

# MAINE STATE LEGISLATURE

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# Program Evaluation Report

November 2015



**MaineHousing**

Maine State Housing Authority



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# Overview

## Mission Statement

The mission of the Maine State Housing Authority (MaineHousing) is to assist Maine people in obtaining and maintaining quality affordable housing and services suitable to their housing needs.

Our Program Goals are:

- Improve housing quality;
- Expand the supply of affordable housing;
- Help Maine people attain housing stability;
- Subsidize and preserve existing affordable housing; and
- Provide leadership in the housing field

## Governance

MaineHousing is an independent authority created by the Legislature in 1969 to address the problems of unsafe, unsuitable, overcrowded, and unaffordable housing. We are governed by a ten-member Board of Commissioners appointed by the Governor and confirmed by the Senate upon the recommendation of the Labor Commerce Research and Economic Development Committee. The Director also is appointed by the governor and confirmed by the Senate upon the recommendation of the Labor Commerce Research and Economic Development Committee. The Director and the State Treasurer are ex-officio members of the Board.

MaineHousing is Maine's housing finance agency as well as a public housing authority for those parts of the state without one.

We are a \$1.7 billion financial institution.

## Private Methods for Public Purposes

MaineHousing couples the methods and efficiencies of the private financial markets with the federal tax incentives of tax-exempt bonds to meet the government's public purpose goals to provide affordable rental and ownership housing. The housing finance agency component of MaineHousing works much like any other bank except that we raise capital with tax-exempt bonds and federal and state subsidies, and we take greater risks to achieve our public purpose. The tax-exempt bonds allow us to borrow funds at a lower rate. In turn, we are able to lend those funds at a lower rate. The federal and state subsidy funds (such as the HOME Fund) allow us to further reduce the costs of providing housing.

## Moral Obligation

The bulk of our assets are in mortgages, primarily from first time homebuyers. These are funded by the tax-exempt mortgage revenue bonds that we are authorized to sell. The bonds issued by MaineHousing are not backed by the full faith and credit of the State of Maine; the debt payments are made by MaineHousing. These bonds are called moral obligation bonds. The moral obligation means that the state has a moral obligation to back our bonds if we cannot make the payments we owe. Moral obligation is specifically authorized in statute.

MaineHousing is required to maintain reserve funds to cover annual debts to the bond holders. If the account falls below the required level, we must tell the Governor how much that we need to restore these accounts. Maine law states that, "...the sum or sums so certified shall be appropriated and paid to the Maine State Housing Authority during the then current fiscal year." The state is not legally obligated to do so. This has never happened.

## Housing is Economic Development

Housing is a major sector of Maine's economy. Every time a house or apartment building is built, there is work for the lumber yards and plumbing contractors, law offices and real estate agencies, furniture stores and moving companies, landscapers and bankers, and many others. The National Association of Home Builders estimates that in the 2014 building season the average single family home created almost 3 (2.97) jobs and generated \$110,957 in taxes; that building the average apartment created 1.13 jobs and generated \$42,383 in taxes; and that every \$100,000 spent on remodeling created 0.89 jobs and generated \$29,779 in taxes.

The National Association of Realtors found that the sale in Maine of a median priced home of \$192,100 generated \$56,252 in total income. They determined that the real estate industry accounted for 19.3% of the Gross State Product. They also estimated that the sale of every eight existing homes generates the construction of one new house.

## Operations

MaineHousing pays for its operating costs through a combination of resources generated from lending activities and fees paid to us from federal programs that we administer. No State General Fund money is used to pay MaineHousing personnel or operating costs.

## Divisions

- **Asset Management:** Oversees the operations of the thousands of apartment units that MaineHousing financed or that MaineHousing controls via federal programs, including ensuring the units meet fiscal and safety standards.
- **Communications and Planning:** Analyzes and prepares data to support division operations and programs; prepares and distributes public information, markets MaineHousing and its programs, and answers media inquiries.

