

**Mechanisms for Sustaining and Expanding Manufactured Housing
in the State of Delaware**

Sustaining Operating Manufactured Home Communities as an Affordable Housing Option

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Homeowners/Landowners (Individual)

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Community Owner

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Title A1.01

State Financial Assistance for Homeowner or Homeowners Association acquisition of land for manufactured housing communities.

What is the nature of the proposed legislation?

At times, manufactured home community landowners desire to sell their communities. Under Title 25, Chapter 70, Subchapter 4, Right of First Offer, if a community owner intends to sell their community they must offer it to the homeowners or homeowner association first. There is a strict procedure in that part of the Code (which is attached) for selling a community. To assist the community owners in purchasing the community, the State would have a financial very low interest rate loan program and/or grant.

Why is the legislation necessary?

Since 2021, it has been difficult for communities to be purchased by their homeowners because of the high land valuations. For the homeowners or homeowners association of a community to be able to produce a competitive purchase offer, they would need to receive some type of grant or subsidized loan. This would assist the homeowners or homeowners association with any shortfall in funding needs to match investors who desire to buy the park. Therefore, the State of Delaware Department of Housing should establish a low interest loan program and/or grant program to assist the residents in purchasing the community. The terms and conditions of this financial commitment would be determined at the time of the transaction.

What positive effect will it have?

By having a grant or very low interest rate mortgage, the homeowners or homeowners association will have a better chance at purchasing the community with the additional financial capacity to acquire the property.

Where will it reside in the Code?

Title 25, Chapter 70, Subchapter 4 of Delaware Code.

Initial funding

It is recommended that the initial sizing for the grant or loan should be a minimum of \$5 million with an annual increase of \$2.5 million per year.

How will it be implemented?

This program will be implemented by the Delaware State Housing Authority.

Title A1.02

Financial Advisor for Homeowner or Homeowners Association Acquisition of Manufactured Home Communities

What is the nature of the proposed legislation?

This legislation would have the State provide a financial advisor to assist manufactured homeowners or homeowners association in a given manufactured home community to purchase the community.

Why is the legislation necessary?

At times, manufactured home community landowners desire to sell their communities. Under Title 25, Chapter 70, Subchapter 4, Right of First Offer, if a landowner owner intends to sell their community they must offer it to the homeowners or homeowner association first. There is a strict procedure in that part of the Code (which is attached) for selling a community.

Title 25, Chapter 70, Subchapter 4, is meant to empower homeowners to be able to have a say and purchase their community if given the opportunity. However, it is a complex, regulatory process. Not to mention that if the process of a home can be daunting for many homeowners, then the process of coming together as a community to make a multi-million dollar purchase may seem unachievable. Therefore, there should be a program in place to aid the homeowners through this process.

What positive effect will it have?

Homeowners will have a better chance of succeeding in taking advantage of the opportunity provided them.

Where will it reside in the Code?

Title 25, Chapter 70, Subchapter 4 of Delaware Code.

How will it be implemented?

This program will be implemented by the Delaware State Housing Authority. The Delaware State Housing Authority shall hire and provide a financial advisor to homeowners or homeowners association desiring to purchase their community with expertise in the acquisition of a manufactured home community. The duties of this advisor shall include but not be limited to research on the viability of the acquisition, if the homeowners are following the procedures correctly, and advocating for them to ensure that the landowner is following the procedures set forth in the Code.

Title A1.03

Chattel vs Real Property

What is the nature of the proposed legislation?

The purpose of this legislation is to ensure that manufactured homes (HUD homes) if placed on a permanent foundation and on a fee simple lot are treated as real property and on leased land can receive a leasehold deed.

Why is the legislation necessary?

HUD homes considered chattel have limited options for financing. The existing financing options for chattel are often at a high interest rate. Once the homes are no longer treated as chattel, there is a much wider field of financing opportunities for the homeowner. At this time, it is unclear whether certain municipalities are allowing HUD housing to be treated as real property if the home is on a permanent foundation. This legislation would provide clarity on this issue and remove these homes from the DMV.

What positive effect will it have?

Homeowners will be able to receive similar financing as compared to non-HUD homes, if it is available.

Where will it reside in the Code?

Title 25, Chapter 70, Subchapter 1, Definitions

How will it be implemented?

