

Am. Sub. H.B. 166
As Passed by the Senate
LOCCD30

_____ moved to amend as follows:

In line 62 of the title, after "3734.901," insert "3735.31, 1
3735.33, 3735.40, 3735.41," 2

In line 267, after "3734.901," insert "3735.31, 3735.33, 3
3735.40, 3735.41," 4

After line 41651, insert: 5

"**Sec. 3735.31.** A metropolitan housing authority created under 6
sections 3735.27 to 3735.50 of the Revised Code constitutes a body 7
corporate and politic. Nothing in this chapter shall limit the 8
authority of a metropolitan housing authority, or a nonprofit 9
corporation formed by a metropolitan housing authority to carry 10
out its functions, to compete for and perform federal housing 11
contracts or grants within or outside this state. To clear, plan, 12
redevelop, and rebuild slum areas within the district in which the 13
authority is created; to provide safe and sanitary housing 14
accommodations to families of low income within that district; to 15
make available, acquire, construct, improve, manage, lease, or own 16
mixed-use or mixed-income developments, or a combination of such 17
developments; or to accomplish any combination of the foregoing 18
public purposes, the authority may do any of the following: 19

(A) Sue and be sued; have a seal; have corporate succession; 20
receive grants from state, federal, or other governments, or from 21
private sources; conduct investigations into housing and living 22
conditions; enter any buildings or property in order to conduct 23
its investigations; conduct examinations, subpoena, and require 24
the attendance of witnesses and the production of books and 25
papers; issue commissions for the examination of witnesses who are 26
out of the state or unable to attend before the authority or 27
excused from attendance; and in connection with these powers, any 28
member of the authority may administer oaths, take affidavits, and 29
issue subpoenas; 30

(B) Determine what areas constitute slum areas, and prepare 31
plans for housing or other projects in those areas; purchase, 32
lease, sell, exchange, transfer, assign, or mortgage any property, 33
real or personal, or any interest in that property, or acquire the 34
same by gift, bequest, or eminent domain; own, hold, clear, and 35
improve property; provide and set aside housing projects, or 36
dwelling units comprising portions of housing projects, designed 37
especially for the use of families, the head of which or the 38
spouse of which is sixty-five years of age or older; engage in, or 39
contract for, the construction, reconstruction, alteration, or 40
repair, or both, of any housing project or part of any housing 41
project; participate in partnerships or joint ventures relating to 42
the development of housing or projects with other public or 43
private entities; include in any contract let in connection with a 44
project, stipulations requiring that the contractor and any 45
subcontractors comply with requirements as to minimum wages and 46
maximum hours of labor, and comply with any conditions that the 47
federal government has attached to its financial aid of the 48
project; lease or operate, or both, any project, and establish or 49
revise schedules of rents for any projects or part of any project; 50

arrange with the county or municipal corporations, or both, for 51
the planning and replanning of streets, alleys, and other public 52
places or facilities in connection with any area or project; 53
borrow money upon its notes, debentures, or other evidences of 54
indebtedness, and secure the same by mortgages upon property held 55
or to be held by it, or by pledge of its revenues, or in any other 56
manner; invest any funds held in reserves or sinking funds or not 57
required for immediate disbursements; enter into a shared service 58
agreement with another metropolitan housing authority; execute 59
contracts and all other instruments necessary or convenient to the 60
exercise of the powers granted in this section; make, amend, and 61
repeal bylaws and rules to carry into effect its powers and 62
purposes; 63

(C) Borrow money or accept grants or other financial 64
assistance from the federal government for or in aid of any 65
housing project within its territorial limits; take over or lease 66
or manage any housing project or undertaking constructed or owned 67
by the federal government; comply with any conditions and enter 68
into any mortgages, trust indentures, leases, or agreements that 69
are necessary, convenient, or desirable; 70

(D) Subject to section 3735.311 of the Revised Code, employ a 71
police force to protect the lives and property of the residents of 72
housing projects within the district, to preserve the peace in the 73
housing projects, and to enforce the laws, ordinances, and 74
regulations of this state and its political subdivisions in the 75
housing projects and, when authorized by law, outside the limits 76
of the housing projects. 77

