



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Department of Community Development

- Permanent Rule
 Emergency Rule

(1) Date of adoption: February 10, 1992 Administrative Order No. 92-02

(2) Purpose:
The purpose of the affordable housing program is to provide financial assistance, and develop and coordinate public and private resources to meet the affordable housing needs of low-income households in the state.

(3) Citation of existing rules affected by this order:
Repealed:
Amended:
Suspended:

(4) Authority for adoption: RCW 43.185
Statute:
Other Authority:

(5.1) **PERMANENT RULE ONLY**
Pursuant to notice filed as WSR 91-24-081 on December 03, 1991 (date).
Describe any changes other than editing from proposed to adopted version:

(5.2) **EMERGENCY RULE ONLY**
Pursuant to RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If yes, explain:

(6) Effective date of rule:
Permanent Rules 31 days after filing Other (specify) _____*
Emergency Rules Immediately Later (specify) _____
*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY
CODE REVISER'S OFFICE
STATE OF WASHINGTON
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NAME (TYPE OR PRINT)
Barbara Gooding
SIGNATURE
Barbara Gooding
DIRECTOR
DATE
2/10/92

Chapter 365-200 WAC

THE AFFORDABLE HOUSING PROGRAM

NEW SECTION

WAC 365-200-010 AUTHORITY. These rules are adopted under the authority of chapter 43.185 RCW which provide that the department shall have the authority to promulgate rules governing the award of grants and loans.

NEW SECTION

WAC 365-200-020 PURPOSE. The purpose of the affordable housing program is to provide financial assistance, and develop and coordinate public and private resources to meet the affordable housing needs of low-income households in the state.

NEW SECTION

WAC 365-200-030 DEFINITIONS. (1) "Affordable housing" means residential housing for rental or private individual ownership which, as long as the same is occupied by low-income households, requires payment of monthly housing costs, including utilities other than telephone, of no more than thirty percent of the family's income.

(2) "Low-income" means a family or household earning eighty percent or lower of county median income.

(3) "Very low income" means a family or household earning fifty percent or lower of county median income.

(4) "Department" means the department of community development.

(5) "Director" means the director of the department of community development.

NEW SECTION

WAC 365-200-040 ELIGIBLE APPLICANTS. Eligible applicants for funding include local governments, local housing authorities, non-profit community or neighborhood-based organizations, and regional or state-wide nonprofit housing assistance organizations.

NEW SECTION

WAC 365-200-050 CONTENT AND CRITERIA FOR APPROVAL OF THE NEEDS ASSESSMENT. The department shall not approve a request for assistance unless it has received and approved a housing needs assessment. The affordable housing needs assessment shall:

(1) Describe the jurisdiction's current needs for housing assistance for very low-income households, low-income households, and special-needs populations;

(2) Estimate the need for a five-year period; and

(3) Contain a strategy to meet the need.

The needs assessment shall:

(a) Contain population demographics including age, race, household income, and household type;

(b) Provide a ten-year summary of population changes and a projection of population changes for the next ten years;

(c) State the number and percentage of persons and households at eighty percent and lower of county median income;

(d) Identify the gap between the number of households at eighty percent of median and the number of affordable rental and for-sale units which are needed;

(e) Identify the amount of average assistance required to close the gap for a household at eighty percent of county median income with not more than thirty percent of household income to be used for housing costs including utilities; and

(f) Contain a description of local existing housing conditions including vacancy rates, average rents, average for-sale house prices, units in need of rehabilitation, units in need of weatherization, and the number of new units in the past five years and their type.

The department may accept a local housing element, a certified comprehensive housing affordability strategy, or a housing assistance plan, if consistent with the provisions of this section. To be approved a plan must contain the number of households at eighty percent or lower of county median income and state the average amount of assistance required per household to enable access to affordable housing at fair market rents or to average sales prices with no more than thirty percent of the household's income, including utilities, and comply with the above requirements.

NEW SECTION

WAC 365-200-060 NOTICE. During each calendar year in which funds are available for use by the department for the affordable housing program the department shall announce to all known interested parties, and through major media throughout the state, a grant and loan application period of at least ninety days duration. This announcement shall be made as often as the director deems appropriate for proper utilization of resources.

NEW SECTION

WAC 365-200-070 ADVICE AND INPUT OF THE LOW-INCOME ASSISTANCE ADVISORY COMMITTEE. With the advice and input of the low-income assistance advisory committee appointed by the director, the department shall develop criteria to evaluate applications for assistance.