- **Development:** Administers a variety of programs to finance development of affordable housing and ensure its long term viability. They include the Low Income Housing Tax Credit Program, which leverages approximately \$30 million per year in private investment; development loans, direct development subsidies, and affordable housing tax increment financing. Some programs finance housing specifically for low and very low income families, seniors, and people with special needs. Other programs finance housing for lower and moderate income people.
- **Energy and Housing Services:** Administers the federal Low Income Home Energy Assistance Program, the federal Department of Energy Weatherization Program, home repair, and lead abatement programs.
- **Finance:** Oversees the agency's budget, fulfills financial reporting requirements, coordinates external audits, services single family, multi-family and home improvement loans, and distributes the payments to thousands of renters who receive federal housing assistance payments.
- **Homeless Initiatives:** Provides funds to emergency shelters based on collected data, offers rental assistance to people who are homeless and working toward self-sufficiency, and coordinates programs to help homeless individuals and families reach permanent housing goals.
- **Homeownership:** Provides low-interest rate loans and other assistance to help make homeownership affordable, achievable, and sustainable for low to moderate-income homebuyers. Works with lenders and the real estate community to encourage income-eligible borrowers to use MaineHousing's programs.
- **Housing Choice Voucher:** Provides federal Section 8 rental assistance to income-eligible tenants by subsidizing a portion of their monthly rents and paying it directly to their landlords. The assistance provided is the difference between what the tenant pays toward rent (generally 30% to 40% of the household's adjusted gross income) and the cost of the rent. Inspects Section 8 units to ensure decent and safe living conditions in accordance with federal standards. Maintains Housing Referral Service to assist lower-income individuals and families in their search for affordable housing.
- **Internal Audit:** Acts independently of staff to ensure conformity with state and federal standards.
- **Treasury:** Oversees the sale of MaineHousing bonds and manages investments.
- Also, the following divisions provide support services:
  - **Human Resources**
  - **Information Technologies and Facility Management**
  - **Legal Services**

## The Delivery of Federal and State Programs

In addition to financing affordable housing, MaineHousing administers a number of federal housing-related programs on behalf of the state. These include the HOME Partnership program, the Low Income Housing Tax Credit Program, the Section 8 Housing Choice Voucher programs, the Emergency Shelter Grant Program, the Lead-Based Paint Hazard Control Program, the Housing Counseling Program, the Weatherization Program, and the Low Income Home Energy Assistance Program. MaineHousing also administers a program for the Maine Public Utilities Commission: the Low Income Assistance Program (for electricity customers).

We design our programs to achieve our program goals and to meet the needs of the people we serve rather than deriving them from the requirements of the funding sources. We analyze the resources we have available and the restrictions they come with. Then we allocate resources to programs in a way that maximizes each resource.

## Program Evaluation Report—2015

MaineHousing welcomes the Government Evaluation Act process. It provides us with an opportunity to review our operations and to examine our successes and areas that we can improve.

We have organized the report in the sequence detailed in law. We want it to provide you with a clear and concise review of MaineHousing. We have tried hard to make this report user friendly and to avoid jargon. We explain the big picture and try not to swamp you in details that obfuscate the key points and ideas. For example, the section on the laws that govern us provides a detailed but plain English explanation of the law. The same is true for the sections on our programs and finances.

We want you to understand everything there is to know about us: what we do, how we do it, who we help, and how successfully we address Maine's housing problems.

# Organizational Units and Programs

Organizational Unit:	Programs:
Asset Management	<ul style="list-style-type: none"> <li>Section 8 PBCA</li> <li>Section 8 New Construction</li> <li>Subsequent Loan Program</li> <li>Loan Modification Program</li> <li>Multifamily Home Energy Loan Program (Multifamily HELP)</li> <li>Supportive Housing Repair</li> </ul>
Development	<ul style="list-style-type: none"> <li>Low Income Housing Tax Credit Program                             <ul style="list-style-type: none"> <li>• 9% Tax Credit Program</li> <li>• 4% Tax Credit Program</li> </ul> </li> <li>Supportive Housing</li> </ul>
Energy and Housing Services	<ul style="list-style-type: none"> <li>Common Home Program</li> <li>Home Retro Program</li> <li>Lead Program</li> <li>Arsenic Remediation</li> <li>Weatherization</li> <li>Central Heating Improvement Program (CHIP)</li> <li>LIAP Electricity Assistance</li> <li>LIHEAP Fuel Assistance</li> <li>Energy Crisis Intervention Program (ECIP)</li> </ul>
Finance	<ul style="list-style-type: none"> <li>MaineHousing HAMP Program</li> <li>Maine HOPE Program</li> </ul>
Homeless Initiatives	<ul style="list-style-type: none"> <li>The Emergency Shelter and Housing Assistance Program</li> <li>HMS (Homeless Management Information System)</li> </ul>
Homeownership	<ul style="list-style-type: none"> <li>First Home Loan Program                             <ul style="list-style-type: none"> <li>• Advantage</li> <li>• Purchase Plus Improvement</li> <li>• Operation New Home</li> </ul> </li> <li>Homebuyer Education</li> <li>Disaster Assistance Loan Program</li> <li>Indian Housing Mortgage Program</li> <li>Housing Counseling Program</li> </ul>
Housing Choice Vouchers	<ul style="list-style-type: none"> <li>Section 8 HCV Rental Assistance</li> <li>Owner Excellence Program</li> <li>Landlord Assistance Program</li> <li>Low Poverty Incentive</li> <li>Security Deposit Plus</li> <li>Family Self-Sufficiency Program</li> </ul>



# Statutes and Federal Mandates

This section requires us to present our authorizing laws. Rather than simply reprint the laws here, we have instead prepared a plain English summary for you. We think that will be easier and more useful.

