

1 Minnesota Housing Finance Agency

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3 Adopted Rules Relating to Accessibility Deferred Loan Program
4 and Local Participation Home Improvement Loans

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6 Rules as Adopted

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LOCAL PARTICIPATION HOME IMPROVEMENT LOANS

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4900.0550 FUNDS.

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Subpart 1. Request for funds. A local government that
10 wishes to receive an allocation of funds to make local
11 participation home improvement loans shall submit a request for
12 funds that includes the following items, which may be further
13 described by the agency:

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A. [Unchanged.]

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B. a description of program requirements to be
16 imposed by the local government that are not set forth in parts
17 4900.0510 and 4900.0520;

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C. to F. [Unchanged.]

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Subp. 2. [Unchanged.]

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ACCESSIBILITY DEFERRED LOAN PROGRAM

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4900.0750 DEFINITIONS.

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Subpart 1. Applicability. For the purposes of parts
23 4900.0750 to 4900.0780 and, except as otherwise provided, the
24 terms defined in this part have the meanings given them.

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Subp. 2. Accessibility improvement. "Accessibility
26 improvement" means an interior or exterior improvement or
27 modification to a residential dwelling located in Minnesota that
28 is necessary to enable a handicapped person to function in a
29 residential setting.

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Subp. 3. Deferred loan. "Deferred loan" means a loan made
31 without interest or periodic payments and repayed in accordance
32 with part 4900.0780.

33

Subp. 4. Handicapped person. With respect to
34 rehabilitation grants and loans pursuant to parts 4900.0610 to
35 4900.0700 and accessibility deferred loans pursuant to parts

1 4900.0750 to 4900.0780, "handicapped person" means a person who
2 has a permanent physical condition that is not correctable and
3 which substantially reduces the person's ability to function in
4 a residential setting. A person with a physical condition who
5 does not require the use of a device to increase mobility shall
6 be considered to be a handicapped person if a licensed physician
7 certifies in writing that the physical condition substantially
8 limits the person's ability to function in a residential setting.

9 4900.0760 ELIGIBILITY.

10 The agency may make funds available for the purpose of
11 making accessibility improvements, for technical assistance in
12 the design and construction of such accessibility improvements,
13 and for repairs relating to the installation of the
14 accessibility improvements, under the following conditions:

15 Subpart 1. Purpose of loan. The loan recipient shall:

16 A. (1) be a handicapped person, or have or intend to
17 have in residence in the property to be improved at least one
18 household member who is a handicapped person, (2) occupy or
19 intend to occupy the dwelling unit to be improved as his or her
20 primary residence, and (3) qualify as a person or family of low
21 or moderate income as defined in part 4900.0010, subpart 23,
22 item E; or

23 B. (1) be licensed by the county to operate the
24 property to be improved as a foster care residence, (2) occupy
25 the dwelling unit to be improved as his or her primary
26 residence, (3) have entered into an agreement to accept
27 handicapped foster care residents as set forth in part
28 4900.0780, subpart 2, and (4) qualify as a person or family of
29 low or moderate income, which shall be considered to mean, for
30 the purpose of this item, a person or family whose adjusted
31 income as defined in part 4900.0010, subpart 3, does not exceed
32 \$38,000 for residences in the metropolitan area, as defined in
33 Minnesota Statutes, section 473.121, subdivision 2, or whose
34 adjusted income for residences in the nonmetropolitan area as
35 defined in this item does not exceed \$30,000.

36 Subp. 2. Ownership. The loan recipient shall comply with

1 the ownership requirements of part 4900.0630, subpart 2.

2 Subp. 3. Structure. The structure to be improved shall be
3 an existing dwelling located within the state of Minnesota,
4 shall be used primarily for residential purposes, and shall
5 contain no more than two dwelling units, one of them occupied by
6 the recipient.

7 4900.0770 DISTRIBUTION OF ACCESSIBILITY DEFERRED LOANS.

8 Subpart 1. Availability. Accessibility deferred loans
9 shall be available in the form of deferred loans.

10 Subp. 2. Combined with other aid. When an accessibility
11 deferred loan is combined with assistance from other agency loan
12 or grant programs, the requirements of those programs shall be
13 met.

14 Subp. 3. Limit on aid. In no case shall the accessibility
15 deferred loan for accessibility improvements, technical
16 assistance, and related repairs inclusively exceed \$10,000 for a
17 single structure.

18 Subp. 4. Five-year limitation. No property shall be
19 eligible for an accessibility deferred loan if it has been
20 improved through such assistance within the five-year period
21 next preceding the date on which the application for such
22 assistance is made, except in extraordinary circumstances
23 relating to damage to the property as a result of events beyond
24 the control of the recipient.

25 4900.0780 REPAYMENT.

26 The recipient of a deferred loan shall enter into an
27 agreement with the agency for repayment of the loan, as provided
28 in subparts 1 and 2.

29 Subpart 1. Household loan. If the recipient qualifies for
30 a loan under the provisions of part 4900.0760, subpart 1, item
31 A, the agreement shall provide that the recipient shall repay
32 the entire amount of the deferred loan only in the event the
33 property upon which the improvement is located is sold,
34 transferred, or otherwise conveyed, or ceases to be the
35 recipient's principal place of residence, within five years

1 after the date upon which the application for an accessibility
2 deferred loan was approved. The agreement for the repayment of
3 the loan shall be secured by a lien for the benefit of the
4 agency on the property improved.

5 Subp. 2. Foster care loan. If the recipient qualifies for
6 a loan under the provisions of part 4900.0760, subpart 1, item
7 B, the agreement shall provide that the recipient shall repay
8 the entire amount of the deferred loan only in the event that
9 the recipient voluntarily withdraws the improved property from
10 use as a foster care residence, or refuses to accept handicapped
11 foster care residents, within five years after the date upon
12 which the application for an accessibility loan was approved.
13 Agreements under this subpart need not be secured by a lien for
14 the benefit of the agency on the property improved.