CHAPTER 1460
Grants or Loans for Rental Property and Certain Owner Occupied Property

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CROSS REFERENCES

Virginia Code ' 15.2-958

1460.01 PURPOSE OF GRANTS OR LOANS.

The purpose of this chapter is to enable the County of Loudoun to make grants or loans to owners of residential rental property occupied, or to be occupied, by persons of low and moderate income, for the purpose of rehabilitating or producing such property, and to make such grants or loans for the benefit of certain owner-occupied property. The preservation of existing housing in safe and sanitary condition and the production of new housing for persons of low and moderate income are public purposes and uses for which public money may be spent pursuant to the enabling authority referenced above.
(Ord. 09-01. Passed 1-12-09.)

1460.02 DEFINITIONS.

For the purpose of this chapter, the following words and phrases shall have the meaning given to them in this section except where the context indicates a different meaning.

(a) "Applicant" means an owner of residential rental property that consists of at least two rental units, or a person or entity which seeks to improve certain owner-occupied dwelling units, who submits a completed application in accordance with the Housing Funds Guidelines approved by the Board of Supervisors on July 1, 2008.

(b) "Loan" means funds provided to an applicant under this chapter as a loan secured by a Deed of Trust to ensure repayment of the loan, and to ensure compliance with other conditions of the loan set forth herein, to be used for the purposes set forth herein.

(c) "Grant" means funds provided to an applicant under this chapter as a loan secured by a Deed of Trust to ensure compliance with the conditions of the loan set forth herein, to be used for the purposes set forth herein; provided, however, that upon compliance with all conditions of the loan, the loan shall be forgiven.

(d) "Low and Moderate Income Persons" means a person or family whose combined income is 100% or less of the Annual Median Income as determined by the United States Department of Housing and Urban Development for the Washington Metropolitan Area.
(Ord. 09-01. Passed 1-12-09.)

1460.03 AUTHORITY TO MAKE GRANTS OR LOANS.

The County or Loudoun may make grants or loans to owners of residential rental property occupied, or to be occupied, by persons of low and moderate income, for the purposes set forth herein. Such loans or grants shall be subject to conditions and restrictions as set forth herein.
(Ord. 09-01. Passed 1-12-09.)

1460.04 CONDITIONS AND RESTRICTIONS.

(a) The County shall condition any grant or loan on the applicant providing a minimum of 20 percent of the units for low and moderate income persons as defined herein for a minimum of ten years, and upon granting a deed of trust on the rental property for which the grant or loan is made to secure repayment of the loan and/or compliance with the conditions and restrictions of the grant or loan.

(b) The County may provide grants or loans for site improvements essential to the development, preservation or rehabilitation planned.

(c) The County may provide grants or loans to owners or occupants to develop, preserve and upgrade apartment buildings; to improve health and safety; to conserve energy; to prevent erosion; to enhance the neighborhood; and to reduce displacement of low and moderate income residents of the property.

(d) The County may provide that the value of grant or loan assistance given by the locality under subsections (b) and (c) be proportionate to the number of dwelling units rendered by the owner at reduced rents for persons of low or moderate income.

(e) The County may make a loan or grant of local funds to individuals for the purpose of rehabilitating owner-occupied residences or assisting in the purchase of an owner-occupied residence in designated conservation or rehabilitation districts. Any such loans or grants shall be applied using the income guidelines issued by the Virginia Housing Development Authority for use in its single family mortgage loan program financed with bonds on which the interest is exempt from Federal income taxation. Financial institutions as defined in Va. Code Section 6.1-125 shall be given the opportunity to participate in loans made under this subsection.
(Ord. 09-01. Passed 1-12-09.)

1460.05 ADMINISTRATION BY THE COUNTY ADMINISTRATOR.

The grants and loans provided under this chapter to owners of residential rental property for the production or repair of residential rental property, or for the benefit of certain owner-occupied property, shall be administered by the County Administrator or his/her designee in accordance with the purpose and provisions of this chapter. The County Administrator may adopt rules and regulations to ensure compliance with the integrity and legislative intent of this chapter, and such other rules and procedures as may be necessary and consistent with those outlined in the Housing

Funds Guidelines approved by the Board of Supervisors on July 1, 2008, as may be revised from time to time, including but not limited to application process, use of funds, application review criteria, funding priority, application submission and review process, submission criteria and required documentation.
(Ord. 09-01. Passed 1-12-09.)