

COMMUNITY AFFAIRS

(a)

NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY

New Jersey Housing and Mortgage Finance Agency Rules

Adopted Amendments: N.J.A.C. 5:80-1.3, 26.16, and 33.2

Proposed: May 6, 2019, at 51 N.J.R. 527(a).
 Adopted: August 30, 2019, by the New Jersey Housing and Mortgage Finance Agency, Charles A. Richman, Executive Director.

Filed: August 30, 2019, as R.2019 d.104, without change.
 Authority: N.J.S.A. 55:14K-5.g.
 Effective Date: October 7, 2019.
 Expiration Date: September 14, 2024.

Summary of Public Comment and Agency Responses:

The Agency received one comment from Jean Public as follows:

1. COMMENT: The commenter states that "[the] proposal needs to include more informa[t]ion on how to help autistic kids who have grown up who need housing. [T]heir parents cannot take care of them anymore and have exhaus[t]ed all their money on those kids and when they pass 21 or so they will need housing in some cases."

2. COMMENT: The commenter further states that "we need to provide for those kids injured by vaccines."

3. COMMENT: The commenter also states that she "think[s] [A]merican citizens deserve the only help that is given. think illegal immigrants should be deported and not get any housing from [A]merican citizens taxpayers[sic]. [W]e need to take care of our own, not those who sneak into this country illegally. [N]o housing help for illegal immigrants."

RESPONSE TO COMMENTS 1, 2, AND 3: The comments do not relate to any proposed amendment included in the notice of proposal; the comments, therefore, are beyond the scope of this rulemaking.

Federal Standards Statement

The adopted amendments do not contain any standards or requirements that exceed the standards or requirements imposed by applicable Federal law.

Full text of the adoption follows:

SUBCHAPTER 1. GENERAL PROVISIONS

5:80-1.3 General definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Special needs project" means a project serving special needs populations under the developmental disability housing programs, transitional housing revolving loan programs, shelter plus care programs, HIV/AIDS programs, and similar special needs housing programs, the primary purpose of which is to provide certain types of homes and/or community-based supportive services to individuals and families who are in need of such homes and/or services. Supportive services range across a wide continuum of care and will vary from person to person depending on their particular physical, psychosocial, and/or mental limitations, and may vary for one person over time. Examples of targeted populations that fall within a special needs project are:

1.-9. (No change.)

10. Orphans, children placed in resource family care, children who are wards of the Division of Child Protection and Permanency (CP&P), and children for whom CP&P has care and custody.

SUBCHAPTER 26. HOUSING AFFORDABILITY CONTROLS

5:80-26.16 Household certification and referral; related project information

(a) (No change.)

(b) The administrative agent shall prepare a standard form of certification and shall sign and date one for each household when certified. An initial certification shall be valid for no more than 180 days unless a valid contract for sale or lease has been executed within that time period. In this event, certifications shall be valid until such time as the contract for sale or lease is ruled invalid and no occupancy has occurred. Certifications may be renewed in writing at the request of a certified household for an additional period of 180 days at the discretion of the administrative agent.

1.-4. (No change.)

5. Income does not include benefits, payments, rebates, or credits received under any of the following: Federal or State low-income energy assistance programs, food stamps, payments received for children placed in resource family care, relocation assistance benefits, income of live-in attendants, scholarships, student loans, personal property such as automobiles, lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements, and part-time income of persons enrolled as full-time students. Income, however, does include interest and other earnings from the investment of any of the foregoing benefits, payments, rebates, or credits.

(c)-(l) (No change.)

SUBCHAPTER 33. LOW INCOME HOUSING TAX CREDIT QUALIFIED ALLOCATION PLAN

5:80-33.2 Definitions

The following words and terms, as used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Individuals with special needs" means:

1.-5. (No change.)

6. Youth aging out of resource family care;

7.-12. (No change.)

(b)

~~**NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY**~~

~~**Low Income Housing Tax Credit Qualified Allocation Plan**~~

~~**Adopted Amendments: N.J.A.C. 5:80-33.3 and 33.12**~~

~~Proposed: May 6, 2019, at 51 N.J.R. 528(a).
 Adopted: September 6, 2019, by the New Jersey Housing and Mortgage Finance Agency, Charles A. Richman, Executive Director.~~

~~Filed: September 9, 2019, as R.2019 d.106, without change.
 Authority: N.J.S.A. 55:14K-5.g and 26 U.S.C. § 42.
 Effective Date: October 7, 2019.
 Expiration Date: September 14, 2024.~~

~~**Summary of Public Comments and Agency Responses:**~~

~~Anne Hamlin, New Jersey Housing and Mortgage Finance Agency ("NJHMFA" or "Agency") Director of Tax Credit Services, conducted a public hearing in the boardroom of NJHMFA at 637 South Clinton Avenue, Trenton, New Jersey at 10:00 A.M. on Wednesday, June 5, 2019, at which time and place no persons appeared to testify. Subsequent to the hearing, the hearing officer recommended that no changes be made to the rulemaking based on the hearing; the hearing officer's recommendations were accepted by the Agency. Copies of the transcript of the public hearing are available at the following address: New Jersey Housing and Mortgage Finance Agency, Division of Tax Credit Services, Attn:~~