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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2617 Session of  
2022

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INTRODUCED BY INNAMORATO, KRAJEWSKI, R. BROWN, HARRIS, STURLA, CEPHAS, N. NELSON, ROZZI, HOHENSTEIN, MERSKI, SCHLOSSBERG, HARKINS, HILL-EVANS, PISCIOTTANO, BENHAM, KULIK, SOLOMON, SANCHEZ, LEE, OTTEN, SCHWEYER, MADDEN, FIEDLER, DEASY, GUZMAN, BULLOCK, DRISCOLL, KINSEY, McCLINTON, BIZZARRO, COVINGTON, KIRKLAND, SIMS, DELLOSO, KINKEAD, ABNEY, SHUSTERMAN, WEBSTER, SAPPEY, DALEY, KIM, ISAACSON AND BRADFORD, MAY 27, 2022

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REFERRED TO COMMITTEE ON URBAN AFFAIRS, MAY 27, 2022

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AN ACT

1 Providing for funding to address habitability concerns in owner-  
2 occupied and rental units, measures to improve energy or  
3 water efficiency and make units accessible for individuals  
4 with disabilities; establishing the Whole-Home Repairs  
5 Program and the Whole-Home Repairs Fund; and imposing duties  
6 on the Department of Community and Economic Development.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Short title.

10 This act shall be known and may be cited as the Whole-Home  
11 Repairs Act.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall  
14 have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 "Affordable units." Units where rents are affordable to  
17 tenants at or below 60% of area median income, adjusted for

1 household size, as defined annually by the Pennsylvania Housing  
2 Finance Agency's PennHOMES County-wide Limits.

3 "Code." A building, housing, property maintenance, fire,  
4 health or other public safety ordinance, related to the use or  
5 maintenance of real property, enacted by a municipality. The  
6 term does not include a subdivision and land development  
7 ordinance or a zoning ordinance enacted by a municipality.

8 "County applicant." A nonprofit or governmental entity that  
9 serves one or more counties.

10 "Court." The appropriate court of common pleas.

11 "Department." The Department of Community and Economic  
12 Development of the Commonwealth.

13 "Disabilities." As the term "handicap or disability" is  
14 defined in section 4 of the act of October 27, 1955 (P.L.744,  
15 No.222), known as the Pennsylvania Human Relations Act.

16 "Existing home repair programs." Programs administered by  
17 nonprofit organizations, governmental entities and public  
18 utilities, or the contractors and assignees of such entities,  
19 that provide services to repair residential housing that are  
20 funded in accordance with or through, but not exclusively  
21 limited to, the following programs:

22 (1) The weatherization assistance programs administered  
23 as a part of the programs authorized under the Low-Income  
24 Home Energy Assistance Act of 1981 (Public Law 97-35, 42  
25 U.S.C. § 8621 et seq.) or the Energy Conservation in Existing  
26 Buildings Act of 1976 (Public Law 94-385, 42 U.S.C. § 6851 et  
27 seq.).

28 (2) The Community Development Block Grant Program under  
29 Title I of the Housing and Community Development Act of 1974  
30 (Public Law 93-383, 88 Stat. 633), as amended.

1 (3) The HOME program under the act of December 18, 1992  
2 (P.L.1376, No.172), known as the Pennsylvania Affordable  
3 Housing Act.

4 (4) The Medical Assistance Community HealthChoices  
5 Program.

6 (5) The Pennsylvania Housing Affordability and  
7 Rehabilitation Enhancement Program under Article IV-D of the  
8 act of December 3, 1959 (P.L.1688, No.621), known as the  
9 Housing Finance Agency Law.

10 (6) The Keystone Communities Program administered by the  
11 department.

12 (7) Low-income usage reduction programs established  
13 under 52 Pa. Code Ch. 58 (relating to residential low income  
14 usage reduction programs).

15 (8) The Energy Efficiency and Conservation Program  
16 established under 66 Pa.C.S. § 2806.1(b)(1)(i)(G) (relating  
17 to energy efficiency and conservation program).

18 "Fund." The Whole-Home Repairs Fund established under  
19 section 5.

20 "Habitability concerns." Home repairs that are required to  
21 ensure residential units are any of the following:

22 (1) Fit for human habitation.

23 (2) Free from defective conditions or health and safety  
24 hazards, including asbestos, mold, pests or lead.

25 (3) Free of conditions preventing installation of  
26 measures to improve energy or water efficiency and lower  
27 utility costs.

28 "Homeowner." A person who is any of the following:

29 (1) An owner of record evidenced by a publicly recorded  
30 deed.

1           (2) An owner-occupant of a manufactured home who leases  
2 a space in a manufactured home community.

3           (3) An equitable owner who can demonstrate an ownership  
4 interest in a property as provided by law, including:

5                 (i) A person who has inherited an interest in a  
6 property.

7                 (ii) A person who has entered a contract to purchase  
8 a property.

9                 (iii) A person who was the owner of record before a  
10 fraudulent conveyance of the property.

