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No. \_\_\_\_\_

**Legislative Reference Bureau**

AN ACT

Providing for the Home Resiliency Grant Fund, for the Home Resiliency Grant Program and for powers and duties of the Department of Community and Economic Development; and making an appropriation.

INTRODUCED \_\_\_\_\_ 20\_\_\_\_\_

By \_\_\_\_\_ **District NO.** \_\_\_\_\_

By \_\_\_\_\_ **District NO.** \_\_\_\_\_

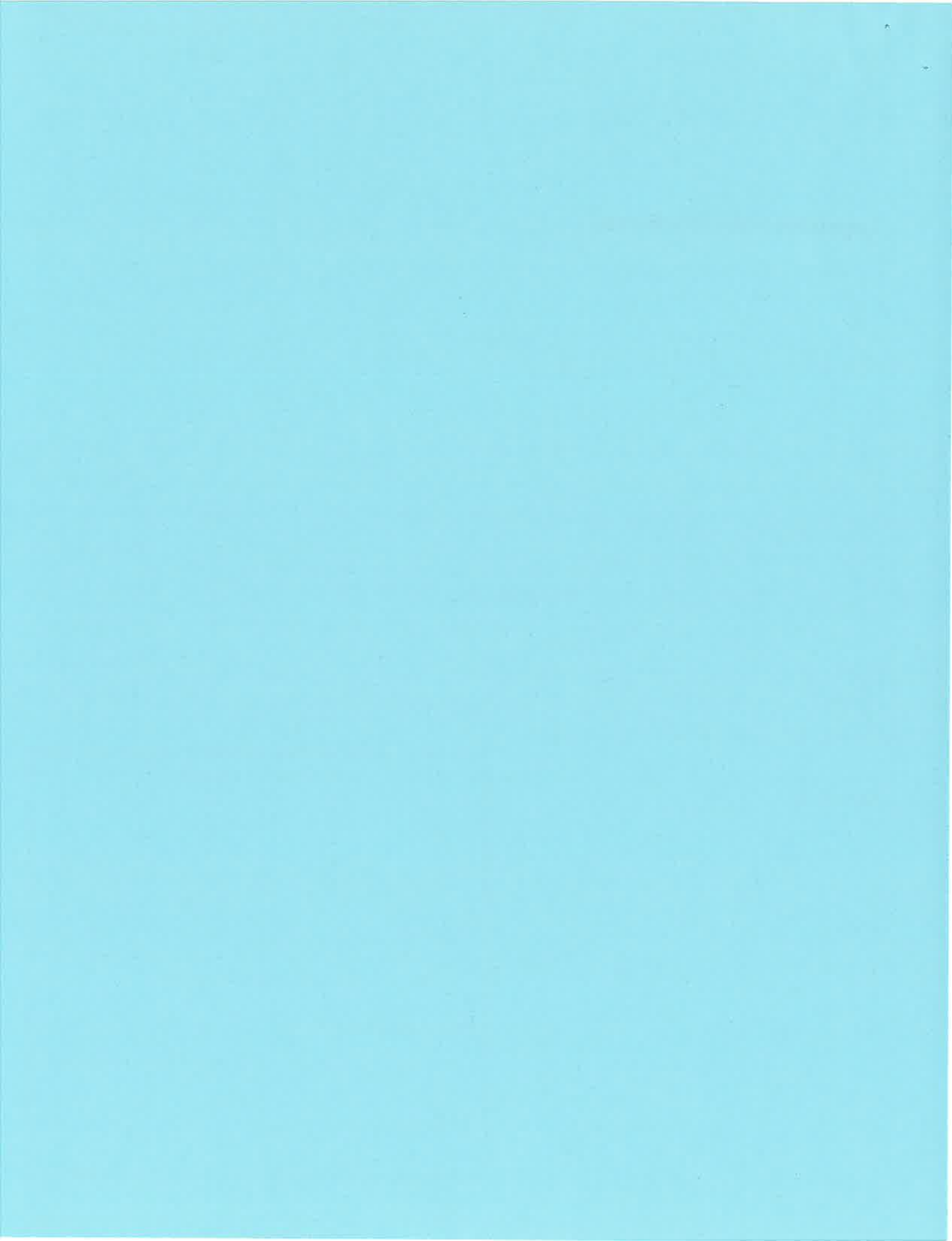
By \_\_\_\_\_ **District NO.** \_\_\_\_\_

By \_\_\_\_\_ **District NO.** \_\_\_\_\_

See next page for additional co-sponsors.

Prior Session \_\_\_\_\_

<b>Referred to Committee on</b>	
<b>Date</b> _____	20_____
<b>Reported</b> _____	20_____
<b>As Committed-Amended</b>	
<b>Recommendation</b>	
_____	
<b>By Hon.</b> _____	



## AN ACT

1 Providing for the Home Resiliency Grant Fund, for the Home  
2 Resiliency Grant Program and for powers and duties of the  
3 Department of Community and Economic Development; and making  
4 an appropriation.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Home  
9 Resiliency Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall  
12 have the meanings given to them in this section unless the  
13 context clearly indicates otherwise:

14 "Affordable rent." Rent and utility costs that do not exceed  
15 the 50% median income rent limits for Low Income Housing Tax  
16 Credit units, published annually by the Pennsylvania Housing  
17 Finance Agency, applicable to the county in which the property  
18 is located.

