

1 **UTAH HOUSING AFFORDABILITY AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4

5 **LONG TITLE**

6 **General Description:**

7 This bill modifies provisions related to affordable housing and the provision of services
8 related to affordable housing.

9 **Highlighted Provisions:**

10 This bill:

- 11 ▶ modifies definitions;
- 12 ▶ modifies the potential uses of a community reinvestment agency's housing
- 13 allocation;
- 14 ▶ modifies the activities that may receive funding from the Olene Walker Housing
- 15 Loan Fund; and
- 16 ▶ makes technical changes.

17 **Money Appropriated in this Bill:**

18 This bill appropriates in fiscal year 2022:

- 19 ▶ to the Department of Workforce Services -- Olene Walker Housing Loan Fund as an
- 20 ongoing appropriation:
- 21 • from the General Fund, \$800,000.

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

- 26 **17C-1-102**, as last amended by Laws of Utah 2020, Chapter 241
- 27 **17C-1-412**, as last amended by Laws of Utah 2020, Chapter 241
- 28 **35A-8-505**, as last amended by Laws of Utah 2020, Chapter 241

29

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

31 Section 1. Section **17C-1-102** is amended to read:

32 **17C-1-102. Definitions.**

33 As used in this title:

34 (1) "Active project area" means a project area that has not been dissolved in accordance
35 with Section 17C-1-702.

36 (2) "Adjusted tax increment" means the percentage of tax increment, if less than 100%,
37 that an agency is authorized to receive:

38 (a) for a pre-July 1, 1993, project area plan, under Section 17C-1-403, excluding tax
39 increment under Subsection 17C-1-403(3);

40 (b) for a post-June 30, 1993, project area plan, under Section 17C-1-404, excluding tax
41 increment under Section 17C-1-406;

42 (c) under a project area budget approved by a taxing entity committee; or

43 (d) under an interlocal agreement that authorizes the agency to receive a taxing entity's
44 tax increment.

45 (3) "Affordable housing" means housing owned or occupied by a low or moderate
46 income family, as determined by resolution of the agency.

47 (4) "Agency" or "community reinvestment agency" means a separate body corporate
48 and politic, created under Section 17C-1-201.5 or as a redevelopment agency or community
49 development and renewal agency under previous law:

50 (a) that is a political subdivision of the state;

51 (b) that is created to undertake or promote project area development as provided in this
52 title; and

53 (c) whose geographic boundaries are coterminous with:

54 (i) for an agency created by a county, the unincorporated area of the county; and

55 (ii) for an agency created by a municipality, the boundaries of the municipality.

56 (5) "Agency funds" means money that an agency collects or receives for agency
57 operations, implementing a project area plan, or other agency purposes, including:

58 (a) project area funds;

59 (b) income, proceeds, revenue, or property derived from or held in connection with the
60 agency's undertaking and implementation of project area development; or

61 (c) a contribution, loan, grant, or other financial assistance from any public or private
62 source.

63 (6) "Annual income" means the same as that term is defined in regulations of the

64 United States Department of Housing and Urban Development, 24 C.F.R. Sec. 5.609, as
65 amended or as superseded by replacement regulations.

66 (7) "Assessment roll" means the same as that term is defined in Section 59-2-102.

67 (8) "Base taxable value" means, unless otherwise adjusted in accordance with
68 provisions of this title, a property's taxable value as shown upon the assessment roll last
69 equalized during the base year.

70 (9) "Base year" means, except as provided in Subsection 17C-1-402(4)(c), the year
71 during which the assessment roll is last equalized:

72 (a) for a pre-July 1, 1993, urban renewal or economic development project area plan,
73 before the project area plan's effective date;

74 (b) for a post-June 30, 1993, urban renewal or economic development project area
75 plan, or a community reinvestment project area plan that is subject to a taxing entity
76 committee:

77 (i) before the date on which the taxing entity committee approves the project area
78 budget; or

79 (ii) if taxing entity committee approval is not required for the project area budget,
80 before the date on which the community legislative body adopts the project area plan;

81 (c) for a project on an inactive airport site, after the later of:

82 (i) the date on which the inactive airport site is sold for remediation and development;
83 or

84 (ii) the date on which the airport that operated on the inactive airport site ceased
85 operations; or

86 (d) for a community development project area plan or a community reinvestment
87 project area plan that is subject to an interlocal agreement, as described in the interlocal
88 agreement.

