

NEW HAMPSHIRE HOUSING FINANCE AUTHORITY
Lead Paint Hazard Remediation Fund Program Rules
HFA 603

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HFA 603 PART ONE: Overview, Purpose, and Applicability

HFA 603.01 Overview and Purpose

- (a) The Lead Paint Hazard Remediation Fund (Fund) has been established pursuant to RSA 204-C:88 through 91, enacted by the Legislature in Chapter 346, Laws of 2019 (HB 4).
- (b) The Fund’s purpose is to assist owners of residential properties and child care facilities to address lead paint hazards, and to assist licensed child care facilities to address lead hazards in water.

HFA 603.02 Applicability

- (a) The Authority will use the Fund to make loans to owners of eligible properties pursuant to HFA 603.05 for the costs of remediation of lead hazards.
- (b) Loans will be deferred and below market interest rate, and will be payable upon sale to capitalize a revolving loan fund, subject to loan-specific terms and conditions regarding repayment.
- (c) If a property or unit is eligible for federal lead paint funding from a program in operation by the authority, or by any state agency or political subdivision, the owner of the property shall first apply to that program before applying for a loan from the Fund.
- (d) Loans may be made, provided that such remediation is conducted in accordance with lead-safe practices under applicable laws and regulations.

HFA 603.03 Rulemaking

These rules are adopted pursuant to RSA 204-C:90.

HFA 603 PART TWO: Definitions

HFA 603.04 Definitions

The following words or terms shall have the following meanings in these HFA 603 Rules.

“Administration” means the day-to-day, application-by-application decisions and procedures required to administer the Lead Paint Hazard Remediation Loan Fund, including the reviewing, processing, determining eligibility, establishing terms, and documenting program benefits to applicants.

“Applicant” means a private, non-profit, or for-profit owner of residential property or a child care facility.

“Application” means the application form and all Authority required supporting documents, as detailed in the Authority’s application.

“Authority means the New Hampshire Housing Finance Authority.

“Child Care Facility” means a “Child day care agency” as defined in RSA 170-E:2.

“Multi-unit” means more than one dwelling unit.

“Property” means a rental or owner-occupied residential property, or a child care facility licensed under RSA 170-E.

“State” means the State of New Hampshire.

“Unit” means a single dwelling unit within a structure that contains more than one dwelling unit.

“Unit” may also include any dwelling unit within a structure that is otherwise used for non-residential purposes.

HFA 603 PART THREE: General Rules

HFA 603.05 Eligible Properties

For a property/unit to be eligible to use this funding, the property/unit shall be:

- (a) An owner-occupied single family home occupied by a household with a child under 6 years old or a pregnant woman and where household income is no more than 100 percent of the median income adjusted for household size for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development; or,
- (b) A unit in a multi-unit residential property or a renter-occupied single family home where household income is no more than 90 percent of the median income adjusted for household size for the metropolitan area or county in which the housing is located as published by the United States Department of Housing and Urban Development; or,
- (c) A child care facility licensed under RSA 170-E for which there is a statistically valid income survey documenting that at least 51 percent of the families served are no more than 80 percent of median income adjusted for household size for the metropolitan area or county in which the facility is located as published by the United States Department of Housing and Urban Development.

HFA 603.06 Application Requirements

- (a) All applications shall be submitted on the Fund application form provided by the Authority or any other federally funded lead paint program, along with all required attachments. Applications will be accepted on a continuous basis, while funds are available.
- (b) Applications will be reviewed by appropriate staff for eligibility for funding pursuant to these rules and the Policies and Procedures developed by the Authority for this program.
- (c) Loan commitments will be made by Authority staff.

HFA 603.07 Amount and Term of Loans

- (a) Loans shall be in the form of deferred and below market interest rate loans payable upon sale to capitalize a revolving loan fund, subject to loan-specific terms and conditions regarding repayment.

HFA 603.08 Delegation

- (a) Unless otherwise specified in these HFA 603 Rules, the Authority's Board of Directors delegates to the Executive Director, the Administration of the Fund.
- (b) Pursuant to the Authority's operating policies, the Executive Director may delegate the Administration and approval authority to appropriate staff.

HFA 603.09 Board Waiver

The Authority's Board of Directors may waive any rule when such waiver is warranted by good cause and when such waiver shall not be inconsistent with applicable law and regulation. The Board may delegate waiver authority to the Finance and Administration Committee.

HFA 603.10 Amendments

Program requirements, including these Lead Paint Hazard Remediation Loan Fund Rules and all program documents, may be amended from time to time based on the Authority's sole discretion.