11                (iv) A person who is a trust beneficiary and a  
12 person holding a partial ownership interest in a property  
13 such as tenancy by the entirety, joint tenancy, tenancy  
14 in common and life estate.

15        "Program." The Whole-Home Repairs Program established under  
16 section 3.

17        "Serious violation." A violation of a State law or code that  
18 poses an imminent threat to the health and safety of a dwelling  
19 occupant, occupants in surrounding structures or passersby.

20        "Small landlords." A person, who is a landlord, who has an  
21 ownership stake in no more than five properties and no more than  
22 15 rental units and rents those properties or units for use as a  
23 primary residence for a fee, regardless of the length or form of  
24 the lease.

25        "State law." A statute of the Commonwealth or a regulation  
26 of an agency charged with the administration and enforcement of  
27 Commonwealth laws.

28        "Substantial step." An affirmative action as determined by a  
29 property code official or officer of the court on the part of a  
30 small landlord or property managing agent to remedy a serious

1 violation of a State law or code, including physical  
2 improvements or repairs to the property, which affirmative  
3 action is subject to appeal in accordance with applicable law.  
4 Section 3. Establishment.

5 The Whole-Home Repairs Program is established within the  
6 department and shall be administered by the department.

7 Section 4. Administration of program.

8 (a) Applications.--The department shall make available an  
9 application for a county applicant to apply for funding under  
10 the program. The application may be accepted electronically.

11 (b) Awarding of grants.--The department shall award grants  
12 to no more than one county applicant per county for project  
13 types under subsection (c) to be used for purposes under  
14 subsection (d). This subsection shall not be construed to  
15 prohibit the department from awarding more than one grant to a  
16 county applicant to serve multiple counties.

17 (c) Project types.--The program shall provide funding for  
18 the following:

19 (1) To ensure that owner-occupied and rental units are  
20 free of habitability concerns.

21 (2) To improve coordination across existing home repair  
22 programs.

23 (3) To increase retention in workforce development  
24 programs.

25 (d) Purposes.--Money for projects under subsection (c) shall  
26 be used for all of the following:

27 (1) Grants and loans not to exceed \$50,000 per unit to  
28 address habitability concerns, to improve energy or water  
29 efficiency, and, where requested, to make units accessible  
30 for individuals with disabilities through the provision of:

1 (i) Grants for homeowners whose household income  
2 does not exceed 80% of the area median income.

3 (ii) Loans to small landlords renting affordable  
4 units that are recorded against a residential property in  
5 a mortgage security. Loans awarded under this  
6 subparagraph shall comply with the following conditions:

7 (A) Loans made to small landlords who have  
8 maintained compliance with each of the following  
9 shall be forgiven:

10 (I) The small landlord offered to extend by  
11 three years the lease of the tenant occupying the  
12 unit when the funds were accepted.

13 (II) Annual increases in monthly rent have  
14 not exceeded 3% of the base rent or the unit has  
15 been occupied by a tenant participating in the  
16 Housing Choice Voucher Program for a period of no  
17 less than 15 years.

18 (III) In the prior 15 years, the small  
19 landlord has not committed a serious violation  
20 with regard to the small landlord's rental  
21 property for which the small landlord has taken  
22 no substantial steps to correct the serious  
23 violation within six months following  
24 notification of the serious violation and for  
25 which no fines or other penalties or a judgment  
26 to abate or correct were imposed by a magisterial  
27 district judge or municipal court, nor a judgment  
28 at law or in equity was imposed by a court. The  
29 condition under this subclause may be met if the  
30 property subject to the judgment, order or decree

1 is subject to a stay or supersedeas by an order  
2 of a court of competent jurisdiction or  
3 automatically allowed by statute or rule of court  
4 until the stay or supersedeas is lifted by the  
5 court or a higher court or the stay or  
6 supersedeas expires as otherwise provided by law.  
7 Where a stay or supersedeas is in effect, the  
8 small landlord shall so advise the county  
9 applicant.

10 (IV) The small landlord has maintained  
11 ownership of the unit for a period of no less  
12 than 15 years.

13 (B) Loans made to small landlords who have not  
14 maintained compliance with each of the conditions in  
15 clause (A) shall be recaptured by county applicants.

16 (iii) Where possible, county applicants shall  
17 prioritize the use of existing home repair programs'  
18 funds to address habitability concerns, measures to  
19 improve energy or water efficiency and, where requested,  
20 to make units accessible for individuals with  
21 disabilities.

22 (2) The county applicant's administration of the  
23 program, including staff, implementation systems and data  
24 management tools designed to maximize enrollment in all  
25 existing home repair programs and use of the fund through the  
26 provision and enhancement of all of the following:

27 (i) Technical assistance and case management  
28 services for homeowners, renters and small landlords.

29 (ii) A universal program application process  
30 evidenced by a single point of contact for homeowners,

1 renters or small landlords.

2 (iii) Coordination across waitlists for existing  
3 home repair programs.

4 (iv) Program and policy analysis, outcomes reporting  
5 and program evaluation.

6 (v) Referrals, where appropriate, to legal aid,  
7 social service providers specializing in mental,  
8 developmental and physical health conditions, and other  
9 relevant community-based services.