This will be implemented by direction through Delaware State Code. The Department of Housing would be responsible for notifying existing HUD homeowners and persons who sell HUD homes that this law has passed. The Department of Housing should also be in contact with lenders to the extent that they are aware of the change in status of the HUD homes so that they can be prepared when homeowners/buyers of HUD homes seek products to finance their homes.

Title A1.04

Zoning Regulations for Manufacture Home Communities

What is the nature of the proposed legislation?

The purpose of this proposed legislation is to permit Manufactured Housing in any residential zoning district and with that create an oversight process and/or design based regulations of homes placed in existing subdivisions to ensure that the architecture of the existing surrounding community is preserved. Additionally, the home shall be placed on a permanent foundation and meet any standard required by the community. Any deed restriction that excludes manufactured housing will be considered discriminatory and null and void by this legislation.

Why is the legislation necessary?

Manufactured housing is excluded as potential housing in many subdivisions due to deed restrictions. In other cases, it is never thought of as a potential type for fear that it will have a certain style and look which is inaccurate and based on historical misperceptions.

What positive effect will it have?

Manufactured housing is cheaper on a square foot basis and therefore would allow families to lower their cost of housing and provide more affordable opportunities.

Where will it reside in the Code?

Title 25, Chapter 70, Subchapter to be created

How will it be implemented?

It would be implemented by the Counties through State law.

Title A1.05

Zoning Regulations and Manufactured Home Communities

What is the nature of the proposed legislation?

To permit manufactured housing communities in any residential zoning district as long as there is public water and sewer, or a community septic system regulated by the State of Delaware, and operated by an unrelated third party, and private water system regulated by the Department of Public Health, and operated by an unrelated third party.

Why is the legislation necessary?

Each of the three Counties in Delaware has very explicit and exclusionary zoning regulations regarding manufactured housing. There have been no new manufactured home communities built since the late 1980s, early 1990s and in most cases they are almost impossible to receive positive zoning outcomes. Under this regulation each County would permit, as long as the infrastructure was in place, a manufactured housing community to be built by just fulfilling any site concurrency requirements as established in the County.

What positive effect will it have?

This would allow for a simpler entitlement process and there would be more manufactured housing communities.

Where will it reside in the Code?

Title 25, Chapter 70, Subchapter to be created

How will it be implemented?

It would be implemented by the Counties through State law.

Title A1.06

Traffic Impact Studies and Manufactured Home Communities

What is the nature of the proposed legislation?

To revise the level of service standards for traffic impact studies related to new manufactured home communities when they include at least 20% inclusionary affordable housing with a median income at or less than 40%. If the proposed community meets this criteria it would be exempt from a traffic impact study and any level of service requirements and/or contributions for traffic improvement districts (TID). This exemption would apply to fee simple lots where more than one HUD home is creating a smaller community.

Why is the legislation necessary?

In many cases there may be land available, but it will not be able to be developed due to a County's traffic regulations and required contributions to DelDOT's revolving funds. These requirements are counter to the needs and efforts of creating affordable housing. Additionally, the way traffic improvements are staged in the State of Delaware, the last person/organization studying an area of influence for a traffic study will be responsible for correcting any failed conditions. Every developer in front of this project will make no contribution to their traffic generation and the last developer has to pay for the entire traffic burden. This is counter to a fair and equitable sharing process and as a result, if it is to continue, the affordable housing residents would need to pay the burden for prior developers thus making it not affordable.

What positive effect will it have?

This would allow for manufactured home communities to be developed even if traffic concurrency is not met.

Where will it reside in the Code?

Title 25, Chapter 70, Subchapter to be created

How will it be implemented?

It would be implemented by the Counties through State law.

Title A1.07

Establishment of a Voucher Program for Manufactured Housing for HUD and non HUD housing

What is the nature of the proposed legislation?

The purpose of this legislation is to create an affordable housing trust fund that would have two components. The first component would provide vouchers to individuals and families with incomes less than 40%, and the second would provide grants to encourage the building of more affordable housing.

Why is the legislation necessary?

Manufactured housing and non manufactured housing residences are being challenged in their ability to remain affordable to the homeowners/renters. As a result, we are seeing more housing insecurity today than we have seen in recent times. Given the shortage of affordable housing the State needs to support the individuals and families in this demographic group so they can sustain their housing resource. If their sustainability ceases, they have a real chance of becoming homeless. It has been well documented that housing security provides benefit throughout our community through healthy lives, better education, safe environments and a happier person.

