

**DANE COUNTY BOARD OF SUPERVISORS
2019 CAPITAL BUDGET AMENDMENT**

Amendment #	P&F-C-01		
Sponsor/Committee:	Supervisor Wegleitner, Clausius		
Oversight Committee Action:			
Personnel & Finance Action:			
Narrative Page:	Page 664		
Department:	Administration		
Program:	Administration Capital Projects		
Motion: (revenue/expenditure/text effect)	Increase expenditures and borrowing proceeds by \$3 million for the Affordable Housing Development Fund to fund more affordable housing projects and add the following language to 2018 RES-256: "The capital budget includes \$6 million in funding for the Affordable Housing Development Fund. One goal of the AHDF will be that up to 30% of the funds will support projects outside the City of Madison."		
Program Effect:			
FTE Effect:	-		
Line Item Detail (not required for introduction, attach additional listing if necessary)			
Org	Object	DESCRIPTION:	Amount
CPADMIN	58720	Affordable Housing Development Fund	\$3,000,000
CPADMIN	84974	Borrowing Proceeds	\$3,000,000
Intent/Justification			
<p>According to Dr. Kurt Paulsen's 2015 Report, "Housing Needs Assessment: Dane County and Municipalities" over 22,000 very low income households pay more than 30% on rent. Over 12,000 very low income households pay more than 50% of their income in rent in Dane County, of those 2,200 are seniors. There is a gap of 11,414 units of affordable housing for households at 30% of area median income (AMI) or less and a gap of 5,800 units for households at 50% AMI or less. In 2018, Dane County doubled the number of units it had previously created in prior funding years. In 2018, Dane County received \$6.3M in requests for funding from the Affordable Housing Development Fund, but only \$3M was authorized in the 2018 Capital Budget. With double the funding authorization, Dane County can make more progress in closing the significant housing gap that persists.</p>			
NET GPR EFFECT:			<u> \$0 </u>

**DANE COUNTY BOARD OF SUPERVISORS
2019 CAPITAL BUDGET AMENDMENT**

Amendment #	P&F-C-02		
Sponsor/Committee:	Supervisor Wegleitner		
Oversight Committee Action:	Personnel and Finance		
Personnel & Finance Action:			
Narrative Page:	Page 664		
Department:	Administration		
Program:	Affordable Housing Development Fund		
Motion: (revenue/expenditure/text effect)	to add Appendix A to 2018 RES-256. Appendix A specifies RFP and contracting requirements for the Affordable Housing Development Fund.		
Program Effect:			
FTE Effect:	-		
Line Item Detail (not required for introduction, attach additional listing if necessary)			
Org	Object	DESCRIPTION:	Amount
Intent/Justification			
<p>Dane County has an obligation to affirmatively further fair housing and eliminate impediments to fair housing. Making more units accessible to homeless individuals on the community-wide Priority List and improving screening criteria are critical strategies to promote fair housing in County funded projects. Dane County also supports positive landlord-tenant relations and seeks to invest in housing projects which will respect the rights of tenants and prevent the exploitation of tenants. Minimum standards in Dane County funded housing projects will ensure that funded projects are not unfairly denying access to housing and protecting tenants from landlord abuses. All RFPs for affordable housing development funding in 2019, including AHDF, CDBG, and HOME, and all contracts awarded pursuant to the same shall include the following, which shall be binding on the recipients and its agents, successors, and assigns.</p>			
NET GPR EFFECT: _____			

Appendix A to 2018 RES-256

Advancing Fair Housing and Tenant Protections to Promote Housing Access and Stability in Dane County Funded Housing Projects

Personnel & Finance Committee Operating Amendment

Dane County has an obligation to affirmatively further fair housing and eliminate impediments to fair housing. Making more units accessible to homeless individuals on the community-wide Priority List and improving screening criteria are critical strategies to promote fair housing in County funded projects. Dane County also supports positive landlord-tenant relations and seeks to invest in housing projects which will respect the rights of tenants and prevent the exploitation of tenants. Minimum standards in Dane County funded housing projects will ensure that funded projects are not unfairly denying access to housing and protecting tenants from landlord abuses. All RFPs for affordable housing development funding in 2019, including AHDF, CDBG, and HOME, and all contracts awarded pursuant to the same shall include the following, which shall be binding on the recipients and its agents, successors, and assigns.

