

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2006-219
HOUSE BILL 767**

**AN ACT ESTABLISHING TARGET INCOMES FOR PUBLIC HOUSING
AUTHORITIES.**

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 157-29(b) reads as rewritten:

"(b) In the operation or management of housing projects, portions of projects, or other housing assistance programs for persons of low income, an authority shall at all times observe the following duties with respect to rentals and tenant selection:

- (1) It may rent or lease dwelling accommodations set aside for persons of low income only to persons who lack the amount of income that is necessary (as determined by the housing authority undertaking the project) to enable them, without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding; and
- (2) It may rent or lease dwelling accommodations to persons of low income only at rentals within the financial reach of such persons.
- ~~(3) In the administration of its waiting lists, it shall adopt a preference for households with incomes of less than thirty percent (30%) of the area median income.~~
- (3a) It shall comply with the following targeting requirements:
 - a. Not less than forty percent (40%) of the families admitted to its public housing program from its waiting list in its fiscal year shall be extremely low-income families with incomes at or below thirty percent (30%) of the area median income. For purposes of this section, this shall be known as the "basic targeting requirement".
 - b. To the extent provided in subdivision (4a) of this subsection, the admission of extremely low-income families to its section 8 voucher program during the same fiscal year shall be credited against the basic targeting requirement. For purposes of this section, "section 8" refers to section 8 of the U.S. Housing Act of 1937 as amended.
 - c. If admissions of extremely low-income families to its section 8 voucher program during its fiscal year exceeds seventy-five percent (75%) of the minimum targeting requirement for its section 8 voucher program, the excess shall be credited against its basic targeting requirement for the same fiscal year.
 - d. The fiscal year credit for section 8 voucher program admissions that exceeded the minimum section 8 voucher program targeting requirement shall not exceed the lower of the following:
 1. Ten percent (10%) of its waiting list admissions during its fiscal year.
 2. Ten percent (10%) of waiting list admissions to its section 8 tenant-based assistance program during its fiscal year.

3. The number of qualifying low-income families who, during the fiscal year, commence occupancy of its public housing units that are located in census tracts with a poverty rate of thirty percent (30%) or more. For purposes of this sub-sub-subdivision, qualifying low-income family means a low-income family other than an extremely low-income family.
- ~~(4) An authority shall take applications on a continuous basis from persons meeting the preference listed in this section and shall not close the application process to these persons. Any additional local preferences shall not take priority over the preference in this section.~~
- (4a) Its targeting requirement for tenant-based assistance shall ensure that not less than seventy-five percent (75%) of the families admitted to its tenant-based voucher program from its waiting list during its fiscal year shall be extremely low-income families with incomes at or below thirty percent (30%) of the area median income."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 25th day of July, 2006.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 10:05 a.m. this 8th day of August, 2006