89 (10) "Basic levy" means the portion of a school district's tax levy constituting the
90 minimum basic levy under Section 59-2-902.

91 (11) "Board" means the governing body of an agency, as described in Section
92 17C-1-203.

93 (12) "Budget hearing" means the public hearing on a proposed project area budget
94 required under Subsection 17C-2-201(2)(d) for an urban renewal project area budget,

95 Subsection 17C-3-201(2)(d) for an economic development project area budget, or Subsection
96 17C-5-302(2)(e) for a community reinvestment project area budget.

97 (13) "Closed military base" means land within a former military base that the Defense
98 Base Closure and Realignment Commission has voted to close or realign when that action has
99 been sustained by the president of the United States and Congress.

100 (14) "Combined incremental value" means the combined total of all incremental values
101 from all project areas, except project areas that contain some or all of a military installation or
102 inactive industrial site, within the agency's boundaries under project area plans and project area
103 budgets at the time that a project area budget for a new project area is being considered.

104 (15) "Community" means a county or municipality.

105 (16) "Community development project area plan" means a project area plan adopted
106 under Chapter 4, Part 1, Community Development Project Area Plan.

107 (17) "Community legislative body" means the legislative body of the community that
108 created the agency.

109 (18) "Community reinvestment project area plan" means a project area plan adopted
110 under Chapter 5, Part 1, Community Reinvestment Project Area Plan.

111 (19) "Contest" means to file a written complaint in the district court of the county in
112 which the agency is located.

113 (20) "Development impediment" means a condition of an area that meets the
114 requirements described in Section 17C-2-303 for an urban renewal project area or Section
115 17C-5-405 for a community reinvestment project area.

116 (21) "Development impediment hearing" means a public hearing regarding whether a
117 development impediment exists within a proposed:

118 (a) urban renewal project area under Subsection 17C-2-102(1)(a)(i)(C) and Section
119 17C-2-302; or

120 (b) community reinvestment project area under Section 17C-5-404.

121 (22) "Development impediment study" means a study to determine whether a
122 development impediment exists within a survey area as described in Section 17C-2-301 for an
123 urban renewal project area or Section 17C-5-403 for a community reinvestment project area.

124 (23) "Economic development project area plan" means a project area plan adopted
125 under Chapter 3, Part 1, Economic Development Project Area Plan.

126 (24) "Fair share ratio" means the ratio derived by:

127 (a) for a municipality, comparing the percentage of all housing units within the
128 municipality that are publicly subsidized income targeted housing units to the percentage of all
129 housing units within the county in which the municipality is located that are publicly
130 subsidized income targeted housing units; or

131 (b) for the unincorporated part of a county, comparing the percentage of all housing
132 units within the unincorporated county that are publicly subsidized income targeted housing
133 units to the percentage of all housing units within the whole county that are publicly subsidized
134 income targeted housing units.

135 (25) "Family" means the same as that term is defined in regulations of the United
136 States Department of Housing and Urban Development, 24 C.F.R. Section 5.403, as amended
137 or as superseded by replacement regulations.

138 (26) "Greenfield" means land not developed beyond agricultural, range, or forestry use.

139 (27) "Hazardous waste" means any substance defined, regulated, or listed as a
140 hazardous substance, hazardous material, hazardous waste, toxic waste, pollutant, contaminant,
141 or toxic substance, or identified as hazardous to human health or the environment, under state
142 or federal law or regulation.

143 (28) "Housing allocation" means project area funds allocated for housing under Section
144 17C-2-203, 17C-3-202, or 17C-5-307 for the purposes described in Section 17C-1-412.

145 (29) "Housing fund" means a fund created by an agency for purposes described in
146 Section 17C-1-411 or 17C-1-412 that is comprised of:

147 (a) project area funds allocated for the purposes described in Section 17C-1-411; or

148 (b) an agency's housing allocation.

