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Housing

The Setting of Maximum Income Limits by Local Authorities

Sec. 8-45-1. Definitions

For the purposes of sections 8-45-2 to 8-45-7, inclusive, the following definitions shall apply:

(1) "Authority" means a housing authority under chapter 128 of the general statutes.

(2) "Project" means a state-aided rental housing project.

(3) "Family" means (a) a cohesive social unit consisting of two or more persons usually related by blood or marriage who have lived together in the past and who may customarily be expected to live together for a sustained future period and whose incomes may be expected to be shared for purposes of meeting the expenses of maintaining the household; (b) a single male sixty years of age or over; (c) a single female fifty-five years of age or over, or (d) the remaining member of a tenant family.

(4) "Dependent" means a member of a family, except a wife living with her husband, whom one or more of the remaining members are legally or morally obligated to support and over one-half of whose support is being furnished by such remaining members.

(5) "Family income" means the aggregate annual income of all members of a family from whatever source derived before taxes or other deductions excluding ***:

(a) *Seventy-five per cent of the total annual income of each working member of the family, other than the principal wage earner and spouse, who has not reached his or her twenty-first birthday anniversary at the beginning of the calendar year under consideration;*

(b) *Total annual income of each working member of the family, other than the principal wage earner and spouse, enrolled in, and regularly attending as a full-time day, evening or night student, for a period of at least four months during the calendar year under consideration, any duly accredited, public or private university, college, school or institution of learning, training or education;*

(c) *Total annual income of each working member of the family, other than the principal wage earner, but including the spouse, who, during the calendar year under consideration, has expended for the benefit and care of any member of the "Family" as defined in these regulations more than thirty per cent of said total annual income for medical expenses, including hospital and convalescent home costs, doctors, dentists and nurses' bills and amounts paid for medicine and drugs;*

(d) *Aggregate annual income of all working members of the family, other than the principal wage earner, up to a maximum of fifteen hundred dollars, subject to the following conditions: (1) This exclusion shall be effective and operative only in respect to those aggregate annual incomes of family members which are not included in any other of the exclusions provided for under this subdivision; and (2) this exclusion shall be considered and construed to be established and provided in the place of and in lieu of all aggregate annual family income allowances of a similar nature up to the same dollar amount as heretofore approved by the state for a local housing authority; however, all dollar allowances in excess of that provided for herein for the same purpose shall be considered and construed to be in addition to and not in lieu of the fifteen hundred dollar limitation set forth in this exclusion.*

(Effective May 7, 1968.)

(See G.S. §§ 8-47, 8-72; 1969 Supp. § 8-45)

Sec. 8-45-2. Determination of income limit

The income limit for admission of a family to a dwelling unit in any project of an authority shall be a specified dollar amount of family income plus a specified dollar allowance for each dependent as determined by the authority with the approval of the public works commissioner. The income limit for continued occupancy by a family of any such dwelling unit shall be the income limit for admission plus a specified percentage thereof so determined.

Sec. 8-45-3. Income limits to confine projects to families unable to rent adequate accommodations

Each income limit aforesaid shall be fixed at a level which will make the dwelling units in the project or projects of an authority available only to families who are unable to rent adequate accommodations without state financial assistance as provided for by the moderate rental housing provisions of chapter 128 of the general statutes.

Sec. 8-45-4. Income qualification for admission to project. Exception

(a) No family shall be admitted to a dwelling unit in any project of an authority or be permitted to continue to occupy any such dwelling unit whose family income exceeds, respectively, the income limit for admission to such dwelling unit or the income limit for continued occupancy thereof.

(b) Notwithstanding the provisions of subsection (a) of this section, an authority may, with the approval of the public works commissioner, admit families facing eviction from a low rental project of the authority because of overincome to any project of the authority in which there is an undue number of vacancies, provided each such family's income shall be within the income limit for continued occupancy thereof.