10 (3) The county applicant's investments in workforce  
11 development programs that will connect trainees to jobs  
12 through committed employer partnerships related to improving  
13 the habitability and performance of homes, including any of  
14 the following:

15 (i) Cash stipends for trainees.

16 (ii) Costs related to the design and implementation  
17 of preapprenticeship, apprenticeship and publicly funded  
18 on-the-job training programs.

19 (e) Limitation.--The following shall apply:

20 (1) Program funds shall not supplant existing resources  
21 dedicated to existing home repair programs, but may be used  
22 to support, expand and enhance existing home repair programs  
23 as provided under this section.

24 (2) The department may not award funding to more than  
25 one county applicant per county. This paragraph shall not be  
26 construed to prohibit the department from awarding funding to  
27 a county applicant to serve other counties.

28 Section 5. Whole-Home Repairs Fund.

29 (a) Establishment.--The Whole-Home Repairs Fund is  
30 established as a special fund in the State Treasury.



1 (b) Contributions to the fund.--The following shall be  
2 deposited into the fund:

3 (1) Appropriations from the General Assembly.

4 (2) Any allocations received by the Commonwealth from  
5 the Federal Government made available for purposes of funding  
6 the program.

7 (3) Any gift, donation, legacies or other revenues.

8 (c) Interest.--Any interest that accrues from money in the  
9 fund shall remain in the fund.

10 (d) Use of funds.--Money in the fund is appropriated to the  
11 department on a continuing basis to carry out the provisions of  
12 this act. The appropriation shall not lapse at the end of any  
13 fiscal year.

14 Section 6. Administration by the department.

15 (a) Costs.--The department shall be reimbursed by the fund  
16 for its administrative costs in carrying out the provisions of  
17 this act.

18 (b) Guidelines.--The department may develop and publish  
19 program guidelines for the implementation and administration of  
20 the program.

21 Section 7. Reports.

22 (a) Department reporting.--No later than September 1  
23 following the first fiscal year or any portion of the first  
24 fiscal year in which the program is in effect and no later than  
25 September 1 for all succeeding fiscal years in which the program  
26 is in effect, the department shall prepare a report on the  
27 program and submit it to the chairperson and minority  
28 chairperson of the Appropriations Committee of the Senate, the  
29 chairperson and minority chairperson of the Appropriations  
30 Committee of the House of Representatives, the chairperson and

1 minority chairperson of the Urban Affairs and Housing Committee  
2 of the Senate and the chairperson and minority chairperson of  
3 the Urban Affairs Committee of the House of Representatives. The  
4 department shall post the report on the department's publicly  
5 accessible Internet website. The report shall include all of the  
6 following information for the prior year:

7 (1) On program funds utilized under section 4(d)(1):

8 (i) The total number of units, and the average cost  
9 per unit, for which homeowners addressed habitability  
10 concerns, installed energy efficiency measures and made  
11 accessible for individuals with disabilities as a result  
12 of program funds awarded under this act.

13 (ii) The total number of units, and the average cost  
14 per unit, for which small landlords addressed  
15 habitability concerns, installed energy efficiency  
16 measures and made accessible for individuals with  
17 disabilities as a result of program funds awarded under  
18 this act.

19 (iii) The total amount of program funds invested in  
20 addressing habitability concerns, installing energy  
21 efficiency measures and making units accessible for  
22 individuals with disabilities.

23 (iv) The total number of grant and loan applications  
24 that were received, approved and denied.

25 (v) A summary of the most common reasons for denial  
26 of applications.

27 (vi) The income and demographic information for  
28 households assisted under the program.

29 (2) On program funds utilized under section 4(d)(2):

30 (i) A summary of the most common referrals as

1 described under section 4(d)(2)(v).

2 (ii) The number of new staff hired to fulfill the  
3 services described under section 4(d)(2).

4 (iii) A summary of systems improvements to fulfill  
5 the services described under section 4(d)(2).

6 (3) On program funds utilized under section 4(d)(3):

7 (i) The total amount of program funds invested in  
8 workforce development programs.

9 (ii) The total number and average amount of cash  
10 stipends provided to trainees.

11 (iii) The income and demographic information for  
12 individuals assisted by funds utilized under section 4(d)  
13 (3).

14 (b) County reporting.--The department may require county  
15 applicants awarded grants under the program to submit reports,  
16 on a form and in a manner prescribed by the department,  
17 containing information necessary for the department to comply  
18 with subsection (a).

19 Section 8. Funding.

20 The department's implementation of the program shall be  
21 contingent upon sufficient program funds being deposited into  
22 the fund in accordance with section 5 to carry out the purposes  
23 of this act. In a year in which there are insufficient program  
24 funds deposited into the fund for the purposes outlined in this  
25 act, the program shall cease until sufficient Federal funds are  
26 allocated to the Commonwealth, funds are specifically  
27 appropriated by the General Assembly or funds are provided by a  
28 source other than the Commonwealth.

29 Section 9. Effective date.

30 This act shall take effect in 180 days.