

Legislative Analysis



HOUSING DEVELOPMENT COMMISSIONS: MOBILITY IMPAIRED TENANTS

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House Bill 4513

Sponsor: Rep. Woodrow Stanley

Committee: Local Government

Complete to 10-16-13

A SUMMARY OF HOUSE BILL 4513 AS INTRODUCED 4-9-13

House Bill 4513 would amend Public Act 18 of 1933, a law that enables local governments to create housing development commissions (MCL 125.694), to require that a housing commission adopt and implement a policy to offer current disabled tenants a right of first refusal to relocate to an available dwelling accommodation on a lower floor of the same housing project.

Currently the law requires that in the operation or management of housing projects, a local housing commission must do all of the following:

- rent or lease the dwelling only to low-income people;
- rent or lease dwellings that are affordable to low-income people;
- rent or lease a tenant a dwelling that has the number of rooms (but no greater number) necessary to provide safe and sanitary accommodations without overcrowding;
- not accept as tenants in any housing project, people who have an aggregate annual net income in excess of the maximum allowed by the federal government; and
- prohibit subletting by tenants.

House Bill 4513 would retain all of these provisions. In addition, the bill would add the requirement that a local housing commission:

- adopt and implement a policy to offer current disabled tenants a right of first refusal to relocate to an available dwelling accommodation on a lower floor of the same housing project.

Under the bill, "disabled tenant" means a tenant who is a disabled person as that term is defined in Section 19a of the Michigan Vehicle Code, other than a tenant who is a disabled person only because of blindness.

In the Vehicle Code, the term "disabled person" or "person with disabilities" is defined to mean *"a person who is determined by a physician, a physician assistant, or an optometrist . . . to have 1 or more of the following physical characteristics:*

- (a) Blindness as determined by an optometrist, a physician, or a physician assistant.*
- (b) Inability to walk more than 200 feet without having to stop and rest.*
- (c) Inability to do both of the following:*
 - (i) Use 1 or both legs or feet.*
 - (ii) Walk without the use of a wheelchair, walker, crutch, brace, prosthetic, or other device, or without the assistance of another person.*
- (d) A lung disease from which the person's forced expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, or from which the person's arterial oxygen tension is less than 60 mm/hg of room air at rest.*
- (e) A cardiovascular condition that causes the person to measure between 3 and 4 on the New York heart classification scale, or that renders the person incapable of meeting a minimum standard for cardiovascular health that is established by the American heart association and approved by the department of public health.*
- (f) An arthritic, neurological, or orthopedic condition that severely limits the person's ability to walk.*
- (g) The persistent reliance upon an oxygen source other than ordinary air."*

FISCAL IMPACT:

The bill does not appear to have any state or local fiscal impact.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.