## Maine Housing Authorities Act, Title 30-A, Chapter 201

As originally enacted in 1949, the Maine Housing Authorities Act (the “Act”) established only the local housing authorities. In 1969 the Act was amended to create the Maine State Housing Authority (“MaineHousing”). Provisions regarding MaineHousing were integrated into the existing Act. This summary focuses primarily on the statutory provisions related to MaineHousing.

### Subchapter 1. General Provisions

*Area of Operation.* MaineHousing’s area of operation is the entire State. The area of operation of a municipal housing authority is within the municipality and subject to restrictions (consent is required if another municipal housing authority is already operating there) within ten miles outside of the city limits. To provide Federal financial assistance (Section 8) for a new construction or substantial rehabilitation project within the territory of a municipality housing authority, MaineHousing must obtain the prior consent of the municipality.

*Declaration of Necessity.* The Act was declared necessary because of unsafe and overcrowded housing; a shortage of suitable affordable housing; the benefit to the economy of housing construction; and the Federal government’s cutback of housing programs in the early 80’s.

*State Policy.* It is the policy of the State to help residents have the opportunity for: housing which is decent, safe, meets their needs, and affordable; a wide range of private housing; public housing as necessary; additional resources for home construction, mortgages, and notes from financial institutions with assistance provided by MaineHousing; and housing education and demonstration housing programs.

*Confidentiality.* The Act deems confidential information from tenants and applicants; individual financial statements submitted in connection with mortgages or grants; applicant or beneficiary information pertaining to weatherization, energy conservation, homeless assistance or fuel assistance programs; and the address of living accommodations for victims of domestic violence.

## Subchapter 2. Establishment and Organization

In addition to the powers listed in Subchapter 3 and other powers described in the Act, MaineHousing has the power and duty to:

- gather information and statistics on housing;
- develop and finance the research and demonstration of model housing programs;
- provide or coordinate technical assistance and consultation about housing;
- prepare and disseminate educational materials;
- encourage and coordinate the effective use of resources for housing;
- accept Federal funds and other assistance for housing activities for the State as authorized under the statute;
- carry out renewal projects under Chapter 203, the Urban Renewal Law;
- issue revenue bonds;
- purchase, sell, service, pledge, and invest in mortgage-related securities;
- adopt by-laws;
- do what's necessary to carry out its powers and duties;
- make loans and grants and contract with financial institutions to make mortgage loans ("mortgage loan" is an interest bearing obligation on S/F or M/F housing including any mortgage loan for the purpose of acquiring, developing, constructing, or reconstructing S/F or M/F housing);
- propose affirmative action plans;
- issue taxable bonds;
- issue certificates evidencing interests in mortgage loan pools;
- cause its power and duties to be carried out by one or more non-profit corporations;
- deal in mortgage credit certificates;
- approve municipal bonds for housing;
- consult with the Statewide Homeless Council;
- administer energy conservation programs;
- operate energy conservation and fuel assistance programs;
- advise the Governor and other State officials on energy conservation;
- expand access to housing for young professionals and young families;
- condition approval of funding for housing projects upon municipal representation that the applicant has no record of material municipal code violations;
- certify transfers of multifamily affordable housing property qualifying for exit taxes deduction;
- make a loan to payoff or pay amounts due on S/F home in default or at risk of foreclosure;
- encourage energy conservation and incent carbon offsets;
- certify affordable housing projects for state historic tax credit increase.

*Limitations on MaineHousing's Powers.* MaineHousing may not finance or assist in housing assisted by a college or university, student-housing, or certain nursing homes and related institutions.

*Commissioners.* MaineHousing has ten commissioners, eight appointed by the Governor, subject to legislative review and confirmation. The other commissioners are the Treasurer of the State and the director of MaineHousing. The eight gubernatorial appointments serve four year terms and must include a banking representative, a representative of elderly people, and a resident of subsidized housing. Of the five remaining appointments, the Governor gives priority to a representative involved in the housing business and a representative of people with disabilities. The Governor appoints the chair from among the eight gubernatorial appointments.

