

1                                   **HOUSING AUTHORITY APPLICATION PROCESS**

2   2011 GENERAL SESSION

3   STATE OF UTAH

4   **Chief Sponsor: Gage Froerer**

5   Senate Sponsor: Stuart C. Reid

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7   **LONG TITLE**

8   **General Description:**

9           This bill provides for the creation of a uniform online application for the housing choice  
10 voucher program when there are two or more housing authorities in a first or second  
11 class county.

12 **Highlighted Provisions:**

13           This bill:

14           ▶ provides that if there are two or more housing authorities established in a county of  
15 the first or second class, then those authorities shall create a uniform online  
16 application for their housing choice voucher program with links to each of the  
17 housing authorities within the county; and

18           ▶ makes certain technical changes.

19 **Money Appropriated in this Bill:**

20           None

21 **Other Special Clauses:**

22           None

23 **Utah Code Sections Affected:**

24 AMENDS:

25           **9-4-609**, as last amended by Laws of Utah 2003, Chapter 95

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27 *Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section ~~9-4-609~~ is amended to read:

29 **9-4-609. Powers of housing authority.**

30 (1) Each authority [~~shall have~~] has perpetual succession and all the powers necessary  
31 [~~or convenient~~] to carry out and effectuate the purposes and provisions of this part.

32 (2) [~~Any~~] An authority may:

33 (a) sue and be sued;

34 (b) have a seal and alter it;

35 (c) make and execute contracts and other instruments necessary [~~or convenient~~] to the  
36 exercise of its powers;

37 (d) make, amend, and repeal bylaws and rules;

38 (e) within its area of operation, prepare, carry out, and operate projects and provide for  
39 the acquisition, construction, reconstruction, rehabilitation, improvement, extension, alteration  
40 or repair of any project;

41 (f) undertake and carry out studies and analyses of housing needs within its area of  
42 operation and ways of meeting [~~these~~] those needs, including data with respect to population  
43 and family groups and its distribution according to income groups, the amount and quality of  
44 available housing, including accessible housing, and its distribution according to rentals and  
45 sales prices, employment, wages and other factors affecting the local housing needs and  
46 meeting these needs;

47 (g) (i) make the results of studies and analyses available to the public and the building,  
48 housing, and supply industries; and

49 (ii) engage in research and disseminate information on housing programs;

50 (h) utilize, contract with, act through, assist, and cooperate or deal with any person,  
51 agency, institution, or organization, public or private, for the provision of services, privileges,  
52 works, or facilities, or in connection with its projects;

53 (i) notwithstanding anything to the contrary contained in this part or in any other  
54 provision of law[;];

55 (i) agree to any conditions attached to federal financial assistance relating to the  
56 determination of prevailing salaries or wages or payment of not less than prevailing salaries or  
57 wages or compliance with labor standards in the development or administration of projects[;];

58 (ii) include in any contract awarded or entered into in connection with a project

59 stipulations requiring that the contractor and all subcontractors comply with requirements as to  
60 minimum salaries or wages and maximum hours of labor[;]; and

61 (iii) comply with any conditions attached to the financial aid of the project;

62 (j) lease, rent, sell, or lease with the option to purchase any dwellings, lands, buildings,  
63 structures, or facilities embraced in [~~any~~] a project;

64 (k) subject to the limitations contained in this part with respect to the rental or charges  
65 for dwellings in housing projects, establish and revise the rents or charges [~~therefor~~] for the  
66 dwellings;

67 (l) own, hold, and improve real or personal property;

68 (m) purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise, or  
69 otherwise any real or personal property or any interest in it;

70 (n) sell, lease, exchange, transfer, assign, pledge, or dispose of [~~any~~] real or personal  
71 property or any interest in it;

72 (o) make loans for the provision of housing for occupancy by persons of medium and  
73 low income;

74 (p) make loans or grants for the development and construction of accessible housing;

75 (q) insure or provide for the insurance, in stock or mutual companies, of [~~any~~] real or  
76 personal property or operations of the authority against any risks or hazards;

77 (r) procure or agree to the procurement of government insurance or guarantees of the  
78 payment of any bonds, in whole or in part, issued by the authority, including the power to pay  
79 premiums on [~~any~~] the insurance;

80 (s) invest [~~any funds~~] money held in reserves, sinking funds, or any funds not required  
81 for immediate disbursement in property or securities in which savings banks may legally invest  
82 [~~funds~~] money subject to their control;

83 (t) redeem its bonds at the redemption price established or purchase its bonds at less  
84 than redemption price, with all bonds [~~so~~] that are redeemed or purchased to be canceled;

85 (u) within its area of operation, determine where blighted areas exist or where there is  
86 unsafe, insanitary, or overcrowded housing;

87 (v) make studies and recommendations relating to the problem of clearing, replanning,  
88 and reconstructing blighted areas, and the problem of eliminating unsafe, insanitary, or  
89 overcrowded housing and providing dwelling accommodations and maintaining a wholesome

90 living environment for persons of medium and low income, and cooperate with any public  
91 body or the private sector in action taken in connection with those problems;

92 (w) acting through one or more commissioners or other persons designated by the  
93 authority, conduct examinations and investigations and hear testimony and take proof under  
94 oath at public or private hearings on any matter material for its information;

95 (x) administer oaths, issue subpoenas requiring the attendance of witnesses or the  
96 production of books and papers, and issue commissions for the examination of witnesses  
97 outside the state who are unable to appear before the authority or are excused from attendance;

98 (y) make available to appropriate agencies, including those charged with the duty of  
99 abating or requiring the correction of nuisances or like conditions or of demolishing unsafe or  
100 insanitary structures within its area of operation, its findings and recommendations with regard  
101 to any building or property where conditions exist that are dangerous to the public health,  
102 morals, safety, or welfare; and

103 (z) exercise all or any part or combination of the powers granted under this part.

104 (3) (a) If there are two or more housing authorities established within a county of the  
105 first or second class, then those housing authorities shall create a uniform online application for  
106 the housing choice voucher program with links to each of the housing authorities within the  
107 county.

108 (b) As used in Subsection (3)(a), "housing choice voucher program" means the federal  
109 government's housing assistance program administered by a housing authority, which enables  
110 low-income families, the elderly, and the disabled to secure decent, safe, and sanitary housing  
111 in the private market.

112 [~~3~~] (4) No provision of law with respect to the acquisition, operation, or disposition  
113 of property by other public bodies is applicable to an authority unless the Legislature  
114 specifically states that it is.

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**Legislative Review Note**  
as of 2-9-11 12:09 PM

**Office of Legislative Research and General Counsel**

# FISCAL NOTE

H.B. 489

SHORT TITLE: **Housing Authority Application Process**

SPONSOR: **Froerer, G.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.

2/15/2011, 09:38 AM, Lead Analyst: Wilko, A./Attorney: JLW

Office of the Legislative Fiscal Analyst