1 "Affordable unit." A dwelling unit whose rent and utility  
2 costs do not exceed the affordable rent.

3 "Area median income" or "AMI." The median family income for  
4 the metropolitan area or nonmetropolitan county where the  
5 property is located, as published annually by the United States  
6 Department of Housing and Urban Development.

7 "Department." The Department of Community and Economic  
8 Development of the Commonwealth.

9 "Homeowner." A person who has a legal or equitable interest  
10 in the property and occupies the same dwelling place as a  
11 primary residence. The term shall include an occupant who is  
12 purchasing the home under an installment sales contract, an  
13 occupant to whom the home has been conveyed pursuant to an  
14 unrecorded deed, an occupant who is a testate or intestate heir  
15 and an owner-occupant of a manufactured home who leases a space  
16 in a manufactured home community.

17 "Landlord." A person who owns a residential building and who  
18 leases one or more dwelling units therein to a tenant or tenants  
19 for use as a primary residence.

20 "Program." The Home Resiliency Grant Program established  
21 under section 4.

22 "Qualified applicant." A homeowner or landlord who applies  
23 for assistance under the program and who satisfies the  
24 requirements under section 5.

25 "Qualified grantee." A community action agency, low-income  
26 weatherization provider or other county, municipal or nonprofit  
27 corporation that receives a portion of grant funds under the  
28 program.

29 "Very-low-income." Household income that is at or below 50%  
30 of the area median income.

1 Section 3. Home Resiliency Grant Fund.

2 The Home Resiliency Grant Fund is established as a special  
3 fund in the department. Money appropriated under section 12  
4 shall be deposited into the fund to be used exclusively by the  
5 department to award grants to qualified grantees under the  
6 program and for the administrative costs consistent with Federal  
7 law and guidance.

8 Section 4. Home Resiliency Grant Program.

9 (a) Establishment.--The Home Resiliency Grant Program is  
10 established in the department.

11 (b) Duties of department.--The department shall:

12 (1) Provide grants under the program in accordance with  
13 this act to a qualified grantee for the purpose of improving  
14 housing conditions and making safety repairs and improvements  
15 of housing systems of qualifying residences. Repairs and  
16 improvements to housing systems include:

17 (i) Roofing.

18 (ii) HVAC.

19 (iii) Plumbing.

20 (iv) Electrical repairs.

21 (v) Lead mitigation or abatement.

22 (vi) Mold or pest remediation.

23 (vii) Other general upgrades critical to the  
24 habitability of the residence as approved by the  
25 qualified grantee.

26 (2) Utilize existing low-income weatherization providers  
27 as grantees and solicit additional grantees as necessary to  
28 achieve Statewide coverage. The home repairs and improvements  
29 supported by the program shall be coordinated with the  
30 Weatherization Assistance Program.

1 (3) Distribute the grant funds according to a formula  
2 that includes:

3 (i) the number of homeowners living at or below 80%  
4 AMI;

5 (ii) the number of tenants living at or below 50%  
6 AMI;

7 (iii) the number of households that are financially  
8 eligible to receive assistance through the Weatherization  
9 Assistance Program;

10 (iv) the number of homes built prior to 1960; and

11 (v) the number of children with confirmed blood lead  
12 levels of five  $\mu\text{g}/\text{dl}$  or higher.

13 (4) Distribute the grant funds to qualified grantees  
14 within 90 days of the effective date of this section,  
15 evaluate grantee performance annually, and no later than six  
16 months prior to any applicable Federal deadline for spending  
17 the funds, reallocate unobligated funds in order to ensure  
18 the maximum utilization of grant funds.

19 (5) Implement and administer the program in accordance  
20 with Federal law and guidance and monitor grantee  
21 administration of the funds to ensure compliance with  
22 programmatic and eligibility requirements under Federal law  
23 and guidance.

24 (6) Require grantees to collect and report information  
25 as the department deems necessary to comply with the  
26 reporting requirements in section 10.

27 (7) Withhold, recover or reduce grant funds of a grantee  
28 determined to have administered the program in violation of  
29 Federal requirements or the requirements of this act.

30 Section 5. Applicant qualifications.

1 The following shall apply in order to qualify for home  
2 resiliency assistance:

3 (1) The building receiving the improvements must be  
4 occupied and used as a primary residence for a homeowner or a  
5 very-low-income tenant.

6 (2) A qualified applicant:

7 (i) May apply for funds for their primary residence  
8 or for a rental property as provided in this section.

9 (ii) Who is a homeowner must have an annual  
10 household income at or below 80% of the area median  
11 income. A qualified applicant who is a homeowner shall  
12 reside in the property when the application is submitted.