149 (30) (a) "Inactive airport site" means land that:

150 (i) consists of at least 100 acres;

151 (ii) is occupied by an airport:

152 (A) (I) that is no longer in operation as an airport; or

153 (II) (Aa) that is scheduled to be decommissioned; and

154 (Bb) for which a replacement commercial service airport is under construction; and

155 (B) that is owned or was formerly owned and operated by a public entity; and

156 (iii) requires remediation because:

157 (A) of the presence of hazardous waste or solid waste; or

158 (B) the site lacks sufficient public infrastructure and facilities, including public roads,
159 electric service, water system, and sewer system, needed to support development of the site.

160 (b) "Inactive airport site" includes a perimeter of up to 2,500 feet around the land
161 described in Subsection (30)(a).

162 (31) (a) "Inactive industrial site" means land that:

163 (i) consists of at least 1,000 acres;

164 (ii) is occupied by an inactive or abandoned factory, smelter, or other heavy industrial
165 facility; and

166 (iii) requires remediation because of the presence of hazardous waste or solid waste.

167 (b) "Inactive industrial site" includes a perimeter of up to 1,500 feet around the land
168 described in Subsection (31)(a).

169 (32) "Income targeted housing" means housing that is owned or occupied by a family
170 whose annual income is at or below 80% of the median annual income for a family within the
171 county in which the housing is located.

172 (33) "Incremental value" means a figure derived by multiplying the marginal value of
173 the property located within a project area on which tax increment is collected by a number that
174 represents the adjusted tax increment from that project area that is paid to the agency.

175 (34) "Loan fund board" means the Olene Walker Housing Loan Fund Board,
176 established under Title 35A, Chapter 8, Part 5, Olene Walker Housing Loan Fund.

177 (35) (a) " Local government building" means a building owned and operated by a
178 community for the primary purpose of providing one or more primary community functions,
179 including:

180 (i) a fire station;

181 (ii) a police station;

182 (iii) a city hall; or

183 (iv) a court or other judicial building.

184 (b) " Local government building" does not include a building the primary purpose of
185 which is cultural or recreational in nature.

186 (36) "Major transit investment corridor" means the same as that term is defined in
187 Section 10-9a-103.

188 (37) "Marginal value" means the difference between actual taxable value and base
189 taxable value.

190 (38) "Military installation project area" means a project area or a portion of a project
191 area located within a federal military installation ordered closed by the federal Defense Base
192 Realignment and Closure Commission.

193 (39) "Municipality" means a city, town, or metro township as defined in Section
194 10-2a-403.

195 (40) "Participant" means one or more persons that enter into a participation agreement
196 with an agency.

197 (41) "Participation agreement" means a written agreement between a person and an
198 agency that:

199 (a) includes a description of:

200 (i) the project area development that the person will undertake;

201 (ii) the amount of project area funds the person may receive; and

202 (iii) the terms and conditions under which the person may receive project area funds;

203 and

204 (b) is approved by resolution of the board.

205 (42) "Plan hearing" means the public hearing on a proposed project area plan required
206 under Subsection 17C-2-102(1)(a)(vi) for an urban renewal project area plan, Subsection
207 17C-3-102(1)(d) for an economic development project area plan, Subsection 17C-4-102(1)(d)
208 for a community development project area plan, or Subsection 17C-5-104(3)(e) for a
209 community reinvestment project area plan.

210 (43) "Post-June 30, 1993, project area plan" means a project area plan adopted on or
211 after July 1, 1993, and before May 10, 2016, whether or not amended subsequent to the project
212 area plan's adoption.

213 (44) "Pre-July 1, 1993, project area plan" means a project area plan adopted before July
214 1, 1993, whether or not amended subsequent to the project area plan's adoption.

215 (45) "Private," with respect to real property, means property not owned by a public
216 entity or any other governmental entity.

217 (46) "Project area" means the geographic area described in a project area plan within
218 which the project area development described in the project area plan takes place or is

219 proposed to take place.

