

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 16, 2022
Action Required:	Approval of Homeowner Tax Relief Grant Program
Presenter:	Todd D. Divers, Commissioner of the Revenue Sue Moffett, Director of Social Services
Staff Contacts:	Todd D. Divers, Commissioner of the Revenue
Title:	Homeownership Assistance Program Grant – Tax Year 2022

Background: Attached is an appropriation resolution for Council’s consideration, to provide a public grant to the City’s local board of social services, to assist needy persons with ongoing costs of home ownership.

Discussion:

For some time, faced with a mounting housing affordability crisis, City Council has been inquiring as to how to better assist low- and moderate-income persons whose ownership of a home may be in jeopardy due to financial distress. Over the years, the City’s CHAP Program has been administered under the auspices of City Charter, Section 50.7; however, City Council has indicated that it does not currently believe that the guidelines used by the VHDA to administer its single-family mortgage loan program allow the CHAP Program to reach an adequate number of persons in need of assistance. In the face of a continuing—and worsening—affordable housing crisis, there is a significant number of persons whose status as homeowners is tenuous due to rising transportation, utility and food costs, rising real estate and personal property taxes, and other circumstances that result in costs of homeownership exceeding reasonable portions of a family’s income.

Pursuant to the provisions of Va. Code §63.2-314, the City Council may make a grant of public funds to the City’s Director of Social Services, in her capacity as the “local board”, for the purpose of aiding needy persons within the City. Eligibility of homeowners to receive disbursements from this grant fund will not be limited to the requirements for any state public assistance programs, or any VHDA program. Upon City Council’s appropriation of funds to the Department of Social Services, the public funds would be deposited in the local treasury to the credit of the local board. The Director of DSS, in her capacity as the “local board” will be responsible for dispensing the funds in accordance with specific eligibility requirements as determined by the Commissioner of the Revenue through a cooperative agreement. The Commissioner of the Revenue’s Office shall receive applications and determine eligibility for assistance.

For 2022, the following income parameters are proposed, with relief calculated as flat amounts:

2022 CHAP—(Public Grant for Housing Assistance)				
2022 Grantee Household Income Limits	\$0 - \$35,000	\$35,001 - \$45,000	\$45,001 - \$55,000	\$55,001 - \$60,000
Grant	\$2,500	\$2,000	\$1,500	\$1,000

Proposed Eligibility Criteria for this Public Grant:

- 1) Grantee must be an individual. No applications will be accepted from any company, corporation, partnership, or other form of legal entity (other than a trust, as referenced below) or awarded to any legal entity.
- 2) Grantee must be the owner of a home within the City. “Ownership” may be any of the following: (i) individually, or in conjunction with a spouse holding life rights, (ii) individually, or in conjunction with a spouse holding the power of revocation in a revocable inter vivos trust of which the home is an asset, or (iii) alone or in conjunction with a spouse who possesses a life estate, or an estate for joint lives, or a continuing right of use or support under the terms of an irrevocable trust of which the property is an asset.
- 3) Grantee must reside within the home.
- 4) Maximum value of the home cannot exceed \$420,000 (this is the average assessed value in 2022 of single family improved parcels).
- 5) Grantee, grantee’s spouse, or any other owner residing in the home cannot own any other interest in real estate, within the City or at any other location. This includes any real estate interest owned (i) as an individual, (ii) as the beneficiary of a trust, (iii) as a member of an LLC, or (iv) by virtue of any other interest in a trust or legal entity.
- 6) Grantee must demonstrate evidence of Household Income within the limits established for calendar year 2022.

Alignment with City Council’s Vision and Priority Areas: This aligns with the City Council’s Vision “...to be flexible and progressive in anticipating and responding to the needs of our citizens.”

Budgetary Impact: The cost of this program is funded with the annual budget appropriation for Fiscal Year 2022 approved by Council.

