

## CHAPTER 4900

MINNESOTA HOUSING FINANCE AGENCY  
HOUSING LOANS AND GRANTS

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**4900.0010 DEFINITIONS.**

*[For text of subps 1 to 6, see M.R. 1987]*

**Subp. 7. Capital contribution of the investors.** "Capital contribution of the investors" means the excess of the value of the project at the times and in the manner determined by the agency, whether or not paid in cash, over the then current principal amount of the agency's loan for those developments which:

*[For text of subp 7, items A to F, see M.R. 1987]*

G. have a current waiting list equal to at least 1-1/2 times the annual turnover for the prior 24 months, but the requirements of this item are not applicable to developments that have reserves equal to or exceeding the sum that is the greater of \$5,000 per dwelling unit or 30 percent of the outstanding principal balance of the mortgage;

*[For text of subp 7, items H to K, see M.R. 1987]*

For all other developments, "capital contribution of the investors" means the excess of the total development cost of the project as determined by the agency, whether or not paid in cash, over the original principal amount of the agency's loan.

*[For text of subps 7a to 11, see M.R. 1987]*

**Subp. 11a. Federally subsidized mortgages.** "Federally subsidized mortgages" means loans funded or acquired with the proceeds of bonds or notes the income from which is exempt from taxation under federal law except, where applicable, for federal alternative minimum tax laws, including federally insured mortgages, and loans that are benefited by payments under interest reduction, rental assistance, housing assistance, or other similar programs from agencies or instrumentalities of the federal government to assist persons and families of low and moderate income in obtaining decent, safe, and sanitary housing.

*[For text of subps 12 to 22, see M.R. 1987]*

**Subp. 23. Persons and families of low and moderate income.** "Persons and families of low and moderate income" means:

*[For text of subp. 23, items A to D, see M.R. 1987]*

E. With respect to home improvement loans, accessibility improvement assistance, and accessibility deferred loans, pursuant to parts 4900.0510, 4900.0710, and 4900.0750, respectively, those persons and families whose adjusted income does not exceed \$27,000 or such lower amount as the agency may establish to assure that the interest on obligations of the agency will be exempt from federal income taxation.

**Statutory Authority:** *MS s 462A.06 subds 4,11*

**History:** *12 SR 411; 12 SR 1564*

#### **4900.0356 ELIGIBLE APPLICATIONS.**

**Subpart 1. Property interest.** An applicant for an apartment renovation mortgage loan must, at the time of application, possess one of the following interests in the property to be improved:

A. a fee title;

B. a fee title subject to a mortgage or other lien securing a debt capable of prepayment or, at the option of the agency, subordination; or

C. a mutually binding contract or option for the purchase of fee title.

**Subp. 2. Eligible borrowers.** Natural persons, public or private for profit or nonprofit corporations or entities, partnerships, joint ventures, or cooperatives are eligible to receive an apartment renovation mortgage loan.

**Subp. 3. Credit risk.** An applicant for an apartment renovation mortgage loan must be a reasonable credit risk with the capacity to pay the loan obligation, as determined by the agency.

**Subp. 4. Eligible structures.** To be eligible for improvements funded with an apartment renovation mortgage loan, the structure:

A. must be in need of improvements or repairs in order to bring it into compliance with Minnesota Statutes, section 216C.27, subdivision 3, state energy conservation standards; and

B. must contain a minimum of four dwelling units.

**Subp. 5. Compliance with zoning ordinances.** The structure to be improved must not be in violation of applicable zoning ordinances.

**Subp. 6. Use of property restricted.** The property must be used primarily for residential purposes.

**Subp. 7. Restriction of loan use.** Apartment renovation mortgage loan proceeds may be used to refinance existing indebtedness secured by the property in conjunction with the funding of the improvements contemplated by part 4900.0357.

**Subp. 8. Unavailability of financing.** At the time of application, conventional financing must not be available from private lenders upon equivalent terms and conditions.

**Subp. 9. Required occupancy.** At the time of loan closing or initial occupancy, at least 75 percent of the dwelling units in the structure to be improved must be occupied by low and moderate income persons and families, defined as follows: persons or families whose adjusted income does not exceed the greater of \$16,000 or 66 times the gross rental for the unit; provided that the gross rental for the unit is correlated by the agency with fair market rents for the geographical area in which the property to be improved is located, as determined and adjusted from time to time by the United States Department of Housing and Urban Development. The agency may provide by contract with the borrower for rent levels

Subp. 3. **Spring tension mechanisms.** Mechanisms under spring tension or compression shall be blocked, clamped, secured in position, or the compression or tension totally relieved before being worked on by an employee.

Subp. 4. **Suspended mechanisms.** Suspended mechanisms or parts that normally cycle through a lower position shall be lowered to the lowest position, be clamped, blocked, or otherwise secured in position before being worked on by an employee.

Subp. 5. **Individual lockouts.** Where more than one employee is engaged in working on machinery or equipment, each employee shall affix the employee's individual lockout device or lock to the disconnect switch or power supply.

Subp. 6. **Exemption.** Utility companies, when working on lines and equipment, will be exempt from this standard but must comply with the requirements of Code of Federal Regulations, title 29, section 1926.950(d).