*Commissioners and Director.* The powers of MaineHousing are vested in the commissioners. The commissioners may delegate such powers and duties to the director as they deem appropriate. The commissioners are responsible for the performance review of the director. The director may be terminated by an affirmative vote of five (5) commissioners.

The commissioners also approve the operating budget pursuant to Subchapter 9.

*Conflict of Interest.* MaineHousing employees and commissioners may not participate in decisions in which they have an interest. While at MaineHousing and for the following two years, they may not acquire an interest in any contract or project they worked on as a MaineHousing employee or commissioner.

### **Subchapter 3. Powers and Duties of Housing Authorities**

*General Powers.* All housing authorities have the following powers:

- to sue and be sued, to enter into contracts, to make rules and regulations to carry out the purposes and powers of the authority;
- to acquire, manage, own, lease, operate, construct, and improve housing projects;
- to research and analyze housing needs and disseminate such information;
- to contract for services in connection with a housing project;
- to lease and purchase real property;
- to exercise eminent domain;
- to invest funds and to redeem or purchase its bonds;
- to determine where slums exist and to work with localities to alleviate slum areas;
- to conduct examinations and investigations and to hear testimony; and
- to exercise all or any part or combination of the powers granted.

In addition, the commissioners of a municipal housing authority or the director of MaineHousing must establish procedures by which a municipality may review proposed projects and plans for financing proposed projects.

*MaineHousing Powers.* In addition to the powers listed in Subchapter 2, the above powers of all housing authorities listed in Subchapter 3, and other powers described in the Act, MaineHousing has the following powers:

- to acquire mortgage loans;
- to make payments to reduce interest costs on market rate mortgages;

- to allocate tax-exempt bonds established pursuant to the Internal Revenue Code and allocated to MaineHousing under Title 10, Section 363;
- to allocate low-income housing tax credits;
- to act as the weatherization, energy conservation, and fuel assistance agency for the State;
- to represent the State in carrying out the HOME Investment Partnerships Program created by the Cranston-Gonzalez National Affordable Housing Act; and
- to coordinate homeless programs for the State and administer federal funds for homeless persons.

*Operation and Management of Projects.* Housing authorities may not manage and operate their housing projects for profit. At least 20% of the units in a project must be for low income families, veterans are given a preference, and units may be made available for disaster victims and defense workers. State public bodies may cooperate with housing authorities in undertaking projects.

**Subchapter 3-A. Affordable Housing Program.** The Affordable Housing Program, which along with the Affordable Housing Partnership Act, Chapter 202, grew out of the 1988 Governor’s Task Force on Affordable Housing, was intended to get MaineHousing, municipal housing authorities, municipalities, and the Department of Economic and Community Development to work together in connection with housing.

*Housing Component of Comprehensive Plans.* The program requires municipalities’ comprehensive plans to include the development of affordable housing and requires housing authorities to provide technical assistance to municipalities.

*Matching Resources.* The program allows MaineHousing to match resources provided by municipalities.

*Housing Assessment.* MaineHousing is required to assess the State’s housing and report its findings and recommendations on the adequacy of data collection to the Governor and the Legislature biennially.

*MaineHousing’s Right of First Refusal.* State agencies are required to offer MaineHousing the opportunity to purchase surplus land before selling it to other parties. If the land is located in a community serviced by a municipal housing authority, MaineHousing must give the local housing authority the first option to purchase the parcel. MaineHousing may sell surplus property at below market value for affordable housing.

**Subchapter 3-B. Temporary Housing Assistance Program.** MaineHousing may use the Temporary Housing Assistance Fund to provide loans or grants to low-income persons for rent and security deposits. Preference must be given to those who can repay a loan.

**Subchapter 4. Funds.** Housing authorities are granted the power to do anything required to obtain the financial aid or cooperation of the Federal government in the exercise of their powers granted under the Act.

*Moderate Rehabilitation with Federal Assistance.* MaineHousing must give 15 days prior written notice to a municipality of its intention to solicit proposals from owners of units in the municipality for federal assistance for moderately rehabilitated units.

*New Construction with Federal Assistance.* The legislative body of the municipality where a project is located must approve an authority's entering into a contract for federal assistance for new construction.

**Subchapter 5. Loans to Financial Institutions.** MaineHousing may make loans to financial institutions to finance mortgage loans which benefit low income persons.

**Subchapter 6. Construction Loans.** MaineHousing may participate with financial institutions in the making of construction loans for housing for low-income persons. A financial institution must participate in the loan at least to the extent of acting as an escrow agent unless the loan is to a public instrumentality or a private nonprofit corporation. MaineHousing may issue "construction loan bonds" not subject to the moral ob provided the total outstanding balance is no more than \$25,000,000.

