

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2810**

4 (By Delegates Guthrie, Pushkin, Byrd, Rowe, McCuskey,
5 B. White, Stansbury and Walters)

6
7 (Originating in the House Committee on Judiciary)

8 [February 28, 2015]

9
10 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
11 designated §31-18-28, generally relating to implementing the West Virginia Property Rescue
12 Initiative; providing legislative findings relating to the need of such program; requiring the
13 West Virginia Housing Development Fund to facilitate the West Virginia Property Rescue
14 Initiative; providing that the West Virginia Housing Development Fund provide technical
15 assistance to counties and municipalities for identification, purchase, removal and
16 rehabilitation of dilapidated properties; requiring that the West Virginia Housing
17 Development Fund establish and fund a revolving loan fund; directing the West Virginia
18 Housing Development Fund to deposit monies into the revolving loan fund over a five year
19 period; providing that no obligation of the state shall be created by the West Virginia
20 Property Rescue Initiative; and requiring annual reports over five years; and requiring a final
21 report on the effectiveness of the West Virginia Property Rescue Initiative.

22 *Be it enacted by the Legislature of West Virginia:*

23 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
24 section, designated §31-18-28, to read as follows:

1 **ARTICLE 18. WEST VIRGINIA HOUSING DEVELOPMENT FUND.**

2 **§31-18-28. West Virginia Property Rescue Initiative: findings; technical assistance and**
3 **revolving loan program for removal of dilapidated housing; reporting**
4 **required.**

5 (a) The program set forth in this section shall be known as the "West Virginia Property
6 Rescue Initiative".

7 (b) The Legislature finds that a great number of dilapidated housing structures exist
8 throughout the state and that county and municipal officials often lack the training and resources to
9 identify, purchase, remove, or rehabilitate these structures and return the property to a condition
10 beneficial to their communities. The Legislature further finds that these structures contribute to
11 increased crime in neighborhoods, including illicit drug use and sales; pose threats to health and
12 safety; decrease the values of surrounding properties; and reduce the quality of life in their
13 communities and neighborhoods. The Legislature further finds that improved properties expand
14 housing opportunities, increase property values and enhance the quality of life in communities and
15 neighborhoods.

16 (c) The Legislature finds that the housing development fund, as a public body corporate and
17 the state's leading housing authority, has the expertise and resources to lead a property rescue
18 initiative to assist counties and municipalities in removing or rehabilitating dilapidated housing and
19 improving their communities and neighborhoods by providing technical assistance, training and
20 consultation as well as needed financial resources.

21 (d) The housing development fund shall implement the West Virginia Property Rescue
22 Initiative to provide technical assistance, training and consultation to counties and municipalities

1 which include, but are not limited to, the following: (1) maintaining lists of contractors, developers,
2 nonprofit organizations, disposal companies and land fills available to assist counties and
3 municipalities in the removal or rehabilitation of dilapidated properties; (2) providing information
4 on the use of the West Virginia Property Rescue Initiative in other jurisdictions; and (3) conducting
5 or facilitating seminars in strategic areas of the state to encourage and inform community leaders in
6 counties and municipalities on how to successfully use the West Virginia Property Rescue Initiative
7 to improve their communities and neighborhoods individually and in combination with other
8 counties or municipalities for economies of scale and efficient use of local resources.

9 (e) For the purpose of the West Virginia Property Rescue Initiative, the housing development
10 fund shall establish and fund a revolving loan program to make funding available to counties and
11 municipalities for the removal of dilapidated structures on such terms for repayment of loans, with
12 or without interest, as the housing development fund finds appropriate and to provide technical
13 assistance, training and consulting services to counties and municipalities regarding the
14 identification, purchase, removal and rehabilitation of properties to maximize the benefits of the
15 West Virginia Property Rescue Initiative on an ongoing basis, with a commitment by the housing
16 development fund to deposit at least \$5 million dollars to the West Virginia Property Rescue
17 Initiative Revolving Loan Fund over a five year period beginning on July, 2015, at the rate of at least
18 \$1 million dollars per fiscal year.

19 (f) Notwithstanding any other provision to the contrary, the revolving loan fund established
20 in this section shall not be considered or construed as an obligation of the state.

21 (g) To enhance the success of the West Virginia Property Rescue Initiative, the housing
22 development fund may, as a form of its technical assistance, seek grants and awards of funding to

1 be made to the housing development fund or directly to counties and municipalities for their property
2 rescue initiatives, from public and private organizations and government agencies, federal and state,
3 in order to provide both for additional funding for the property rescue revolving loan fund or the
4 repayment of loans and for grants to counties and municipalities with dire need and limited resources
5 such that special aid and funding is needed to begin and complete their local property rescue
6 initiatives.

7 (h) The executive director of the housing development fund shall report on the West Virginia
8 Property Rescue Initiative to the Joint Committee on Government and Finance annually during the
9 initial five years of the West Virginia Property Rescue Initiative. At the end of the initial five years
10 of the West Virginia Property Rescue Initiative, the housing development fund board of directors
11 shall evaluate participation and success of the West Virginia Property Rescue Initiative as well as
12 other aspects of the West Virginia Property Rescue Initiative in order determine whether and how
13 to adjust services and levels of funding under this section.