220 (47) "Project area budget" means a multiyear projection of annual or cumulative
221 revenues and expenses and other fiscal matters pertaining to a project area prepared in
222 accordance with:

223 (a) for an urban renewal project area, Section 17C-2-201;

224 (b) for an economic development project area, Section 17C-3-201;

225 (c) for a community development project area, Section 17C-4-204; or

226 (d) for a community reinvestment project area, Section 17C-5-302.

227 (48) "Project area development" means activity within a project area that, as
228 determined by the board, encourages, promotes, or provides development or redevelopment for
229 the purpose of implementing a project area plan, including:

230 (a) promoting, creating, or retaining public or private jobs within the state or a
231 community;

232 (b) providing office, manufacturing, warehousing, distribution, parking, or other
233 facilities or improvements;

234 (c) planning, designing, demolishing, clearing, constructing, rehabilitating, or
235 remediating environmental issues;

236 (d) providing residential, commercial, industrial, public, or other structures or spaces,
237 including recreational and other facilities incidental or appurtenant to the structures or spaces;

238 (e) altering, improving, modernizing, demolishing, reconstructing, or rehabilitating
239 existing structures;

240 (f) providing open space, including streets or other public grounds or space around
241 buildings;

242 (g) providing public or private buildings, infrastructure, structures, or improvements;

243 (h) relocating a business;

244 (i) improving public or private recreation areas or other public grounds;

245 (j) eliminating a development impediment or the causes of a development impediment;

246 (k) redevelopment as defined under the law in effect before May 1, 2006; or

247 (l) any activity described in this Subsection (48) outside of a project area that the board
248 determines to be a benefit to the project area.

249 (49) "Project area funds" means tax increment or sales and use tax revenue that an

250 agency receives under a project area budget adopted by a taxing entity committee or an
251 interlocal agreement.

252 (50) "Project area funds collection period" means the period of time that:

253 (a) begins the day on which the first payment of project area funds is distributed to an
254 agency under a project area budget approved by a taxing entity committee or an interlocal
255 agreement; and

256 (b) ends the day on which the last payment of project area funds is distributed to an
257 agency under a project area budget approved by a taxing entity committee or an interlocal
258 agreement.

259 (51) "Project area plan" means an urban renewal project area plan, an economic
260 development project area plan, a community development project area plan, or a community
261 reinvestment project area plan that, after the project area plan's effective date, guides and
262 controls the project area development.

263 (52) (a) "Property tax" means each levy on an ad valorem basis on tangible or
264 intangible personal or real property.

265 (b) "Property tax" includes a privilege tax imposed under Title 59, Chapter 4, Privilege
266 Tax.

267 (53) "Public entity" means:

268 (a) the United States, including an agency of the United States;

269 (b) the state, including any of the state's departments or agencies; or

270 (c) a political subdivision of the state, including a county, municipality, school district,
271 local district, special service district, community reinvestment agency, or interlocal cooperation
272 entity.

273 (54) "Publicly owned infrastructure and improvements" means water, sewer, storm
274 drainage, electrical, natural gas, telecommunication, or other similar systems and lines, streets,
275 roads, curb, gutter, sidewalk, walkways, trails, parking facilities, public transportation
276 facilities, or other facilities, infrastructure, and improvements benefitting the public and to be
277 publicly owned or publicly maintained or operated.

278 (55) "Record property owner" or "record owner of property" means the owner of real
279 property, as shown on the records of the county in which the property is located, to whom the
280 property's tax notice is sent.

