval, (2) Final Application Approval, (3) Construction Start; and (4) Construction Completion.

(c) “Successfully Completed” means completion of key events in a timely manner.

(Effective December 27, 1990)

**Sec. 8-358-9. Terms and conditions**

(a) A developer’s fee may be established at up to 10% of the total development cost, less the cost of land, or \$100,000, whichever is less.

(b) The fee schedule shall be determined as follows:

<u>Percent of Fee</u>	<u>Key Event</u>
10%	Preliminary Application
15%	Final Application

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25%

Construction Start

50%

Construction Completion

(c) Developer's fees are earned based on the schedule established for completing key events in the development process, as approved by the Commissioner.

(d) Developers shall only earn a fee for those key events that are completed according to the established schedule. Developers may not be entitled to earn a fee for key events completed after the established schedule. Developers shall earn, but not receive, any fee, until completion of the housing development.

(Effective December 27, 1990)

**Sec. 8-358-10. Implementation**

The provisions of Section 8-68g-1, except as otherwise provided, shall govern the implementation of the Housing for the Homeless Program developers' fee.

(Effective December 27, 1990)