

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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HOUSE BILL 767  
Committee Substitute Favorable 4/18/05  
Committee Substitute #2 Favorable 5/2/05  
Senate State and Local Government Committee Substitute Adopted 7/5/06

Short Title: Public Housing Authority/Target Incomes. (Public)

Sponsors:

Referred to:

March 17, 2005

1 A BILL TO BE ENTITLED  
2 AN ACT ESTABLISHING TARGET INCOMES FOR PUBLIC HOUSING  
3 AUTHORITIES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 157-29(b) reads as rewritten:

6 "(b) In the operation or management of housing projects, portions of projects, or  
7 other housing assistance programs for persons of low income, an authority shall at all  
8 times observe the following duties with respect to rentals and tenant selection:

9 (1) It may rent or lease dwelling accommodations set aside for persons of  
10 low income only to persons who lack the amount of income that is  
11 necessary (as determined by the housing authority undertaking the  
12 project) to enable them, without financial assistance, to live in decent,  
13 safe, and sanitary dwellings, without overcrowding; and

14 (2) It may rent or lease dwelling accommodations to persons of low  
15 income only at rentals within the financial reach of such persons.

16 ~~(3) In the administration of its waiting lists, it shall adopt a preference for~~  
17 ~~households with incomes of less than thirty percent (30%) of the area~~  
18 ~~median income.~~

19 (3a) It shall comply with the following targeting requirements:

20 a. Not less than forty percent (40%) of the families admitted to its  
21 public housing program from its waiting list in its fiscal year  
22 shall be extremely low-income families with incomes at or  
23 below thirty percent (30%) of the area median income. For  
24 purposes of this section, this shall be known as the "basic  
25 targeting requirement".

26 b. To the extent provided in subdivision (4a) of this subsection,  
27 the admission of extremely low-income families to its section 8

1           voucher program during the same fiscal year shall be credited  
2           against the basic targeting requirement. For purposes of this  
3           section, "section 8" refers to section 8 of the U.S. Housing Act  
4           of 1937 as amended.

5           c.   If admissions of extremely low-income families to its section 8  
6           voucher program during its fiscal year exceeds seventy-five  
7           percent (75%) of the minimum targeting requirement for its  
8           section 8 voucher program, the excess shall be credited against  
9           its basic targeting requirement for the same fiscal year.

10          d.   The fiscal year credit for section 8 voucher program admissions  
11          that exceeded the minimum section 8 voucher program  
12          targeting requirement shall not exceed the lower of the  
13          following:

14           1.   Ten percent (10%) of its waiting list admissions during  
15           its fiscal year.

16           2.   Ten percent (10%) of waiting list admissions to its  
17           section 8 tenant-based assistance program during its  
18           fiscal year.

19           3.   The number of qualifying low-income families who,  
20           during the fiscal year, commence occupancy of its public  
21           housing units that are located in census tracts with a  
22           poverty rate of thirty percent (30%) or more. For  
23           purposes of this sub-sub-subdivision, qualifying  
24           low-income family means a low-income family other  
25           than an extremely low-income family.

26          ~~(4)   An authority shall take applications on a continuous basis from~~  
27          ~~persons meeting the preference listed in this section and shall not close~~  
28          ~~the application process to these persons. Any additional local~~  
29          ~~preferences shall not take priority over the preference in this section.~~

30          (4a) Its targeting requirement for tenant-based assistance shall ensure that  
31          not less than seventy-five percent (75%) of the families admitted to its  
32          tenant-based voucher program from its waiting list during its fiscal  
33          year shall be extremely low-income families with incomes at or below  
34          thirty percent (30%) of the area median income."

35          **SECTION 2.** This act is effective when it becomes law.