1. Designated Units for Individuals and Families on Community-wide Priority List for Housing. Projects must target at least 12% of their units for individuals or families on the Community-wide Priority List for Housing maintained by the Homeless Services Consortium of Dane County. If the project is designated for families, but there are no families on the Priority List at the time of leasing, the unit shall be set aside for a household on the individuals' (aka singles) Priority List. These targeted units shall be filled by the Housing Placement Groups of the Homeless Services Consortium.

2. Tenant Selection and Admissions Process.

I. Projects must submit detailed tenant selection plans and certify that their screening criteria is designed to affirmatively further fair housing and does not disproportionately deny access to any protected class in Dane County. To that end, the screening policies shall be prohibited from denying applicants based on the following:

- a. Inability to meet a minimum income requirement;
- b. Lack of housing history;
- c. Credit score;
- d. Information on credit report that is disputed, in repayment, or unrelated to a past housing or utility (gas, electric, and water only) obligation.

- e. Inability to meet financial obligations other than housing and utilities necessary for housing quality (gas, electric, water)
- f. Owing money to a prior landlord or negative rent payment history if the tenant's housing and utility costs were more than 50% of their monthly income.
- g. Owing money to a prior landlord or negative rent or utility payment history if applicant does one of the following: (1) establishes a regular record of repayment of the obligation;(2) signs up for automatic payment of rent to the housing provider; or (3) obtains a representative payee.
- h. Wisconsin Circuit Court Access (aka CCAP) records;
- i. Criminal record, except if the program or project is federally assisted, criminal activity for which federal law requires denial.
- j. Membership in a class protected by Dane County fair housing ordinances and non-discrimination ordinances in the municipality where the project is located.

II. Prior to a denial based on a criminal record, the housing provider will provide the applicant a copy of the criminal record and an opportunity to dispute the accuracy and relevance of the report.

III. Prior to a denial based on a criminal record, the housing provider shall provide the applicant the opportunity to exclude the culpable family member as a condition of admission of the remaining family members.

IV. Prior to a denial decision, the housing provider shall meet with the applicant to review their application and make an individualized determination of their eligibility, considering all relevant circumstances of the case, including (a) factors identified in the provider's own screening policies, (b) if applicable, federal regulations, © and whether the applicant has a disability that relates to concerns with their eligibility and an exception to the admissions rules, policies, practices, and procedures are necessary as a reasonable accommodation of the applicant's disability.

V. Denial decisions shall be based on sufficient evidence. See HUD Notice PIH 2015-19. An arrest record or police incident report is not sufficient evidence. Uncorroborated hearsay is not sufficient evidence.

VI. Denial notices shall include the following:

- a) the reason for denial with details sufficient for the applicant to prepare a defense, including:
 - i) the action or inaction forming the basis for the denial,
 - ii) who participated in the action or inaction,

iii) when the action or inaction was committed, and

iv) the source(s) of information relied upon for the action or inaction.

b) Notice of the applicant's right to the copy of their application file, which shall include all evidence upon which the denial decision was made.

c) Notice of the applicant's right to copies of the housing provider's screening criteria

d) Notice of the right to request an in-person hearing on the denial decision by making a written request for a hearing within 45 days. The person conducting the hearing must be a person who was not involved or consulted in making the denial decision nor a subordinate of such a person so involved.

3. **Late Fees.** Project property management must not charge late fees more than 5% of the tenant's portion of the monthly rent.
4. **Penalty Fees.** Project property management shall not use leases which include unreasonable penalty fees. All fees, except for late fees addressed in this section, set forth in a lease must be directly related to the cost for a specific amenity or service provided to the tenant.
5. **Security Deposits.** Project property management must not charge a security deposit more than one month's rent.
6. **Reasonable Guest Rules.** Tenants have the right to have guests. In the event the property management establishes rules related to guests, they must be reasonable. Should the property management wish to ban a guest of a tenant from the rental premises, it shall provide the tenant and the guest with notice and the right to dispute the ban at an in-person meeting.
7. **Rights of Youth to Access Common Spaces.** Project property management shall not establish rules that unreasonably restrict the rights of youth under the age of 18 to use and enjoy common areas without supervision.