**Subchapter 7. Housing Opportunities for Maine Program.** The Act creates the Housing Opportunities for Maine Fund (the "State HOME Fund"). The State HOME Fund is funded with real estate transfer tax proceeds pursuant to 36 M.R.S.A. § 4641-B.

*State HOME Fund Uses.* MaineHousing may use the State HOME Fund to:

- reduce the interest rate on or principal amount of mortgage loans;
- reduce low-income persons' rental payments;
- make mortgage loans or grants;
- fund reserves for, pay interest on, pay costs of issuance of, or otherwise secure and facilitate the sale of MaineHousing's bonds;
- pay the administrative costs of public instrumentalities and nonprofit corporations directly associated with housing projects; and
- otherwise make housing affordable to low income persons.

Up to 3% of the fund plus earnings and repayments may be used for administrative costs.

*Repayment Terms.* MaineHousing establishes interest rates and may defer repayments. MaineHousing may not recover State HOME Funds from other than mortgaged property.

**Subchapter 7-A. Maine Energy, Housing and Economic Recovery ("MEHER" or "Part E") Program.**

MaineHousing may issue bonds for the MEHER Fund. MaineHousing must seek to target MEHER resources over time as follows:

- A. at least 30% to construction and substantial rehabilitation of M/F affordable housing for seniors;
- B. at least 30% to construction and substantial rehabilitation of M/F affordable housing for persons of any age;

- C. at least 10% to construction or substantial rehabilitation of MF affordable housing for populations with special needs; and
- D. at least 10% to replacement of mobile homes that don't meet 24 CFR Part 3280.

MaineHousing will provide up to 30% for needs of rural communities through flexible standards for size and income eligibility.

MaineHousing may issue bonds for MEHER purposes with principal and interest to be paid from the State's portion of the real estate transfer tax. MaineHousing may have outstanding up to \$200,000,000 in MEHER bonds.

**Subchapter 8. Bonds.** Housing authorities may issue bonds. Authorities may secure the payment of the bonds however they choose. Remedies of bondholders include injunctive relief, taking possession of a property, appointment of a receiver, and requiring an accounting.

### **Subchapter 9. Mortgage Credit**

*Low Income Requirement.* Authorities may sell revenue bonds to purchase mortgage loans as long as a financial institution certifies that the loan is a prudent investment and a reasonable number of low income persons occupy the mortgaged property. The authority must make sure the intended use of the property continues as long as economically and socially reasonable.

*Reserves Securing Bonds.* The Act requires MaineHousing to establish reserve funds to secure the bonds it issues. MaineHousing may not issue bonds under a resolution unless the reserve funds securing the bonds issued or to be issued under the resolution are at least equal to the principal and interest payments becoming due under the resolution in the next calendar year. The Housing Reserve Fund required by the Act secures bonds issued under MaineHousing's General Mortgage Purchase Bond Resolution. The Capital Reserve Fund permitted by the Act secures bonds issued under MaineHousing's General Housing Finance Revenue Bond Resolution.

*Moral Obligation.* If there is a deficiency in the reserves securing the bonds, the director may certify to the Governor the amount needed and the State will provide that amount to MaineHousing. The director has never certified to a deficiency in the reserves. MaineHousing may not have at any time more than \$2,150,000,000 of outstanding mortgage purchase bonds to which this provision applies. Such mortgage purchase bonds must be rated A or better by a nationally recognized rating agency. Mortgage purchase bonds to which the moral obligation does not apply and other credit arrangements securing the bonds may be issued up to \$100,000,000 per calendar year with no more than \$300,000,000 in the aggregate outstanding. A rating is not necessary if the bonds are not subject to the moral obligation and are sold only to financial institutions, insurance companies, or similar financial entities for their own account and not for resale.

*Financial Reports and Budgets.* MaineHousing submits annual audited financial reports to the Governor and the bank superintendent and MaineHousing submits an annual budget of expenses of operation and administration of mortgage purchase programs to the Bureau of the Budget.

*Limitation on Proceeds.* No more than .05% of the outstanding bond value may be used for the administration of the mortgage purchase program or other programs of MaineHousing.

*Conservation Projects.* With the Department of Economic and Community Development, MaineHousing shall develop guidelines for energy improvement that may be made with home improvement loans.

**Subchapter 9-A. Natural Disaster Home Assistance Program.** MaineHousing may use the Natural Disaster Home Assistance Fund to provide loans up to \$45,000 and grants up to \$20,000 to homeowners who are victims of natural disasters. MaineHousing was required to adopt a rule giving priority to homeowners who are not adequately assisted by other disaster funds and who do not have adequate access to capital.

