

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2239 Session of
2010

INTRODUCED BY BARRAR, BAKER, D. COSTA, CREIGHTON, DENLINGER,
GEIST, GRELL, GROVE, HORNAMAN, KOTIK, MICCARELLI, MOUL,
MUNDY, MURT, O'NEILL, ROCK, SIPTROTH AND VULAKOVICH,
FEBRUARY 2, 2010

REFERRED TO COMMITTEE ON COMMERCE, FEBRUARY 2, 2010

AN ACT

1 Amending the act of December 3, 1959 (P.L.1688, No.621),
2 entitled, as amended, "An act to promote the health, safety
3 and welfare of the people of the Commonwealth by broadening
4 the market for housing for persons and families of low and
5 moderate income and alleviating shortages thereof, and by
6 assisting in the provision of housing for elderly persons
7 through the creation of the Pennsylvania Housing Finance
8 Agency as a public corporation and government
9 instrumentality; providing for the organization, membership
10 and administration of the agency, prescribing its general
11 powers and duties and the manner in which its funds are kept
12 and audited, empowering the agency to make housing loans to
13 qualified mortgagors upon the security of insured and
14 uninsured mortgages, defining qualified mortgagors and
15 providing for priorities among tenants in certain instances,
16 prescribing interest rates and other terms of housing loans,
17 permitting the agency to acquire real or personal property,
18 permitting the agency to make agreements with financial
19 institutions and Federal agencies, providing for the purchase
20 by persons of low and moderate income of housing units, and
21 approving the sale of housing units, permitting the agency to
22 sell housing loans, providing for the promulgation of
23 regulations and forms by the agency, prescribing penalties
24 for furnishing false information, empowering the agency to
25 borrow money upon its own credit by the issuance and sale of
26 bonds and notes and by giving security therefor, permitting
27 the refunding, redemption and purchase of such obligations by
28 the agency, prescribing remedies of holders of such bonds and
29 notes, exempting bonds and notes of the agency, the income
30 therefrom, and the income and revenues of the agency from
31 taxation, except transfer, death and gift taxes; making such
32 bonds and notes legal investments for certain purposes; and

1 indicating how the act shall become effective," further
2 providing for agency powers.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Section 205 of the act of December 3, 1959
6 (P.L.1688, No.621), known as the Housing Finance Agency Law, is
7 amended by adding a clause to read:

8 Section 205. Agency Powers.--The agency shall have the
9 following powers:

10 * * *

11 (22) To train and certify counseling personnel as necessary
12 to administer the provisions of this act. The following shall
13 apply:

14 (i) The agency shall certify counseling personnel for each
15 counseling program it operates or reimburses another entity to
16 operate. Individuals not certified by the agency shall not
17 provide counseling services that are directly or indirectly
18 funded by the agency.

19 (ii) The agency shall keep a record of all persons that it
20 certifies to provide counseling services. The record shall be
21 subject to the provisions of the act of February 14, 2008
22 (P.L.6, No.3), known as the "Right-to-Know Law."

23 (iii) The agency shall adopt guidelines for each counseling
24 program it operates or reimburses another entity to operate. The
25 guidelines shall include criteria for relevant training and
26 precertification examinations, as well as any other criteria for
27 certification the agency may require. The agency may develop
28 precertification training courses and examinations, or it may
29 contract with any outside entity to do so in accordance with
30 agency guidelines.

31 (iv) The agency shall require a minimum of ten hours of

1 precertification training for each counselor it certifies and a
2 minimum ten hours annually of continuing education. If a
3 counselor certified by the agency fails to complete continuing
4 education as required by law or agency guidelines, the agency
5 shall rescind certification.

6 (v) The agency shall refuse to certify an individual unless
7 that individual has passed a precertification examination to the
8 satisfaction of the agency.

9 (vi) The agency shall review the criminal history of each
10 applicant for counseling certification, and it may refuse to
11 certify any applicant in accordance with 18 Pa.C.S. § 9124
12 (relating to use of records by licensing agencies).

13 (vii) The agency may require an applicant for counseling
14 certification or the applicant's employer to obtain the
15 applicant's criminal history record from the Pennsylvania State
16 Police or the agency may require the applicant or the
17 applicant's employer to reimburse the agency for such costs the
18 agency may incur when obtaining the applicant's criminal history
19 record from the Pennsylvania State Police.

20 Section 2. This act shall take effect in 60 days.