What positive effect will it have?

This would allow for residents who are economically burdened for a greater level of housing security..

Where will it reside in the Code?

Separate Chapter in the Delaware State Code

How will it be implemented?

Affordable housing is our community's responsibility – not the developer, not a foundation but the entire community's. First, the whole state is having all of its real estate assets reassessed. Next, industrial, retail churches, synagogue, hospital, universities and the like would contribute to a trust because they all benefit. The first objective would be to raise \$150 million through assessing every property in the state. In reality, given the total value of the property in the state of Delaware, this is not an excessive millage. Second, out of the general fund of the State of Delaware, \$150 million would be contributed as well. The total of the fund would then be \$300 million. The State would have the ability to provide grants (for development of affordable communities/homes) and vouchers up \$300 million. This is a meaningful amount of money to provide for vouchers. This would benefit both manufactured housing (HUD) and non-manufactured housing owners and renters. The implementation of the voucher program would be scaled – those closer to 40% median income would receive a smaller voucher and those in poverty would receive a larger voucher.

It is our Delaware community's responsibility to solve affordable housing, not any one developer business, church or the like.

Title A1.08

Landlord Essential Services Requirements

What is the nature of the proposed legislation?

The landlord will hire a third party to produce a property condition report based on ASTM International guidelines to ensure essential services are provided to the manufactured homeowner.

Why is the legislation necessary?

There have been occurrences where landowners have not maintained the quality of their communities to minimum standards and therefore homeowners are negatively impacted.

What positive effect will it have?

This will ensure that on a periodic basis, through a third party inspection, homeowners will be provided a standardized analysis to ensure essential services are kept in minimum shape, workable, serviceable and the community is habitable so it is safe for the residents.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

Self funded.

How will it be implemented?

The landowner must submit a report to the Department of Justice for review and if it is not completed, the report, or the work needed to bring the community to standards, then the community owner cannot raise rents.

§ 7007A Landlord Essential Services Requirements

(a) The inhabitability of any manufactured home community shall include such community being in structural condition and the providing a tenant access to potable water, electricity, and other utilities with existing connections.

1) Structural condition shall mean a community's infrastructure meets applicable Delaware Code standards in effect at the time of installation and/or such code updates otherwise applicable to the community.

a. Infrastructure shall mean any and all water, utility and sewer feeds, storm water management, roadways and parking areas and any and all common areas available for tenant use.

(b) A landlord shall be required to have an independent qualified inspection of any community in the frequency established herein following a community's initial inspection as required under guidelines and reporting requirements established by the Delaware Attorney General's office to ensure requirements stated in (a) are fully functional for tenant use.

1) Independent qualified inspection shall mean an inspection of items referenced in (a) above by an inspector properly trained to perform inspections in accordance with ASTM International's guidelines for Property Condition Assessments.

a. An initial inspection shall be performed following the twentieth anniversary year of the community's initial opening.

b. An inspection of privately supplied and maintained water and/or septic systems shall be conducted every five years following an initial inspection.

c. An inspection of all other infrastructure components shall be conducted every ten years following an initial inspection.

d. Any inspection under this section shall be concluded by April 15th of each inspection year.

e. All inspection reports shall be sent to the respective ombudsman having jurisdiction over these matters as established under Delaware law as well as any current tenants occupying lots within the community.

(c) Should an inspection required in subsection (b) result in a failure of any functional component essential to items outlined in subsection (a) above, a landlord shall repair or replace such item to meet the requirements of subsection (a) to ensure requirements stated in subsection (a) are fully functional.

1) A landlord that fails an inhabitability inspection shall not enter into any rental agreement or permit occupancy of any lot withing the community until appropriate repairs or replacements are completed.

2) A landlord shall have completed all repairs and/or replacements to re-establish proper functioning of any identified failed item by October 15th of the year of inspection or otherwise have an agreement in place to do so with the Delaware Attorney General's office to do so by a later specified date.

(d) A landlord that fails to repair or replace any item that failed an inhabitability inspection within thirty (30) days of the October 15th deadline established above without an extension beyond such deadline granted by the respective ombudsman's office having jurisdiction over these matters as established under Delaware law, shall be required to forego increasing lot rent until such repairs and/or replacements are completed.