**Subchapter 9-B. Overboard Discharge Assistance Program.** MaineHousing was authorized to issue bonds in an amount up to \$10,000,000 for a program to provide assistance to homeowners to fix water treatment systems discharging pollution into Maine surface waters. The program was never implemented.

**Subchapter 10. Housing Mortgage Insurance Law.** The State Constitution authorizes the Legislature to insure mortgage loans on homes on Indian reservations in an aggregate amount up to \$1,000,000. This law creates a housing mortgage insurance fund under MaineHousing's jurisdiction for mortgage insurance in an aggregate amount up to \$25,000,000 on housing not located on Indian reservations and authorizes MaineHousing to request the State Treasurer to issue up to \$1,000,000 in general obligation bonds to pay costs arising from insuring mortgages for housing on Indian reservations.

**Subchapter 10-A. Elderly Homeowner Equity Loan Program.** MaineHousing may use the Elderly Homeowner Equity Loan Guarantee Fund to give low-income elderly homeowners reverse mortgage loans and home equity loans so they can afford to stay in their homes in accordance with a rule adopted by MaineHousing. MaineHousing no longer runs this program.

**Subchapter 11. State-owned Land for Housing.** Surplus State land and buildings which are useable or needed for affordable housing may not be sold or used for other purposes without the approval of the director of MaineHousing and the commissioner of Administration. The Act required MaineHousing and the Department of Administration to develop a procedure to implement this provision. MaineHousing reports on this provision regularly to the joint standing committee of the Legislature having jurisdiction over housing matters.

**Subchapter 11-A. Electric Assistance.** This law provides for MaineHousing's implementation of procedures to administer the electric assistance program established by the Public Utilities Commission to provide needs-based assistance for low-income persons.

**Subchapter 12. Preservation of Moderate-income and Low-income Housing Constructed With Federal Assistance.** This law was intended to discourage the conversion of federally assisted moderate-income and low-income rental housing units to market units.

*Right of First Refusal.* Anyone with a controlling interest in low-income housing who might take any action which would result in the termination of financial assistance for affordability must give a 90-day prior notice to the tenants, MaineHousing, and the municipal housing authority, if any. MaineHousing has the right of first refusal to purchase the property at its current appraised value unless a qualified buyer agrees to maintain the property as low-income housing. The minimum penalty for failure to give notice is \$2,500.

*Six Month Transition.* In addition, any owner or purchaser of low-income rental housing who takes any action which would result in the termination of financial assistance for affordability must allow the current tenants to remain in the units for 6 months at the same rents or relocate the tenants to comparable units with comparable rent. MaineHousing shall adopt rules for relocation assistance.

*Purchase Property; Provide Financing.* MaineHousing may purchase property to preserve or provide affordable housing to moderate and low income persons. MaineHousing may provide low or no interest financing to anyone who constructs, reconstructs, rehabilitates, or purchases property to provide housing for low and moderate income households.

### **Subchapter 13. Fuel Assistance**

*Local Operators.* MaineHousing may select local program operators to run a federally funded fuel assistance program for eligible homeowners and tenants. Fuel assistance is paid to fuel vendors or the beneficiaries.

*Reserve Fund.* MaineHousing may use funds appropriated to the Fuel Assistance Reserve Fund to cover anticipated fuel assistance payments and program costs before MaineHousing receives the Federal fuel assistance money. MaineHousing must return the money within the fiscal year.

MaineHousing may request a working capital advance from the General Fund unappropriated surplus to the Fuel Assistance Reserve Fund for cash necessary to ensure that fuel assistance benefits for the State's eligible elderly and low-income applicant households will be available prior to the beginning of the heating season. The State Controller may advance up to \$10,000,000 from this fund during any state fiscal year.

In the event of heating oil price increases, this law provides that MaineHousing estimate funds needed to provide adequate assistance to residents eligible for fuel assistance if prices increase more than 40% and to residents regardless of eligibility for fuel assistance if prices increase more than 50% in any 14-day period during the home heating season and notify the Governor and specified committees of the estimated funding need.

## **Affordable Housing Partnership Act of 1989, Title 30-A, Chapter 202**

The Affordable Housing Partnership Act of 1989, like the Affordable Housing Program, Chapter 201, Subchapter III-A, grew out of the 1988 Governor's Task Force on Affordable Housing.

## **Subchapter 1. Administration and Implementation**

*Findings.* The Legislature found increased land costs, reduced federal housing assistance, and an increased working poor population caused a lack of affordable housing which threatened the health, safety, and welfare of Maine citizens.