- 281 (56) "Sales and use tax revenue" means revenue that is:
- 282 (a) generated from a tax imposed under Title 59, Chapter 12, Sales and Use Tax Act;
- 283 and
- 284 (b) distributed to a taxing entity in accordance with Sections 59-12-204 and 59-12-205.
- 285 (57) "Superfund site":
- 286 (a) means an area included in the National Priorities List under the Comprehensive
- 287 Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. Sec. 9605; and
- 288 (b) includes an area formerly included in the National Priorities List, as described in
- 289 Subsection (57)(a), but removed from the list following remediation that leaves on site the
- 290 waste that caused the area to be included in the National Priorities List.
- 291 (58) "Survey area" means a geographic area designated for study by a survey area
- 292 resolution to determine whether:
- 293 (a) one or more project areas within the survey area are feasible; or
- 294 (b) a development impediment exists within the survey area.
- 295 (59) "Survey area resolution" means a resolution adopted by a board that designates a
- 296 survey area.
- 297 (60) "Taxable value" means:
- 298 (a) the taxable value of all real property a county assessor assesses in accordance with
- 299 Title 59, Chapter 2, Part 3, County Assessment, for the current year;
- 300 (b) the taxable value of all real and personal property the commission assesses in
- 301 accordance with Title 59, Chapter 2, Part 2, Assessment of Property, for the current year; and
- 302 (c) the year end taxable value of all personal property a county assessor assesses in
- 303 accordance with Title 59, Chapter 2, Part 3, County Assessment, contained on the prior year's
- 304 tax rolls of the taxing entity.
- 305 (61) (a) "Tax increment" means the difference between:
- 306 (i) the amount of property tax revenue generated each tax year by a taxing entity from
- 307 the area within a project area designated in the project area plan as the area from which tax
- 308 increment is to be collected, using the current assessed value of the property and each taxing
- 309 entity's current certified tax rate as defined in Section 59-2-924; and
- 310 (ii) the amount of property tax revenue that would be generated from that same area
- 311 using the base taxable value of the property and each taxing entity's current certified tax rate as

312 defined in Section 59-2-924.

313 (b) "Tax increment" does not include taxes levied and collected under Section
314 59-2-1602 on or after January 1, 1994, upon the taxable property in the project area unless:

315 (i) the project area plan was adopted before May 4, 1993, whether or not the project
316 area plan was subsequently amended; and

317 (ii) the taxes were pledged to support bond indebtedness or other contractual
318 obligations of the agency.

319 (62) "Taxing entity" means a public entity that:

320 (a) levies a tax on property located within a project area; or

321 (b) imposes a sales and use tax under Title 59, Chapter 12, Sales and Use Tax Act.

322 (63) "Taxing entity committee" means a committee representing the interests of taxing
323 entities, created in accordance with Section 17C-1-402.

324 (64) "Unincorporated" means not within a municipality.

325 (65) "Urban renewal project area plan" means a project area plan adopted under
326 Chapter 2, Part 1, Urban Renewal Project Area Plan.

327 Section 2. Section **17C-1-412** is amended to read:

328 **17C-1-412. Use of housing allocation -- Separate accounting required -- Issuance**
329 **of bonds for housing -- Action to compel agency to provide housing allocation.**

330 (1) (a) An agency shall use the agency's housing allocation to:

331 (i) pay part or all of the cost of land or construction of income targeted housing within
332 the boundary of the agency, if practicable in a mixed income development or area;

333 (ii) pay part or all of the cost of rehabilitation of income targeted housing within the
334 boundary of the agency;

335 (iii) lend, grant, or contribute money to a person, public entity, housing authority,
336 private entity or business, or nonprofit corporation for the acquisition of income targeted
337 housing within the boundary of the agency;

338 (iv) plan or otherwise promote income targeted housing within the boundary of the
339 agency;

340 (v) pay part or all of the cost of land or installation, construction, or rehabilitation of
341 any building, facility, structure, or other housing improvement, including infrastructure
342 improvements, related to housing located [~~in a project area~~] within the boundary of the agency

343 where a board has determined that a development impediment exists;

344 (vi) replace housing units lost as a result of the project area development;

345 (vii) make payments on or establish a reserve fund for bonds:

346 (A) issued by the agency, the community, or the housing authority that provides

347 income targeted housing within the community; and

348 (B) all or part of the proceeds of which are used within the community for the purposes

349 stated in Subsection (1)(a)(i), (ii), (iii), (iv), (v), [or] (vi), (ix), (xi), (xii), or (xiii);

350 (viii) if the community's fair share ratio at the time of the first adoption of the project

351 area budget is at least 1.1 to 1.0, make payments on bonds:

352 (A) that were previously issued by the agency, the community, or the housing authority

353 that provides income targeted housing within the community; and

354 (B) all or part of the proceeds of which were used within the community for the

355 purposes stated in Subsection (1)(a)(i), (ii), (iii), (iv), (v), or (vi);