(e) Any repairs or replacements made due to a failed inspection shall not be deemed complete until such repairs or replacements are re-inspected by the inspector issuing the failed inspection report.

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Title A1.09

Petition for Receivership

What is the nature of the proposed legislation?

To provide for the Chancery Court of Delaware to handle receivership of a manufactured home community.

Why is the legislation necessary?

At this time, receivership issues are handled in the JP court and given the monetary size, experience, and complexities of a manufacture home community the chancery court is a more appropriate venue for this issue.

What positive effect will it have?

The chancery court can handle cases in a more expedited methodology and if a tenant/tenant group or AG office feels it needs to be put into receivership, then the chancery court could handle this in an expeditious manner especially if there were a health and safety issue.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

N/A.

How will it be implemented?

Tenants with receivership issues will go to Chancery Court.

§ 7061. Petition for receivership.

Any tenant or group of tenants may petition for the establishment of a receivership in a Justice of the Peace Court for landlords directly owning 25 rental lots for manufactured homes or less and Chancery Court for landlords directly owning more than 25 rental lots for manufactured homes, upon the grounds that there has existed for 5 days or more after notice to the landlord of any the following:

(1) If the rental agreement or any state or local statute, code, regulation, or ordinance places a duty upon the landlord to so provide, a lack of heat, or of running water, or of light, or of electricity, or of adequate sewage facilities.

(2) Any other conditions imminently dangerous to the life, health, or safety of the tenant.

66 Del. Laws, c. 268, § 2; 82 Del. Laws, c. 38, § 48;

Title A1.10

Voucher Information for Manufactured Housing Homeowners

What is the nature of the proposed legislation?

This legislation would have a dual purpose. The first is to provide information to manufactured homeowners about what a voucher is, how to apply for a voucher and what to expect from the State's voucher program for manufactured housing. The second part of the legislation would enhance the amounts for vouchers as a homeowner becomes financially more house burdened/insecure.

Why is the legislation necessary?

By its nature, manufactured housing has an economically insecure demographic. Frequently manufactured homeowners are not aware of the voucher program and the government has not made an effort to outreach to this demographic. As a result, there is low participation in the voucher program by manufactured homeowners.

What positive effect will it have?

By reducing housing insecurity, a homeowner and their family end up being healthier, happier, safer and less of a burden on our communities.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

To be determined.

How will it be implemented?

This program will be implemented through the Department of Housing.

Title A1.11

Tie Downs for Manufactured Housing Eligibility for Vouchers

What is the nature of the proposed legislation?

To provide funding for tie down systems for manufactured homeowners to be eligible for vouchers.

Why is the legislation necessary?

A requirement for a manufactured home to be eligible for a voucher is that they be tied down to the ground. Until 2005 most installations of manufactured homes did not have tie downs as part of their foundation system. In many cases this is a catch 22 – a person who requires a voucher in most cases will not have the funds to install a tie down system. This grant would enable them to have a tie down system and then be eligible for a voucher.

What positive effect will it have?

This grant would enable them to have a tie down system and then be eligible for a voucher.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

To be determined

How will it be implemented?

This will be implemented by application and review through the Department of Housing.

Title A1.12

Grandfather Existing Manufacture Homeowners to the Current Rent Control Structure Requirements and Rental Assistance Program

What is the nature of the proposed legislation?

Existing homeowners in a manufactured home community as of the date of the proposed legislation would be grandfathered in to the current law and they would be protected by the existing rent control requirements and rental assistance program.

Why is the legislation necessary?

This is to provide continuity for existing homeowners in manufactured home communities.

What positive effect will it have?

This is to provide continuity for existing homeowners in manufactured home communities.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

N/A

How will it be implemented?

This will be implemented through State law.

Title A1.13

New Manufactured Homeowners in Existing Communities Not Subject to Current Laws, Notification

What is the nature of the proposed legislation?

All new manufactured homeowners in existing manufactured home communities would not be subject to the current rent control regulations or rental assistance programs, and a disclosure must be provided to each new homeowner in a manufactured home community that they are not protected by either program.

Why is the legislation necessary?