13 (iii) Who is a landlord must rent at least 20% of  
14 the dwelling units in their property to one or more very-  
15 low-income tenants at rents that do not exceed the  
16 affordable rent as defined in section 2, must not have  
17 outstanding tax or municipal claims and must be in  
18 compliance with any and all local rental registration and  
19 licensing requirements. A qualified applicant who is a  
20 landlord shall extend the lease for all affordable units  
21 in the rental property for at least the minimum period of  
22 affordability required under the Federal Home Investment  
23 Partnership Program under 24 CFR 92.252(e) (relating to  
24 qualification as affordable housing: rental housing)  
25 following completion of the improvements and shall lease  
26 the affordable units only to very-low-income households  
27 at rents that do not exceed the affordable rent during  
28 that minimum period of affordability. The requirements of  
29 this subsection shall be recorded against the property by  
30 a deed restriction or mortgage enforceable by the grantee

1 and by very-low-income tenants.

2 (3) All repairs and improvements funded under this act  
3 shall be completed by a qualified grantee or home improvement  
4 contractor who is registered with the Attorney General as  
5 required by the act of October 17, 2008 (P.L.1645, No.132),  
6 known as the Home Improvement Consumer Protection Act. A  
7 qualified grantee or home improvement contractor performing  
8 repairs or improvements with grant funds shall comply with  
9 any and all State and local licensing and certification  
10 requirements and shall have adequate insurance as may be  
11 required by the grantee.

12 (4) The department shall adopt procedures designed to  
13 prevent waste, fraud and abuse in connection with the  
14 administration of grant funds and transmit any information  
15 uncovered relating to fraud during its monitoring of the  
16 expenditure and administration of grant funds to the Attorney  
17 General and the Office of Inspector General. The expenditure  
18 and administration of grant funds shall be subject to  
19 sections 5.1(b), 5.2, 5.3 and 6(k) of the act of July 10,  
20 1986 (P.L.1398, No.122), known as the Energy Conservation and  
21 Assistance Act.

22 (5) A grantee that violates this section shall be  
23 subject to an administrative penalty determined by the  
24 department in addition to any other penalties or causes of  
25 action authorized by law.

26 Section 6. Grant application forms.

27 (a) Development.--The department shall develop a grant  
28 application form for an applicant to apply for a grant under the  
29 program. At a minimum, the grant application form shall contain  
30 the following information:



1 (1) The name, address, contact information and household  
2 income of the applicant or occupant.

3 (2) The number of adults and number of children 18 years  
4 of age or younger residing in the applicant's or occupant's  
5 household and, at the applicant's or occupant's option, the  
6 race, ethnicity and gender of the head of household.

7 (3) The amount of grant money requested under the  
8 program.

9 (4) The proposed use for the grant money requested under  
10 the program.

11 (5) Estimate of the cost of the repairs or improvements,  
12 including an estimate for the work from the grantee or a home  
13 improvement contractor registered with the Attorney General  
14 as required by the act of October 17, 2008 (P.L.1645,  
15 No.132), known as the Home Improvement Consumer Protection  
16 Act.

17 (6) Any other information that the department deems  
18 necessary and appropriate.

19 (b) Submission.--In order to be eligible for the program, an  
20 applicant must submit the grant application form under  
21 subsection (a) to the grantee in a manner prescribed by the  
22 department.

23 Section 7. Audits of grantees and projects.

24 The department may audit grantees and repair and improvement  
25 projects granted under this act. If a project is not completed  
26 within one year of the award of assistance, unless extended by  
27 the department for good cause, the department may require the  
28 grantee to take action to rescind the assistance and require the  
29 full repayment of the assistance.

30 Section 8. Public notice.

1 The department shall provide information regarding the  
2 availability and award of assistance under the program on the  
3 department's publicly accessible Internet website.

4 Section 9. Limitation on award of assistance.

5 Subject to the availability of funding, assistance to a  
6 qualified applicant under the program established under this act  
7 shall not exceed \$24,999 without approval of the department.

8 Section 10. Reports.

9 (a) Preparation.--By December 31 of the year following the  
10 effective date of this act, the department shall prepare a  
11 report that lists the number of applicants and households  
12 receiving assistance under the program, the number of total  
13 applicants, the number of denials, a summary of the most common  
14 reasons for denials, an average cost-per-unit of the repair or  
15 improvement, the total amount awarded in grants, a summary of  
16 the program and demographic data, including race, ethnicity,  
17 gender, range options for income and the number of children  
18 residing in assisted households. Data under this section shall  
19 be made available by census tract and published on the  
20 Pennsylvania Open Data Portal.

21 (b) Publication.--The department shall post the report under  
22 subsection (a) on the department's publicly accessible Internet  
23 website.

24 Section 11. Guidelines.

25 The department may promulgate guidelines for the  
26 implementation and administration of this act.

27 Section 12. Appropriation.

28 The sum of \$150,000,000 is appropriated to the department  
29 from money received by the Commonwealth under Title IX, Subtitle  
30 M, section 9901 of the American Rescue Plan Act of 2021 (Public

1 Law 117-2, 135 Stat. 4) and deposited into the COVID-19 Response  
2 Restricted Account for the purpose of this act. This  
3 appropriation shall not lapse.  
4 Section 13. Effective date.  
5 This act shall take effect immediately.

