



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Department of Community, Trade and Economic Development

- Permanent Rule
- Emergency Rule
- Expedited Rule Making

(1) Date of adoption: July 1, 2001

(2) Purpose: To extend the emergency Rule-Making Order (CR-103) filed on August 15, 2001 while the permanent rule-making process is completed to amend WAC 365-120-080 for the Transitional Housing, Operating and Rent (THOR) program. We expect the permanent rule to be adopted on January 8, 2001.

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

Repealed:
 Amended: WAC 365-120-080
 Suspended:

(4) Statutory authority for adoption: RCW 43.63A, RCW 63A.650, and E2SHBa 1493 (Chapter 267, Laws of 1999.)
Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR _____ on _____ (date).
 Describe any changes other than editing from proposed to adopted version:

EMERGENCY RULE ONLY

Under 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: This amendment increases local flexibility for grant management and expands the scope of assistance to homeless families with children. THOR contracts in 31 counties were effective on July 1, 2001. The CR 101 and 102 has been filed, and a public hearing is scheduled on January 8, 2002. Since the existing Emergency 103 expires on December 15, 2001, the emergency rule needs to be extended until the permanent rule is adopted.

(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) _____*

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

- Emergency Rules**
- Immediately
 - Later (specify) 12-15-01

CODE REVISER USE ONLY

DEC 24 2001

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WSR 02-02-034

Name (Type or Print)
Martha Choe

Signature
Martha Choe

Title: Director Date: 12-21-01

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

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AMENDATORY SECTION (Amending WSR 00-05-020, filed 2/8/00, effective 3/10/00)

WAC 365-120-080 Eligibility for operating assistance for transitional housing. (1) Projects must provide transitional housing in a structure designed for the targeted population of homeless families with children whose incomes are at or below (~~thirty~~) fifty percent of the area median income.

(2) Operating subsidies shall not exceed (~~thirty~~) fifty percent of the project's core operating budget for the year.

(3) Rents shall not exceed thirty percent of the income of the targeted population.