Given the accumulated loss in manufactured housing homesites in the State of Delaware estimated to be in excess of 6,800, Delaware must incentivize landowners to stay within the business and not continue this loss of affordable housing resource.

What positive effect will it have?

Hopefully this will mitigate the loss of manufactured home communities in the State of Delaware.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

N/A

How will it be implemented?

This will be implemented through State law.

Title A1.14

Landowner/Community Management Education

What is the nature of the proposed legislation?

To have the managers of manufactured home communities go through an initial management certification program. The program would include a once a year refresher and an every five year recertification to ensure that the managers of a community understand the State Code and the obligations that are required.

Why is the legislation necessary?

To ensure that the manager(s) act appropriately when interacting with homeowners and providing services in the community. Further, not to jeopardize the homeowner-landowner relationship given the fact that the tenant may not have equivalent resources that the landowner may have.

What positive effect will it have?

By ensuring that the managers know the obligations and responsibilities to the homeowners, a better homeowner-landowner relationship will occur.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

To be determined

How will it be implemented?

This would be implemented through the Department of Justice

Title A1.15

Video/PowerPoint Presentation for All New Homeowners of Manufactured Homes in Manufactured Home Communities

What is the nature of the proposed legislation?

Upon signing a lease, a new manufactured homeowner would view a PowerPoint/video presentation of their responsibilities and rights under the laws of the State of Delaware.

Why is the legislation necessary?

In many cases a manufactured homeowner does not know their rights and responsibilities regarding their manufactured home and the ground it sits on. An example of this is the eviction process and where to seek help. This presentation would be about 10 minutes in length and provide the homeowner with basic information on the how, where and why of their rights and responsibilities, and who to contact for remedies. As part of the presentation the homeowners would receive a sheet of where to seek assistance with any problems they have.

What positive effect will it have?

Education will empower the new homeowners in manufactured home communities.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

Minimal -possibly by grant.

How will it be implemented?

This will be implemented under the guidance of DOJ, CLASI and the First State Manufactured Housing Association

Title A1.16

Requirement of an Engineering Plan in lieu of a Zoning Plan to build a Manufactured Home Community

What is the nature of the proposed legislation?

Based on A1.04, a land developer can bypass a zoning and just do a record plan with conforming engineering requirements as long as:

1. The land has a community septic system which is run by a third party and under DNREC review on a three year basis, or public sewer; and
2. The land has a private well under third party control and reviewed regularly by the Department of Public health or public water.

Why is the legislation necessary?

The most controversial rezonings in the State of Delaware are manufactured housing, not to mention that rezonings are expensive and time consuming. However, creating manufactured home communities is one of the easiest and quickest methods of creating affordable housing. To incentivize land developers to create manufactured home communities, this would allow them to would bypass the zoning process if they met infrastructure standards as described above.

What positive effect will it have?

More affordable housing may be created.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

N/A

How will it be implemented?

This would be implemented through State Law.

Title A1.17

Quarterly Legislative Committee on Affordable Housing to Listen to Manufactured Home Community Landowner and Homeowner Concerns

What is the nature of the proposed legislation?

To have a continuous forum to listen to manufactured housing concerns for both landowners and homeowners in Legislative Hall which would be chaired by the chairs of the Housing Committee of the Senate and House. It would meet on a quarterly basis with two additional representatives from the manufactured housing industry and the homeowners.

Why is the legislation necessary?

To provide feedback to legislators and to continue to refine legislative needs for manufactured housing.

What positive effect will it have?

To balance the needs of all the stakeholders in the manufactured housing industry.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

N/A

How will it be implemented?

Through State Law.

Title A1.18

First Time Buyers Program for Manufactured Home

What is the nature of the proposed legislation?

The State of Delaware's Housing Authority would develop a first-time homebuyer program for manufactured housing purchases with a low down payment requirement and a low interest rate.

Why is the legislation necessary?

It is difficult for people to become homeowners as first timers in manufactured home communities.

What positive effect will it have?

This would expand opportunities for affordable housing.

Where will it reside in the Code?

Title 25, Chapter 70, Delaware Code.

Initial funding

To be determined.

How will it be implemented?

This would be implemented through State Law.

Title A1.19

Exemption of Manufactured Housing from the Voluntary School Assessment.

What is the nature of the proposed legislation?