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*

**5207.0610 MOTOR START BUTTON.**

The motor start button on machines with exposed points of operation, pinch points, or nip points shall be physically protected against unintended operation.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 1754*

**5207.0620 MACHINE CONTROLS AND EQUIPMENT.**

On machines with points of operation, pinch points, or nip points, each machine shall be equipped so it is possible for the operator to cut off the power to each machine without leaving the position at the point of operation.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 1754*

**5207.0630 FOOT ACTUATED MACHINES.**

The treadle or pedal of foot actuated machines, tools, or equipment shall be physically protected to prevent unintended operation.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*

**MAINTENANCE AND REPAIR OF EQUIPMENT**

**5207.0700 COMPRESSED GAS CONTAINERS.**

Valves on compressed gas containers shall be protected from damage while in use or storage.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*

**5207.0710 PRESSURE HOSES.**

All hand held pressure hoses and nozzles that could cause injury when the hose or nozzle is not being held, including air, water, hot water and steam, and all high temperature hoses or nozzles including hot water and steam, shall have a constant pressure control.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*

**5207.0720 ALTERATION OF TOOLS AND EQUIPMENT.**

All tools and equipment, whether powered or manually operated, shall be used only for their intended purpose. Tools and equipment shall not be altered,

modified, or used for other than their intended purpose without the manufacturer's written approval, or unless under the direction of a competent person in accordance with accepted engineering requirements to prevent creating an additional hazard.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 1754*

### 5207.0730 LUBRICATION OF MOVING MACHINERY.

Machinery or equipment shall be shut down during manual lubrication unless access to lubrication fittings is safeguarded or is located far enough away from moving parts that employees cannot contact them.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*

### 5207.0740 SCISSOR POINT PROTECTION.

Scissor points on all rubber tired skid steer equipment including front end loaders shall be guarded to protect the operator.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*

## SANITATION

### 5207.0800 PRIVIES AT CONSTRUCTION AND ENGINEERING PROJECTS.

Privies shall be provided on all construction and engineering projects as provided for in the sanitation laws of Minnesota. Privies shall be placed inside of heated buildings wherever possible to do so. Where privies are not placed inside of heated buildings, provisions shall be made for heating privies to a minimum of heat that can be emitted from the installation of a 1,300 watt heater or other type equivalent heater.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*

### 5207.0810 JOBSITE SHELTER.

**Subpart 1. Definitions.** "Suitable place" means an enclosed shed, designated area within a new or existing structure, or van, panel truck, or mobile home. A "man day" is equivalent to one person working an eight-hour shift.

**Subp. 2. Scope.** The provisions of this standard apply to those construction projects which have exceeded 30 man days.

**Subp. 3. Place to change and eat.** From November 1 to March 15 of each winter season, all construction jobs shall be provided with a suitable place for employees to change their clothes and eat their lunch.

**Subp. 4. Size.** The size of jobsite shelters shall be based on the maximum number of employees using the room at one time. The minimum space requirements, in square feet per person, shall be determined by the values as shown below:

- A. 25 or fewer employees, 13 square feet;
- B. 26 to 74 employees, 12 square feet;
- C. 75 to 149 employees, 11 square feet; and
- D. 150 employees and over, ten square feet.

**Subp. 5. Temperature.** Jobsite shelters shall be heated to a temperature of at least 50 degrees Fahrenheit during all periods when the shelter is occupied.

**Subp. 6. Contaminated clothing storage.** If toxic or harmful substances are handled so that work clothes become contaminated, facilities shall be provided so that street clothes and work clothes will not be stored in contact with each other.

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## STANDARDS FOR CONSTRUCTION 5207.0910

Subp. 7. **Lighting.** Jobsite shelters shall be lighted with not less than ten footcandles of light.

Subp. 8. **Crew mobility.** The requirements of this standard can be met by furnishing transportation to a reasonably convenient location which meets the other requirements of this standard.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*

### VEHICLES

#### 5207.0900 POWERED INDUSTRIAL TRUCK OPERATIONS.

Industrial trucks designed and constructed solely for use on solid hard level surfaces shall be restricted to such operations.

All solid hard level surfaces must be free of cracks, irregularities, or holes that could upset the balance of the industrial truck.

When a fork truck operator is positioning a load in an area that is not fully visible to the fork truck operator, the operator shall be assisted by a designated person who shall direct the safe placing of the load by using predetermined signals.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*

#### 5207.0910 SERVICING MULTIPIECE AND SINGLE PIECE RIM WHEELS.

Subpart 1. **Scope.** This subpart applies to the servicing of multipiece and single piece rim wheels used on large vehicles such as trucks, tractors, off road machines, and similar vehicles used on construction sites. It does not apply to the servicing of rim wheels used on automobiles or pickup trucks and vans using automobile tires or truck tires designated "LT."

Subp. 2. **General requirements.** Servicing of multipiece and single piece rim wheels on large vehicles on construction sites shall meet the requirements of Code of Federal Regulations, title 29, section 1910.177.

**Statutory Authority:** *MS s 182.655*

**History:** *12 SR 634*