

TABLE OF CONTENTS

**Independent Living for Handicapped and
Developmentally Disabled Persons**

Definitions	8-119t-1
Program description	8-119t-2
Eligible developers	8-119t-3
Eligible activities	8-119t-4
Application process	8-119t-5
Contract for financial assistance	8-119t-6
Reporting and access to records	8-119t-7
Fiscal compliance and examination	8-119t-8

Independent Living for Handicapped and Developmentally Disabled Persons

Sec. 8-119t-1. Definitions

The following Definitions apply to Section 8-119t-1 through 8-119t-8 of the Regulations of Connecticut State Agencies:

(1) “Commissioner” means the Commissioner of Economic and Community Development.

(2) “Comprehensive Housing Affordability Strategy” means the planning document described in 42 United States Code Section 12705 or the planning document of general applicability in the State with respect to housing and community development which is determined by the Commissioner to constitute the successor to the planning document described in 42 United States Section 12705.

(3) “Department” means the Department of Economic and Community Development.

(4) “Financial assistance” means grants provided to statewide, private, nonprofit housing development corporations pursuant to Section 8-119t of the Connecticut General Statutes.

(5) “Handicapped and developmentally disabled persons” means any persons who are physically or mentally handicapped including but not limited to, mentally retarded, physically disabled, sensory impaired and autistic persons.

(6) “Low and moderate income” means persons whose income does not exceed one hundred percent (100%) of the area median income, adjusted for family size, as determined from time to time by the United States Department of Housing and Urban Development.

(7) “Nonprofit housing development corporation” means a nonprofit corporation that may conduct business statewide, incorporated pursuant to Chapter 600 of the Connecticut General Statutes, having as one of its purposes the construction, rehabilitation, ownership or operation of housing and having articles of incorporation approved by the Commissioner.

(Effective February 9, 1996)

Sec. 8-119t-2. Program description

(a) The Commissioner may enter into a contract with an eligible statewide, private nonprofit housing development corporation for financial assistance in the form of a grant to facilitate the development of small non-institutionalized living units for low and moderate income handicapped and developmentally disabled persons.

(b) The Commissioner may waive any nonstatutory requirements imposed by Section 8-119t-1 to Section 8-119t-8, inclusive, of these regulations. Requests for a waiver shall be in writing, addressed to the commissioner. Such waiver may only be granted with sufficient evidence that:

(1) the literal enforcement of such provision or provisions provide for exceptional difficulty or unusual hardship not caused by the recipient;

(2) the benefit to be gained by waiver of the provision or provisions is clearly outweighed by the detriment which shall result from enforcement;

(3) the waiver is in harmony with conserving public health, safety and welfare; and

(4) the waiver is in the best interest of the state.

(Effective February 9, 1996)

Sec. 8-119t-3. Eligible developers

A nonprofit housing development corporation shall:

(1) Submit an endorsed certificate of incorporation certified by the Secretary of State, which includes the articles of incorporation, that state that it is organized and operating to expand independent living opportunities for low and moderate income handicapped and developmentally disabled persons;

(2) Submit a certificate of good standing certified by the Secretary of State;

(3) Submit a list of independent living housing projects which it has developed, owned or managed;

(4) Submit a statement authorizing the Commissioner to apply for a credit report; and

(5) Inform the Department, in writing, of the corporation's principal place of business.

(Effective February 9, 1996)

Sec. 8-119t-4. Eligible activities

The Commissioner is authorized to extend financial assistance in the form of a grant to eligible statewide nonprofit housing development corporations for administrative expenses and technical assistance, including but not limited to:

(1) preproject development costs, costs associated with the preparation of applications for federal funds, site acquisition and architectural review costs;

(2) general operating expenses including rent, utilities, supplies, telephone, postage, printing, travel and insurance;

(3) benefits and salaries of the nonprofit corporation's staff;

(4) the provision of technical assistance services to developers involved in the development of housing for low and moderate income handicapped and developmentally disabled persons;

(5) other personal and consulting services related to the acquisition, construction and/or rehabilitation of housing for handicapped and developmentally disabled persons; and

(6) community outreach.

(Effective February 9, 1996)

Sec. 8-119t-5. Application process

(a) The Commissioner may solicit or accept applications for financial assistance from eligible statewide nonprofit housing development corporations.

(b) As part of the application and approval process, the statewide nonprofit housing development corporation shall be required to furnish the following:

(1) Certification of the nonprofit corporation's eligibility, as defined in Section 8-119t-2 of the regulations of Connecticut State Agencies;

(2) A copy of the nonprofit housing development corporation's budget listing all revenue by source, as well as expenses to be supported by the proposed grant; and

(3) A description and timetable of the nonprofit corporation's present and projected activities involving the project to be undertaken.

(c) Applications shall be evaluated and approved or rejected by the Commissioner based on the following rating and ranking criteria:

(1) Sponsor Capacity - Maximum 60 points

Includes but is not limited to: the nonprofit corporation's past performance in developing, completing, or managing, affordable independent living housing developments; its past performance under other Department of Housing or Connecticut

Housing Finance Authority programs; its administrative and financial capacity; and leveraging of other federal or state funds.

(2) Project Capacity - Maximum 40 points

Includes but is not limited to: conformance with any needs identified in the State's Comprehensive Housing Affordability Strategy.

(d) The minimum threshold points that an applicant shall have to be considered for funding is fifty (50). Funding shall be provided based on the highest ranking and working downward until applications requesting financial assistance equal the amount of funds available. If more than one application receives the same score the remaining available funds shall be equally divided between or among the applicants.

(d) The Commissioner may, from time to time, request additional information from the statewide nonprofit housing development corporation.

(Effective February 9, 1996)

Sec. 8-119t-6. Contract for financial assistance

(a) Following approval of an application by the Commissioner, the State, acting by and through the Commissioner, may enter into a contract with a statewide nonprofit housing development corporation for financial assistance.

(b) Such contract shall include, but not be limited to, the amount of the grant to be provided, the term of the contract and the rights and obligations of the parties under the contract.

(Effective February 9, 1996)

Sec. 8-119t-7. Reporting and access to records

(a) A statewide nonprofit housing development corporation shall maintain complete and accurate records, in accordance with the latest procedures approved by the Commissioner.

(b) A statewide nonprofit housing development corporation shall furnish the Commissioner with financial statements and other reports relating to the development and operation of the project as well as information regarding the households being served, in such detail, and at such times, as the Commissioner may require.

(c) A statewide nonprofit housing development corporation shall, annually, provide income and racial data on all households entering a housing development which results from the use of financial assistance provided under this program. Such data shall cover the period through September thirtieth and shall be provided on all households entering a housing development and those occupying the development during the year or as determined by the Commissioner.

(Effective February 9, 1996)

Sec. 8-119t-8. Fiscal compliance and examination

A statewide nonprofit housing development corporation receiving financial assistance under this program shall be subject to an examination of all books and records related to the project. Examinations shall be performed by independent public accountants registered to practice in the State of Connecticut, or by qualified department personnel. All examinations shall be performed in accordance with procedures established by the Department.

(Effective February 9, 1996)