Given the fact that manufacture housing is an exceptionally low cost production source of housing, if the residence is a primary home and in a new park, it would be exempt from the Voluntary School Assessment (“VSA”).

Why is the legislation necessary?

The VSA is a regressive tax. As written in the Delaware Code, if you were to have a new home worth millions of dollars in Centerville, of 15,000 square feet and a new mobile home worth \$100,000 in Centerville, the VSA fee would be equal. In fact, if the new home in Centerville had 15 bedrooms and the manufactured home only had three, the fee would be the same for each property. From the attached exhibit, even though there are exemptions from paying the tax, as stated in Title 14, Chapter 1, Subchapter I, Section 103, there is a limit of 5%, this would still be significant whereas with the house that cost millions of dollars, the fee would be de minimus.

What positive effect will it have?

This would reduce the cost of any impact fees on manufactured housing and make it available to more people/families who are interested.

Where will it reside in the Code?

Title 14, Chapter 1, Subchapter 1.

Initial funding

N/A

How will it be implemented?

Through Delaware State Law

TITLE 9

Counties

New Castle County

CHAPTER 26. Zoning

Subchapter II. The Quality of Life Act

§ 2661. Information from state and local agencies and school districts

(2) Notwithstanding the foregoing provisions of this subsection, no certificate of adequate school capacity shall be required where either: (i) the residential development is restricted by recorded covenants to provide housing or shelter predominantly for individuals 55 years of age or older pursuant to the Federal Fair Housing Act [42 U.S.C. § 3601 et seq.]; (ii) the residential development is for low income housing, which, for purposes of this , shall be defined to mean any housing financed by a loan or mortgage that is insured or held by the Secretary of HUD or the Delaware State Housing Authority or which is developed by a nonprofit corporation certified under § 501(c)(3) of the United States Internal Revenue Code [26 U.S.C. § 501(c)(3)]; or (iii) the applicant has pledged, in a writing recorded and running with the subject property, to pay a Voluntary School Assessment in an amount determined pursuant to § 103(c) of Title 14, for each lot for which the applicant would otherwise be required to obtain a certificate.

TITLE 14

Education

Free Public Schools

CHAPTER 1. Department of Education

Subchapter I. Composition, Organization and Administration

§ 103. Powers, duties and functions of the Secretary

(c) The Secretary shall calculate a voluntary school assessment, which applicants shall have the option of paying in lieu of any school certification required by §§ 2661 or 6961 of Title 9 or § 842 of Title 22. Voluntary school assessments shall be calculated on a per unit basis for each project that seeks to pay such assessments in lieu of certification as follows by:

- (1) Calculating the average cost (including offsite roadway improvements for the school required by the state transportation department, land or, if the school district already owned such land, the then-fair market value of such land at the time of construction), per child, for the average new public schools (1 elementary school, 1 middle school, 1 high school) constructed with state assistance as determined by the State of Delaware School Construction Technical Assistance Manual prepared by the Delaware Department of Education (as such manual exists as of June 30, 1999, such manual to be updated for purposes of this calculation on earlier than July 1, 2005, and thereafter updated as the Department normally updates such manual);
- (2) Multiplying that number by the local percentage share then required by state law of the local school district in order to receive state capital assistance;
- (3) Multiplying the resulting figure by 0.50, representing the average number of school-aged children projected to be housed within each residential unit, provided that in no event shall the voluntary school assessment exceed 5% of the total cost of the residential unit.

Title A1.20

Tax Credits for Subsidization of Renters Who Are Below the 40% Median Income

What is the nature of the proposed legislation?

The State of Delaware would provide tax credits to the landowners to subsidize reduced rents for renters who are below the 40% median income level.

Why is the legislation necessary?

One of the impacts of the rent control laws in Delaware and the potential growth of the rental assistance programs mandated by the State which are paid for by the landowners is a continued decrease in the number of manufactured home communities in the State of Delaware. To reduce this decline in this resource, the State would subsidize the differential between a market rate established by the State Housing Authority and the prescribed rental rate as in the rental code, and that difference would be funded through tax credits provided by the State of Delaware.

What positive effect will it have?

Reduce and mitigate the loss of manufactured housing capacity in the State of Delaware.

Where will it reside in the Code?

TBD

Initial funding

TBD

How will it be implemented?

Through State law.