

1 Housing Finance Agency

2

3 Adopted Permanent Rules Relating to Accessibility Deferred Loan
4 Program and Definition of Income Applicable to Home Improvement
5 Loans, Accessibility Improvement Assistance, and Accessibility
6 Deferred Loans

7

8 Rules as Adopted

9 4900.0010 DEFINITIONS.

10 Subpart 1. to 22. [Unchanged.]

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

13 A. to D. [Unchanged.]

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

21 4900.0760 ELIGIBILITY.

22 Subpart 1. **General conditions.** The agency may make funds
23 available for the purpose of making accessibility improvements,
24 for technical assistance in the design and construction of such
25 accessibility improvements, and for repairs relating to the
26 installation of the accessibility improvements, under the
27 conditions in subparts 2 to 4.

28 Subp. 2. **Purpose of loan.** The loan recipient shall

29 (1) be a handicapped person, or have or intend to have
30 in residence in the property to be improved at least one
31 household member who is a handicapped person, (2) occupy or
32 intend to occupy the dwelling unit to be improved as his or her
33 primary residence, and (3) qualify as a person or family of low
34 or moderate income as defined in part 4900.0010, subpart 23,
35 item E.

1 Subp. 3. **Ownership.** The loan recipient shall comply with
2 the ownership requirements of part 4900.0630, subpart 2.

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

8 4900.0770 DISTRIBUTION OF ACCESSIBILITY DEFERRED LOANS.

9 Subpart 1. **Availability.** Accessibility funds shall be
10 provided in the form of deferred loans. As funds become
11 available, households meeting the limits established in
12 4900.0010, subpart 23, item D, shall have first priority for
13 receipt of funds. These households will be eligible for a loan
14 representing the total of approved expenses, or the maximum
15 assistance available, whichever is less. Households with
16 incomes exceeding the limit established in part 4900.0010,
17 subpart 23, item D, but meeting the limit established in part
18 4900.0010, subpart 23, item E, shall have second priority for
19 receipt of funds. These households will be eligible for a loan
20 representing the share of approved expenses the household cannot
21 afford as determined by MHFA, or the maximum assistance
22 available, whichever is less. The agency will establish the
23 manner of priority set aside and the manner in which
24 affordability is calculated at the time funds become available.

25 Subp. 2. to 4. [Unchanged.]

26 4900.0780 REPAYMENT.

27 The recipient of a deferred loan shall enter into an
28 agreement with the agency for repayment of the loan. The
29 recipient shall repay the entire amount of the deferred loan
30 only in the event the property upon which the improvement is
31 located is sold, transferred, or otherwise conveyed, or ceases
32 to be the recipient's principal place of residence, within five
33 years after the date upon which the application for an
34 accessibility deferred loan was approved. The agreement for the
35 repayment of the loan shall be secured by a lien for the benefit

1 of the agency on the property improved.

2 Subp. 2. [See Repealer.]

3

4 REPEALER. Minnesota Rules, part 4900.0780, subpart 2, is
5 repealed.