Recommendation: Approval. *Suggested Motion: “I move the RESOLUTION appropriating a grant of public funds for housing assistance to low- and moderate-income homeowners within the City of Charlottesville.”*

Attachment (1): Proposed Resolution

RESOLUTION

**Appropriating a grant of public funds for housing assistance
to low-and moderate-income homeowners within the City of Charlottesville**

WHEREAS pursuant to the provisions of Va. Code §63.2-314 this City Council may offer public grants to its local director of social services, serving in her capacity as the “local board” under the provisions of §63.2-304; and

WHEREAS this City Council desires to offer a grant of public funds during Fiscal Year 2022-2023, to aid low- and moderate-income homeowners within the City who are affected by the rising costs of homeownership (which include mortgage payments, fees and taxes, insurance, utilities, maintenance and repairs; and

WHEREAS the average assessment of a single-family residential property within the City has risen by approximately 12 percent over the past year, and with rising inflation, transportation costs, and utility costs, many individuals who have income significantly lower than the Charlottesville area median income will experience significant financial stress and may need financial assistance to remain in their homes; and

WHEREAS City Council hereby finds and determines that it is both necessary and desirable, to promote the general welfare of the City, and to promote the safety, health, comfort and convenience of City inhabitants, to support the affordability of continuing homeownership by low- and moderate-income individuals;

WHEREAS public funding is available and has been appropriated within the City budget for the proposed public grant, in the amounts set forth within this resolution;

NOW, THEREFORE BE IT RESOLVED BY THE Council of the City of Charlottesville, Virginia, THAT effective July 1, 2022 and for calendar year 2022 a grant of public funds is hereby made to the Director of Social Services, in her capacity as the “local board of social services” pursuant to Va. Code §63.2-304, to be used to provide housing assistance to City homeowners in need of such, as follows:

Expenditures

\$1,500,000 Fund: 105 Cost Center: 3343019000 G/L Account: 540065

BE IT FURTHER RESOLVED THAT the Director of Social Services (“Director”) is solely responsible for administration of this assistance fund, pursuant to the provisions of Va. Code §63.2-304 and §63.2-314, provided that the Director may enter into written agreements with the Commissioner of Revenue, Treasurer, and City Manager, as may be necessary to administer the fund. And

BE IT FURTHER RESOLVED THAT it is the desire of City Council that this grant of public funds, hereafter to be referred to as the “Charlottesville Homeownership Assistance Program”, shall be provided to City homeowners in need of assistance due to rising costs of homeownership, in accordance with the following parameters:

2022 CHAP—(Public Grant for Homeownership Assistance)				
Applicant Household Income	\$0 - \$35,000	\$35,001 - \$45,000	\$45,001 - \$55,000	\$55,001 - \$60,000
Grant	\$2,500	\$2,000	\$1,500	\$1,000

- 1) Applicant/ Grantee must be a human being, own a home within the City of Charlottesville, and must reside within the home. As of January 1, 2022 and as of the date an application is submitted, the applicant must occupy that real estate as his or her sole residence and must intend to occupy that real estate throughout the remainder of calendar year 2022. An applicant who is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care shall be deemed to meet this condition so long as the real estate is not being used by or leased to another for consideration. “Ownership” may be any of the following: (i) individually, or in conjunction with a spouse holding life rights, (ii) individually, or in conjunction with a spouse holding the power of revocation in a revocable inter vivos trust of which the home is an asset, or (iii) alone or in conjunction with a spouse who possesses a life estate, or an estate for joint lives, or a continuing right of use or support under the terms of an irrevocable trust of which the property is an asset.
- 2) Maximum value of the home cannot exceed \$420,000 (this is the average assessed value in 2022 of single family improved parcels).
- 3) Applicant, applicant’s spouse, or any other owner residing in the home cannot own any other interest in real estate, either within the City or at any other location. This includes any real estate interest owned (i) as an individual, (ii) as the beneficiary of a trust, (iii) as a member of an LLC, or (iv) by virtue of any other interest in a legal entity.
- 4) Applicant/ Grantee must demonstrate evidence of Household Income within the limits established for calendar year 2022, as set forth above within this Resolution. *Household Income* means (i) the adjusted gross income, as shown on the federal income tax return as of December 31 of the calendar year immediately preceding the taxable year, or (ii) for applicants/grantees for whom no federal tax return is required to be filed, the income for the calendar year immediately preceding the taxable year: of the applicant and of any other relatives who reside in the applicant’s home, and any other person(s) who (i) owns any interest in the home and (ii) resides in the applicant’s home. The Director shall establish the Household Income of applicants/ grantees for whom no federal tax return is required through documentation satisfactory for audit purposes.
- 5) This public grant shall be used only to assist individuals who are not receiving the real estate tax exemption or deferral program provided under Chapter 30, Article IV of the Charlottesville City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) during 2022.
- 6) Not more than one grant shall be provided to any one (1) address.