Sec. 8-45-5. Information to be furnished commissioner

Each authority shall submit to the public works commissioner at such times and on such forms as shall be prescribed by the commissioner the following information:

- (1) The latest average wage as computed by the state labor commissioner for the municipality served by the authority;
 - (2) the number of vacancies in each project owned and operated by it;
 - (3) the number of applications for admission to each of the authority's projects refused because of income disqualifications;
 - (4) a statement of its proposed income limits for admission to and continued occupancy of the dwelling units in its project or projects, and
 - (5) such additional information and such confirming documents as the public works commissioner shall prescribe.
- (See G.S. § 8-47.)

Sec. 8-45-6. Effective date of income limit

Each income limit proposed by an authority in accordance with section 8-45-5 shall become effective upon its approval by the public works commissioner and thereafter shall continue to remain in effect until superseded by a new income limit proposed by the authority in accordance with said section 8-45-5 and approved by the public works commissioner.

Sec. 8-45-7. Action under prior proposals to be effective

Each income limit fixed by an authority prior to or after October 22, 1957, with the approval of the public works commissioner pursuant to any proposal made prior

to said date by such authority shall be effective in all respects as though proposed by the authority pursuant to section 8-45-5.

Waiting Lists

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Sec. 8-45-8. Applicability

Pursuant to Section 8-45, of the Connecticut General Statutes, these criteria and procedures apply to each housing authority in the State of Connecticut, or to the Commission of Housing acting as a housing authority, or any agent, servant or independent contractor acting on behalf of a housing authority or the Commissioner of Housing in the role of a housing authority.

(Effective January 22, 1986)

Sec. 8-45-9. Definitions

(a) "Commissioner" means the Commissioner of Housing.

(b) "Department" means the Connecticut Department of Housing.

(c) "HUD" means the United States Department of Housing and Urban Development.

(d) "The Participating Municipality" means a municipality in which a Housing Project is located, or in which the project is within the area of Operation of its local housing authority area.

(e) "A public record" means, inter alia, any recorded data or information relating to the conduct of the public business prepared, owned, used or retained by the housing authority.

(f) "Authority" or "Housing Authority" means any of the public corporation created by Section 8-40 and the Commissioner of Housing, when exercising the powers of a housing authority pursuant to chapter 129.

(Effective January 22, 1986)

Sec. 8-45-10. Requirements

Each housing authority shall provide a receipt to each applicant for admission to its projects starts the time and date of application together with the applicant's name or identifying number, and shall create, maintain and revise a list of such applications as herein after provided.

(Effective January 22, 1986)

Sec. 8-45-11. How lists are created

Each housing authority shall create a list of housing applicants by combining or merging relevant information from each and every applicant on file substantially as follows:

The list could be created by giving the applicants a number and subdividing the list in accordance with the number of bedrooms needed by the applicant.

(Effective January 22, 1986)

Sec. 8-45-12. Maintenance of lists

Each such authority shall keep and maintain all public lists including revisions of such lists in its custody at its regular office or place of business in an accessible place and, if there is no such office or place of business, such list or lists shall be kept in the office of the clerk of the political subdivision in which such authority is located or of the Secretary of the State, as the case may be. Said list or lists and

revisions thereto, shall be available in the office for the Commissioner of Housing upon request.

(Effective January 22, 1986)

Sec. 8-45-13. Revision of lists

Each Authority shall revise each such list or lists from time to time, and not less than once each year. Revision means an act of revising. Revise means to review or look over the list again for the purpose of amending, deleting, or correcting to produce inter alia, a timely, relevant and up-to-date revision.

(Effective January 22, 1986)

Sec. 8-45-14. Interpretation

Within its area of operation, each such Authority shall use its list or lists of applications to fill vacant housing dwelling units.

(Effective January 22, 1986)

Sec. 8-45-15. Access to waiting lists

(a) A waiting list shall be a public record as defined by Section 1-18a, C.G.S. Every person shall have a right to inspect such lists promptly during regular office or business hours, or to receive a copy of such lists in accordance with the provisions of the state's Freedom of Information Act, Connecticut General Statutes, Section 1-19 et seq.

(b) Any person denied the right to inspect or copy waiting lists, may appeal therefrom, within thirty days, to the Freedom of Information Commission, by filing a notice of appeal with said commission in accordance with Connecticut General Statutes Section 1-21i (b).

(Effective January 22, 1986)