

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 9-118

"District of Columbia Government Employer-Assisted Housing Act of 1992".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 9-210 on first and second readings, March 3, 1992, and April 7, 1992, respectively. Following the signature of the Mayor on April 24, 1992, this legislation was assigned Act No. 9-192, published in the May 8, 1992, edition of the D.C. Register, (Vol. 39 page 3189) and transmitted to Congress on April 28, 1992 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 9-118, effective June 11, 1992.



JOHN A. WILSON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

April 28,29,30

May 1,4,5,6,7,8,11,12,13,14,15,18,19,20,21,26,27,28,29

June 1,2,3,4,5,8,9,10

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 24, 1992

To establish a District of Columbia Government Employer-Assisted Housing Program; to amend the Housing Finance Agency Act of 1978 to provide funds for the program; and to amend the Home Purchase Assistance Fund Act of 1978 to receive repayment funds.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Government Employer-Assisted Housing Act of 1992".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Agency" means the District of Columbia Housing Finance Agency.

(2) "Deferred payment loan" means funds made available to eligible participants in the program by the District to assist with the purchase of housing units and for which payment of the principal is deferred until the property is sold, transferred, or otherwise ceases to be the principal residence of the participant.

(3) "Department" means the District of Columbia Department of Housing and Community Development.

(4) "First-time homebuyer" means a purchaser who has no ownership interest in a principal residence at any time during the 3 year period ending on the date of the application for assistance, but includes an applicant who has divorced or separated during the 3 year period where a formal settlement did not convey an ownership interest in a principal residence which had been jointly owned.

(5) "Household" means all of the persons living in a housing unit.

(6) "Housing unit" means any room or group of rooms forming a single-family residential unit, including but not limited to: a semi-detached condominium, cooperative, or semi-detached or detached home, that is used or intended to be used for living, sleeping, and the preparation and eating of meals by human occupants.

(7) "Matching contribution" means those funds made available to eligible participants in the program by the District to assist the participants in saving towards a downpayment.

New
Section
45-2221

Sec. 3. Establishment.

New
Section
45-2222

There is established within the District of Columbia Department of Housing and Community Development a District of Columbia Government Employer-Assisted Housing Program to assist District of Columbia ("District") government employees to become homeowners in the District.

The program shall include:

- (1) A District contribution towards a downpayment;
- (2) A deferred payment loan of up to \$10,000; and
- (3) Housing Finance Agency single-family mortgage financing for qualified applicants.

Sec. 4. Eligibility.

New
Section
45-2223

(a) An applicant shall be eligible for the District of Columbia Government Employer-Assisted Housing Program if the applicant is:

- (1) A District of Columbia government employee; and
- (2) A first-time homebuyer in the District of Columbia.

(b) No more than 1 member of a household shall be eligible for this program.

Sec. 5. Employee savings; District government contribution.

New
Section
45-2224

(a) Each participant in the District of Columbia Government Employer-Assisted Housing Program shall be required to save an agreed upon amount, as set forth in this section, which shall be applied toward the downpayment and closing costs for the housing unit. Each participant shall enter into a housing allowance agreement ("Agreement") with the Department. The Agreement shall set forth the following items:

- (1) The amount to be saved by the employee and the period of time during which the savings shall be accomplished;
- (2) A provision for amendment or termination of the Agreement;
- (3) A penalty for withdrawal of funds or termination of the Agreement prior to settlement of the loan;
- (4) A procedure for refund to the District of the total amount of the value of matching funds contributed by the District on behalf of a participant who has withdrawn from the Agreement, terminated the Agreement, or otherwise failed to purchase the housing unit;
- (5) The total amount of the value of matching funds to be contributed by the District;
- (6) The requirement that the funds provided by the District shall be used only for the purchase of a housing unit that shall be the principal residence of the participant; and
- (7) Any other item that the Department deems necessary.

(b) For each participant in the District of Columbia Government Employer-Assisted Housing Program who sets aside \$2500 under an Agreement with the District, the District shall obligate \$500 in the Financial Management System ("FMS"). The District shall match succeeding participant saving increments of \$2500 with a \$500 obligation in the FMS until the District obligation totals \$1500. Matching contributions by the District shall not exceed \$1500 for any individual participant. The District shall disburse its cash contribution at the time of settlement.

(c) The Mayor shall establish a procedure to allow a participant in the District of Columbia Government Employer-Assisted Housing Program

to save the target amount of money listed in the Agreement through a system of payroll deduction.

(d) An applicant who has saved towards a downpayment prior to entering the program shall also be eligible for the matching contribution upon entering into a housing allowance agreement with the Department.

Sec. 6. Deferred payment loan.