*Purpose.* The Act was an attempt to find housing solutions through concerted action among state agencies, municipalities, nonprofit housing developers, and homestead land trusts.

**Subchapter 2. Assistance to Municipalities.** This subchapter established a fund for MaineHousing to award grants and loans to municipalities to develop affordable housing and required MaineHousing to identify resources and needs for Maine's homeless, provide technical assistance to municipalities, coordinate housing activities with comprehensive land use planning, require matching resources from municipalities, and work toward mixed income neighborhoods.

**Subchapter 3. Nonprofit Housing Corporations and Affordable Housing.** This subchapter required MaineHousing to establish the Office of Nonprofit Housing within MaineHousing to monitor and assist nonprofit housing corporations in providing affordable housing, transitional housing for homeless persons and persons with special needs, homeless shelters, and homestead land trusts for lower income households.

**Subchapter 4. Land Acquisition Program.** This subchapter created two funds and provided specific criteria for MaineHousing to use in awarding grants and loans.

*Nonprofit Corporation Loans and Grants.* The Maine Affordable Housing Land Trust Fund funds grants and loans to nonprofit corporations to purchase land including predevelopment costs and to finance minor capital improvements.

*Municipal Loans.* The Municipal Land Acquisition Revolving Fund provided low-interest loans to municipalities for the acquisition or development of land for affordable housing. Subchapter V-A. Statewide Homeless Council

## **Subchapter 4-A. Statewide Homeless Council**

*Membership.* The Statewide Homeless Council is an advisory committee to the Governor and consists of the following 11 people: six members appointed by the Governor, two from each of three regional councils; the director of MaineHousing; three members appointed by the Senate President and the Speaker of the House, one from each regional homeless council; and one member representing the Office of the Governor who serves as the chair.

*Duties.* The council provides leadership and support to regional homeless councils in efforts to end homelessness, develops and coordinates an education campaign regarding homelessness, coordinates information and communication among state agencies and other sectors regarding homelessness, identifies resources and gaps in homeless funding, and makes recommendations on homeless programs and policies. The council reviews plans submitted by the Department of Behavioral and Mental Health Services pursuant to Title 34-B, Section 1221 and proposes amendments and updates to plans and implements a plan to end homelessness.

## **Subchapter 5. Housing Opportunity Zones**

*Urban Revitalization Demonstration Program.* This subchapter authorized MaineHousing in consultation with the Statewide Homeless Council to establish four demonstration housing opportunity zones for housing revitalization in deteriorating urban neighborhoods. MaineHousing was charged with working with the task force and the commissioner of Public Safety to coordinate State resources to be applied to the zones including job training, educational and vocational training, child care, and crime prevention.

## **Municipal Affordable Housing Development Districts, Title 30-A Chapter 206, Subchapter 3**

This law enacted in 2003 authorizes municipalities to create an affordable housing development tax increment financing (TIF) district which benefits from the use of increased property values relating to the district without any offsets to the municipality's State revenue sharing and education subsidies or any increase in the municipality's share of county taxes. A municipality's affordable housing TIF program requires the director of MaineHousing's approval. The law required MaineHousing to adopt a rule providing for the recovery of public revenue if an affordable housing TIF district does not comply with the conditions of its creation.