(E) Enter into an agreement with a county, municipal 78
corporation, or township in whose jurisdiction the metropolitan 79
housing authority is located that permits metropolitan housing 80
authority police officers employed under division (D) of this 81

section to exercise full arrest powers as provided in section 82
 2935.03 of the Revised Code, perform any police function, exercise 83
 any police power, or render any police service within specified 84
 areas of the county, municipal corporation, or township for the 85
 purpose of preserving the peace and enforcing all laws of the 86
 state, ordinances of the municipal corporation, or regulations of 87
 the township. 88

Sec. 3735.33. Any two or more metropolitan housing 89
 authorities created under sections 3735.27 to 3735.50 of the 90
 Revised Code, may join or cooperate with one another in the 91
 exercise, either jointly or otherwise, of any or all of their 92
 powers relative to the purpose of financing as provided in 93
 sections 3735.31 and 3735.45 to 3735.49 of the Revised Code. The 94
 moneys received from such joint or cooperative financing may be 95
 used for planning, undertaking, owning, constructing, operating, 96
 or contracting with respect to a housing project or projects 97
 located within the area of operation of any one or more of the 98
 authorities. An authority may by resolution prescribe and 99
 authorize any other authority or authorities, joining or 100
 cooperating with it, to act on its behalf with respect to any or 101
 all powers relative to the purpose of financing, as its agent or 102
 otherwise, in the name of the authority or authorities so joining 103
 or cooperating, or in its own name. 104

Any two or more metropolitan housing authorities created 105
 under sections 3735.27 to 3735.50 of the Revised Code may enter 106
 into a shared service agreement. 107

A metropolitan housing authority may, directly or through its 108
subsidiaries or instrumentalities, provide, consult, sell, 109
license, transfer, or contract to provide to other metropolitan 110
housing authorities, public housing authorities, or other 111

<u>organizations formed inside or outside of this state, or to</u>	112
<u>government agencies, housing-related knowledge, technology,</u>	113
<u>software, innovations, or expertise for any of the following:</u>	114
<u>(A) The development or redevelopment of housing projects;</u>	115
<u>(B) The performance of federal housing contracts or grants;</u>	116
<u>(C) Any matter related to the efficient operation of housing</u>	117
<u>organizations;</u>	118
<u>(D) The management or operation of a metropolitan housing</u>	119
<u>authority or redevelopment authority.</u>	120
Sec. 3735.40. As used in sections 3735.27, 3735.31, and	121
3735.40 to 3735.50 of the Revised Code:	122
(A) "Federal government" includes the United States, the	123
federal works administrator, or any other agency or	124
instrumentality, corporate or otherwise, of the United States.	125
(B) "Slum" has the meaning defined in section 1.08 of the	126
Revised Code.	127
(C) "Housing project" or "project" means any of the following	128
works or undertakings:	129
(1) Demolish, clear, or remove buildings from any slum area.	130
Such work or undertaking may embrace the adaptation of such area	131
to public purposes, including parks or other recreational or	132
community purposes.	133
(2) Provide decent, safe, and sanitary urban or rural	134
dwellings, apartments, or other living accommodations for persons	135
of low income.	136
(3) Provide for buildings, land, equipment, facilities, and	137
other real or personal property for necessary, convenient, or	138

desirable appurtenances, streets, sewers, water service, parks, 139
 site preparation, gardening, administrative, community, health, 140
 recreational, educational, welfare, commercial, residential, or 141
 other purposes. 142

(4) Accomplish a combination of the foregoing. "Housing 143
 project" also may be applied to the planning of the buildings and 144
 improvements, the acquisition of property, the demolition of 145
 existing structures, the construction, reconstruction, alteration, 146
 and repair of the improvements, and all other work in connection 147
 therewith. 148

