

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1996 Legislative Session

Bill No. CB-102-1996

Chapter No. 77

Proposed and Presented by The Chairman (by request - County Executive)

Introduced by Council Members Bailey and Wilson

Co-Sponsors

Date of Introduction October 29, 1996

BILL

AN ACT concerning

Opportunity Housing Program

For the purpose of repealing the Opportunity Housing Program and providing generally for the disposition of property previously transferred by the County to the Housing Authority for the Opportunity Housing Program.

BY repealing and reenacting with amendments:

SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

Section 13-248,

The Prince George's County Code

(1995 Edition).

BY repealing:

SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

Sections 13-258, 13-259, and 13-260,

The Prince George's County Code

(1995 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 13-248 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

DIVISION 8. MODERATELY PRICED HOUSING.

Sec. 13-248. Definitions.

* * * * *

(b) The following words and phrases, as used in this Division, have the following meanings:

* * * * *

[(10) Nonprofit Housing Organization means a private corporation or legal entity that is exempt or eligible for exemption from taxation under Section 501(c)(3) of the Internal Revenue Code and is approved by the Director as to financial responsibility.]

SECTION 2. BE IT FURTHER ENACTED that Sections 13-258, 13-259, and 13-260 of the Prince George's County Code be and the same are hereby repealed.

SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**DIVISION 8. MODERATELY PRICED HOUSING.****Sec. 13-258. [Certification of nonprofit housing organizations.] Reserved.**

Nonprofit housing organizations which seek to be certified to develop and build Opportunity Housing in accordance with the provisions of Subtitle 27, Part 3, Division 12, shall submit a request for certification in accordance with Opportunity Housing Program Regulations. Organizations recommended for certification by the Director shall be proposed for inclusion in the County Comprehensive Housing Affordability Strategy.]

Sec. 13-259. [Site Selection.] Reserved.

[(a) Upon the recommendation of the Director, the County Executive shall review and evaluate proposals by certified nonprofit housing organizations to construct Opportunity Housing, as defined in Subtitle 27, which meets the following criteria:

(1) Sites. Opportunity Housing shall be constructed on land owned by the County or by the Housing Authority which shall be conveyed to the nonprofit housing organization after the approval of a Detailed Site Plan in accordance with Subtitle 27, Part 3, Division 12.

(2) Sale of Dwelling Units. Each dwelling unit shall be sold to one or more persons:

(A) Who have a household income on the date of purchase that is not more than eighty percent of the median household income in the Washington, D.C. Standard Metropolitan Statistical Area; and

(B) None of whom have owned a home during the three-year period preceding the date of purchase.

(3) Conditions of Ownership. Every person who purchases a dwelling unit constructed pursuant to the Opportunity Housing Program shall not lease or sell the dwelling unit for a period of ten years, except as provided in the Opportunity Housing Program regulations.

(4) The nonprofit housing organization shall demonstrate the financial feasibility of the proposed Opportunity Housing project, including identification and availability of public and private funds.

(b) For those proposals which meet the criterion of Subsection (a), the County Executive shall be authorized to enter into such contracts as may be necessary to provide for the transfer of County-owned real property to nonprofit housing organizations; provided, however, that no deed or other document designed to convey title to the property shall be given until the disposition of the property has been approved by the County Council in accordance with the provisions of Subtitle 2 and the Detailed Site Plan has been approved by the District Council in accordance with the provisions of Subtitle 27, Part 3, Division 12.

(c) The County Executive shall be authorized to waive the collection of any taxes associated with the conveyance of the property to the nonprofit housing organization to the extent permitted by State law.]

Sec. 13-260. [Opportunity Housing Program Regulations.] Reserved.

[The County Executive shall propose regulations for the administration of the Opportunity Housing Program for the approval of the County Council by Resolution.]

SECTION 3. BE IT FURTHER ENACTED that all properties transferred prior to the effective date of this Act by the County to the Prince George's County Housing Authority for the Opportunity Housing Program may be developed by the Housing Authority for the purpose of improving the quality of the County's communities or offered through a competitive proposal process to for-profit and non-profit developers for the purpose of development that improves the quality of the County's communities. Properties offered for sale for such purposes may be sold at less than fair market value or at no consideration if it is determined by the Housing Authority that it is necessary for project feasibility. Any proceeds from the sale of Opportunity Housing

properties by the Housing Authority shall be paid into the CHOICE Fund.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect /forty-five (45) calendar days after it becomes law.

Adopted this 26th day of November, 1996.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:

Stephen J. Del Giudice
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____

BY:

Wayne K. Curry
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.