356 (ix) relocate mobile home park residents displaced by project area development;

357 (x) subject to Subsection (7), transfer funds to a community that created the agency;

358 [or]

359 (xi) pay for or make a contribution toward the acquisition, construction, or

360 rehabilitation of housing that:

361 (A) is located in the same county as the agency;

362 (B) is owned in whole or in part by, or is dedicated to supporting, a public nonprofit

363 college or university; and

364 (C) only students of the relevant college or university, including the students'

365 immediate families, occupy[-];

366 (xii) pay for a local government building or publicly owned infrastructure and

367 improvements that benefit and support the development, rehabilitation, or construction of

368 income targeted housing within the boundary of the agency; or

369 (xiii) pay part or all the cost of land or installation, construction, rehabilitation, or

370 infrastructure improvements of any building, facility, or structure within the boundary of the

371 agency that will support income targeted housing or related services, including workforce

372 development, education, healthcare services, food pantry services, or other community oriented

373 services.

374 (b) As an alternative to the requirements of Subsection (1)(a), an agency may pay all or
375 any portion of the agency's housing allocation to:

376 (i) the community for use as described in Subsection (1)(a);

377 (ii) a housing authority that provides income targeted housing within the community
378 for use in providing income targeted housing within the community;

379 (iii) a housing authority established by the county in which the agency is located for
380 providing:

381 (A) income targeted housing within the county;

382 (B) permanent housing, permanent supportive housing, or a transitional facility, as
383 defined in Section 35A-5-302, within the county; or

384 (C) homeless assistance within the county;

385 (iv) the Olene Walker Housing Loan Fund, established under Title 35A, Chapter 8,
386 Part 5, Olene Walker Housing Loan Fund, for use in providing income targeted housing within
387 the community; or

388 (v) pay for or make a contribution toward the acquisition, construction, or
389 rehabilitation of income targeted housing that is outside of the community if the housing is
390 located along or near a major transit investment corridor that services the community and the
391 related project has been approved by the community in which the housing is or will be located.

392 (2) (a) An agency may combine all or any portion of the agency's housing allocation
393 with all or any portion of one or more additional agency's housing allocations if the agencies
394 execute an interlocal agreement in accordance with Title 11, Chapter 13, Interlocal Cooperation
395 Act.

396 (b) An agency that has entered into an interlocal agreement as described in Subsection
397 (2)(a), meets the requirements of Subsection (1)(a) or (1)(b) if the use of the housing allocation
398 meets the requirements for at least one agency that is a party to the interlocal agreement.

399 (3) The agency shall create a housing fund and separately account for the agency's
400 housing allocation, together with all interest earned by the housing allocation and all payments
401 or repayments for loans, advances, or grants from the housing allocation.

402 (4) An agency may:

403 (a) issue bonds to finance a housing-related project under this section, including the
404 payment of principal and interest upon advances for surveys and plans or preliminary loans;

405 and

406 (b) issue refunding bonds for the payment or retirement of bonds under Subsection
407 (4)(a) previously issued by the agency.

408 (5) (a) Except as provided in Subsection (5)(b), an agency shall allocate money to the
409 housing fund each year in which the agency receives sufficient tax increment to make a
410 housing allocation required by the project area budget.

411 (b) Subsection (5)(a) does not apply in a year in which tax increment is insufficient.

412 (6) (a) Except as provided in Subsection (5)(b), if an agency fails to provide a housing
413 allocation in accordance with the project area budget and the housing plan adopted under
414 Subsection 17C-2-204(2), the loan fund board may bring legal action to compel the agency to
415 provide the housing allocation.

416 (b) In an action under Subsection (6)(a), the court:

417 (i) shall award the loan fund board reasonable attorney fees, unless the court finds that
418 the action was frivolous; and

419 (ii) may not award the agency the agency's attorney fees, unless the court finds that the
420 action was frivolous.

421 (7) For the purpose of offsetting the community's annual local contribution to the
422 Homeless Shelter Cities Mitigation Restricted Account, the total amount an agency transfers in
423 a calendar year to a community under Subsections (1)(a)(x), 17C-1-409(1)(a)(v), and
424 17C-1-411(1)(d) may not exceed the community's annual local contribution as defined in
425 Section 35A-8-606.