(D) "Families of low income" ~~means~~ and "persons of low 149
 income" mean persons or families who lack the amount of income 150
 which is necessary, as determined by the metropolitan housing 151
 authority undertaking the housing project, to enable them, without 152
 financial assistance, to live in decent, safe, and sanitary 153
 dwellings, without overcrowding. The terms include persons or 154
 families as defined by federal law or regulations who are eligible 155
 for a federally derived rent subsidy. 156

(E) "Families" means families consisting of two or more 157
 persons, a single person who has attained the age at which an 158
 individual may elect to receive an old age benefit under Title II 159
 of the "Social Security Act" or is under disability as defined in 160
 section 223 of that act, 49 Stat. 622 (1935), 42 U.S.C.A. 401, as 161
 amended, or the remaining member of a tenant family. 162

(F) "Families" also means a single person discharged by the 163
 head of a hospital pursuant to section 5122.21 of the Revised Code 164
 after March 10, 1964. 165

(G) "Mixed-income development" means a development that 166
 includes decent, safe, and sanitary urban or rural dwellings, 167
 apartments, or other living accommodations for persons or families 168

<u>of varying incomes.</u>	169
<u>(H) "Mixed-use development" means a development that is both residential and nonresidential in character.</u>	170
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Sec. 3735.41. Except as otherwise provided in section 3735.43 of the Revised Code, in the operation or management of housing projects a metropolitan housing authority shall observe the following with respect to rentals and tenant selection:	172
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(A)(1) It shall not provide a federally derived rent subsidy to any tenant for any dwelling in a housing project if the persons who would occupy the dwelling have an aggregate annual net income that equals or exceeds the amount that the authority determines to be necessary to enable such persons to do both of the following:	176
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(a) Secure safe, sanitary, and uncongested dwelling accommodations within the area of operation of the authority;	181
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(b) Provide an adequate standard of living for themselves.	183
(2) As used in this division, "aggregate annual net income" means the aggregate annual income less the deductions and exemptions from that income authorized by law or regulations established by the United States department of housing and urban development.	184
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(B) It <u>(1) Except as provided in division (B)(2) of this section, it</u> may rent or lease the dwelling accommodations therein only at rentals within the financial reach of persons who lack the amount of income which it determines, pursuant to division (A) of this section, to be necessary in order to obtain safe, sanitary, and uncongested dwelling accommodations within the area of operation of the authority and to provide an adequate standard of living.	189
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(2) It may rent or lease to nonresidential tenants and persons of varying incomes within a project, mixed-use development, or mixed-income development. 197
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(C) It may use a federally derived rent subsidy to rent or lease to a tenant a dwelling consisting of the number of rooms, but no greater number, which it considers necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding. 200
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Sections 3735.27 to 3735.50 of the Revised Code do not limit the power of an authority to vest in a bondholder the right, in the event of a default by such authority, to take possession of a housing project or cause the appointment of a receiver thereof or acquire title thereto through foreclosure proceedings, free from all the restrictions imposed by such sections." 205
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In line 82857, after "3734.901," insert "3735.31, 3735.33, 3735.40, 3735.41," 211
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The motion was _____ agreed to.

SYNOPSIS

Metropolitan Housing Authority 213

R.C. 3735.31, 3735.33, 3735.40, and 3735.41 214

Restores House-passed provisions that do all of the following:

-- Specify that a metropolitan housing authority (MHA) may redevelop slum areas within the district in which the authority is created. 215
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-- Authorize an MHA to make available, acquire, construct,	218
improve, manage, lease, or own mixed-use and mixed-income	219
developments.	220
-- Permit an MHA to participate in partnerships or joint	221
ventures relating to the development of housing or projects with	222
other public or private entities.	223
-- Authorize an MHA to provide, consult, sell, license, or	224
transfer to organizations and government agencies housing-related	225
technology, innovations, and expertise for specified purposes.	226
-- Permit an MHA to rent or lease to nonresidential tenants	227
and persons of varying incomes within a project, mixed-use	228
development, or mixed-income development.	229