(a) In addition to the assistance provided in section 5(b), the Department shall make available to each participant a deferred payment loan of up to \$10,000 to provide financial assistance for the purchase of a housing unit. The deferred payment loan shall be available only if the housing unit shall be the principal residence of the participant.

(b) Payment of the principal may be deferred until the property is sold, transferred, or ceases to be the principal residence of the participant.

(c) Deferred payment loans may be secured by a second deed of trust on the subject property.

(d) The deferred payment loan may not be used in conjunction with the Home Purchase Assistance Program ("HPAP") established by the Home Purchase Assistance Fund Act of 1978, effective September 12, 1978 (D.C. Law 2-103; D.C. Code §45-2201 *et seq.*).

(e) The Department may charge interest on the loan if the housing unit is sold within 5 years.

New
Section
45-2225

Sec. 7. Housing Finance Agency Financing.

Section 304 of the Housing Finance Agency Act of 1978, effective March 3, 1979 (D.C. Law 2-135; D.C. Code §45-2124), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "The Agency" and inserting the phrase "Except as provided in subsection (a-1), the Agency" in its place.

(b) A new subsection (a-1) is added to read as follows:

"(a-1) The Agency shall allocate 30% of the funds available in the Single Family Mortgage Purchase Program for at least 90 days from the beginning of the mortgage origination period to provide first-lien mortgage financing to those employees of the Government of the District of Columbia who qualify for deferred payment and matching funds and who participate in the District of Columbia Government Employer-Assisted Housing program pursuant to the District of Columbia Government Employer-Assisted Housing Act of 1992, and who otherwise qualify for HFA financing."

(c) Subsection (b)(2) is amended by adding the phrase "subsection (a-1) and" after the phrase "requirements of".

New
Section
45-2124

Sec. 8. Revolving Fund.

The Home Purchase Assistance Fund Act of 1978, effective September 12, 1978 (D.C. Law 2-103; D.C. Code §45-2201 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Code §45-2201) is amended by adding the phrase "and District of Columbia government employees participating in the District of Columbia Employer-Assisted Housing Program", after the phrase "lower and moderate incomes".

Section
45-2201

(b) Section 3 (D.C. Code §45-2202) is amended by adding the phrase "repayments of principal and any interest on loans provided under the District of Columbia Government Employer-Assisted Housing Program;" after the phrase "interest earned from the deposit or investment of monies of the Fund;".

Section
45-2202

(c) Section 4 (D.C. Code §45-2203) is amended by adding the phrase "and District of Columbia government employees eligible under the District of Columbia Employer-Assisted Housing Program, to purchase a home in the District of Columbia" after the phrase "as his principal place of residence".

Section
45-2203

Sec. 9. Rules.

Note,
Section
22-2221

(a) The Mayor shall, pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code §1-1501 *et seq.*), issue rules within 90 days after the effective date of this act to implement the provisions of this act.

(b) The rules shall include, but not be limited to, the following:

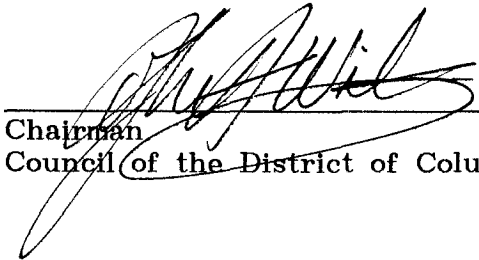
- (1) An application procedure for the District of Columbia Government Employer-Assisted Housing Program;
- (2) A standard for eligibility and selection of District of Columbia Government Employer-Assisted Housing Program applicants; and
- (3) The conditions under which the deferred payment loan may be granted.

(c) 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. Nothing in this section shall affect any requirements imposed upon the Mayor by title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code §1-1501 *et seq.*).

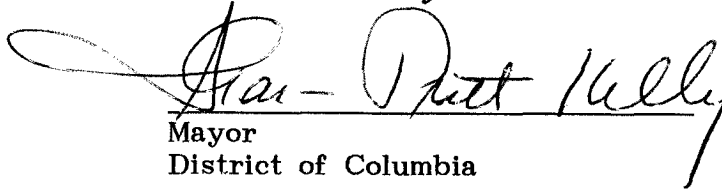
Sec. 10. Effective date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code §1-233(c)(1)), and publication in either the District of Columbia Register, the District of

Columbia Statutes-at-Large, or the District of Columbia Municipal
Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: April 24, 1992



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 9-210

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 3-3-92

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (_____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Phyllis Jones / her
Secretary to the Council

4-10-92
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 4-7-92

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (_____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Phyllis Jones / her
Secretary to the Council

4-10-92
Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____ (_____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date