426 Section 3. Section **35A-8-505** is amended to read:

427 **35A-8-505. Activities authorized to receive fund money -- Powers of the executive**
428 **director.**

429 At the direction of the board, the executive director may:

430 (1) provide fund money to any of the following activities:

431 (a) the acquisition, rehabilitation, or new construction of low-income housing units;

432 (b) matching funds for social services projects directly related to providing housing for
433 special-need renters in assisted projects;

434 (c) the development and construction of accessible housing designed for low-income
435 persons;

436 (d) the construction or improvement of a shelter or transitional housing facility that
437 provides services intended to prevent or minimize homelessness among members of a specific
438 homeless subpopulation;

439 (e) the purchase of an existing facility to provide temporary or transitional housing for
440 the homeless in an area that does not require rezoning before providing such temporary or
441 transitional housing;

442 (f) the purchase of land that will be used as the site of low-income housing units;

443 (g) the preservation of existing affordable housing units for low-income persons; ~~and~~

444 (h) a pre-development grant in advance of the construction of low-income housing
445 units in a county of the fourth, fifth, or sixth class;

446 (i) the creation or financial support of a mediation program for landlords and tenants
447 designed to minimize the loss of housing for low-income persons, which program may include:

448 (i) funding for the hiring or training of mediators;

449 (ii) connecting landlords and tenants with mediation services; and

450 (iii) providing a limited amount of gap funding to assist a tenant in making a good faith
451 payment towards attorney fees, damages, or other costs associated with eviction proceedings or
452 avoiding eviction proceedings; and

453 ~~(h)~~ (j) other activities that will assist in minimizing homelessness or improving the
454 availability or quality of housing in the state for low-income persons; and

455 (2) do any act necessary or convenient to the exercise of the powers granted by this part
456 or reasonably implied from those granted powers, including:

457 (a) making or executing contracts and other instruments necessary or convenient for
458 the performance of the executive director and board's duties and the exercise of the executive
459 director and board's powers and functions under this part, including contracts or agreements for
460 the servicing and originating of mortgage loans;

461 (b) procuring insurance against a loss in connection with property or other assets held
462 by the fund, including mortgage loans, in amounts and from insurers it considers desirable;

463 (c) entering into agreements with a department, agency, or instrumentality of the
464 United States or this state and with mortgagors and mortgage lenders for the purpose of
465 planning and regulating and providing for the financing and refinancing, purchase,
466 construction, reconstruction, rehabilitation, leasing, management, maintenance, operation, sale,

467 or other disposition of residential housing undertaken with the assistance of the department
468 under this part;

469 (d) proceeding with a foreclosure action, to own, lease, clear, reconstruct, rehabilitate,
470 repair, maintain, manage, operate, assign, encumber, sell, or otherwise dispose of real or
471 personal property obtained by the fund due to the default on a mortgage loan held by the fund
472 in preparation for disposition of the property, taking assignments of leases and rentals,
473 proceeding with foreclosure actions, and taking other actions necessary or incidental to the
474 performance of its duties; and

475 (e) selling, at a public or private sale, with public bidding, a mortgage or other
476 obligation held by the fund.

477 Section 4. **Appropriation.**

478 The following sums of money are appropriated for the fiscal year beginning July 1,
479 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for
480 fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
481 Act, the Legislature appropriates the following sums of money from the funds or accounts
482 indicated for the use and support of the government of the state of Utah.

483 ITEM 1

484 To Department of Workforce Services -- Olene Walker Housing Loan Fund

485 From General Fund \$800,000

486 Schedule of Programs:

487 Olene Walker Housing Loan Fund \$800,000

488 The Legislature intends that:

489 (1) up to \$300,000 of the appropriation be used for financing a mediation program for
490 landlords and tenants of low-income housing units; and

491 (2) up to \$500,000 of the appropriation be used for financing pre-development grants
492 in advance of the construction of low-income housing units in counties of the fourth, fifth, or
493 sixth class.