## **Allocation of State Ceiling on Tax-Exempt Bonds, Title 10, Chapter 9**

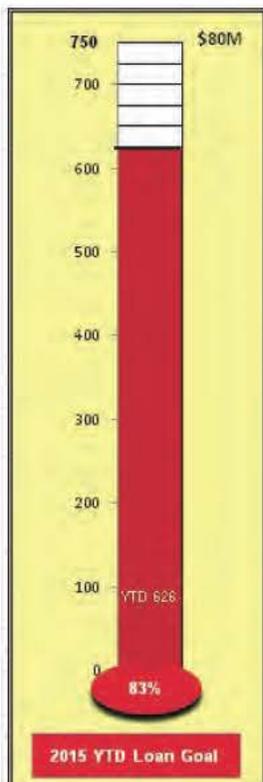
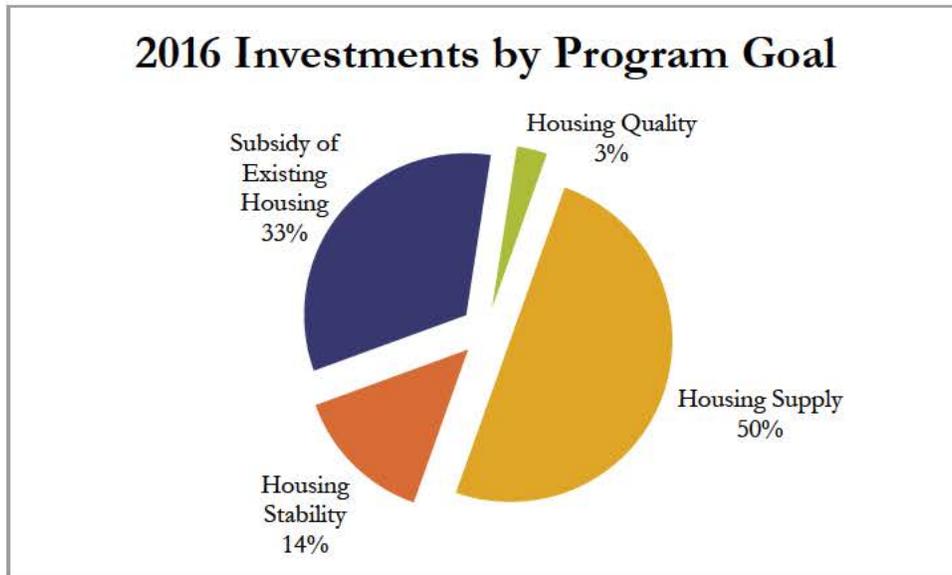
This statute authorizes the Legislature to allocate the state ceiling of tax-exempt bond authority among the following issuers: MaineHousing, the Treasurer of the State of Maine, the Finance Authority of Maine, the Maine Municipal Bond Bank, and the Maine Educational Loan Authority. The law also provides a mechanism for representatives of the issuers and the Governor's office to allocate unallocated bond cap and reallocated bond cap among the issuers.

## **Real Estate Transfer Tax, Title 36, Chapter 711-A**

Real estate transfer taxes are distributed as follows: 10% to counties, 50% to the State, and 50% to MaineHousing for deposit in the Housing Opportunities for Maine (HOME) Fund. The State's 50% share of the real estate transfer tax proceeds is used first to pay the principle and interests due on the MEHER bonds. In fiscal year 2015-2016, \$6.3 million of MaineHousing's share will go to the State's General Fund. In fiscal year 2016-2017, \$6.1 million of MaineHousing's share will go to the State's General Fund. MaineHousing will receive \$7.1 million each year.

# Program Descriptions

Beginning in 2013 MaineHousing embarked upon a strategic planning and organizational assessment process. This process resulted in our Strategic Plan 2013-2016, a copy of which is included in our Program Evaluation Report (front pocket of binder). As a result of the strategic planning process, we have begun tracking housing investments by our four program goals:



To measure the effectiveness of our programs, we have instituted a performance measurement system for each of our six program departments: Asset Management, Development, Energy and Housing Services, Homeless Initiatives, Homeownership, and Housing Choice Vouchers. Beginning in 2016, we will track the effectiveness of each program department using agreed upon outcome measures. For example, our goal for First Home Loans in 2015 is 750 loans (See left chart). As of November 2, we have achieved 83% of our goal.

Our Strategic Plan also identified six core values. We strive to be:

- Passionate and Committed
- Thoughtful and Caring
- Professional
- Accountable
- Responsive
- Innovative

Promoting and demonstrating these core values are the focus of professional development activities within the agency. In 2014, we began with a focus on improving customer service which included staff training and measuring customer satisfaction. Four of our program departments are now engaged in routine measuring of customer satisfaction.

In 2015, MaineHousing contracted for an organizational assessment to evaluate existing workflow processes, staff capacity, and organizational structure, and to identify options (models) to improve decision making and management of on-going business in a financially prudent and sustainable manner. As a result of the assessment, MaineHousing has revised its executive decision-making process, initiated seven “transformation teams” to develop and implement a 5 year transformational change plan. The first products of this process included our investment commitment to each Program Goal and the development of an evaluation tool that is used in determining each program’s annual resource allocation (funding level).

MaineHousing regularly reviews our programs for both relative need and effectiveness. Our objective in resource allocation is to use each resource to its maximum efficiency to achieve our program goals. MaineHousing assesses and redesigns our approach for allocating resources to programs to focus on the objectives of the Strategic Plan and to ensure that scarce resources are used in a way that maximizes benefits to Maine people. When subsidy is used, an assessment of public purpose per subsidy dollar is made. That assessment includes how the program impacts the client, the demographic profile of the client, and what their next best option would be without the program. Program design is reviewed to see if more resources could be directed to benefiting clients by reducing program delivery costs.

## MaineHousing Programs

Our program descriptions are organized by the administering department. These programs are currently offered by MaineHousing and have gone through the process of program evaluation and resource allocation described above.

### Asset Management

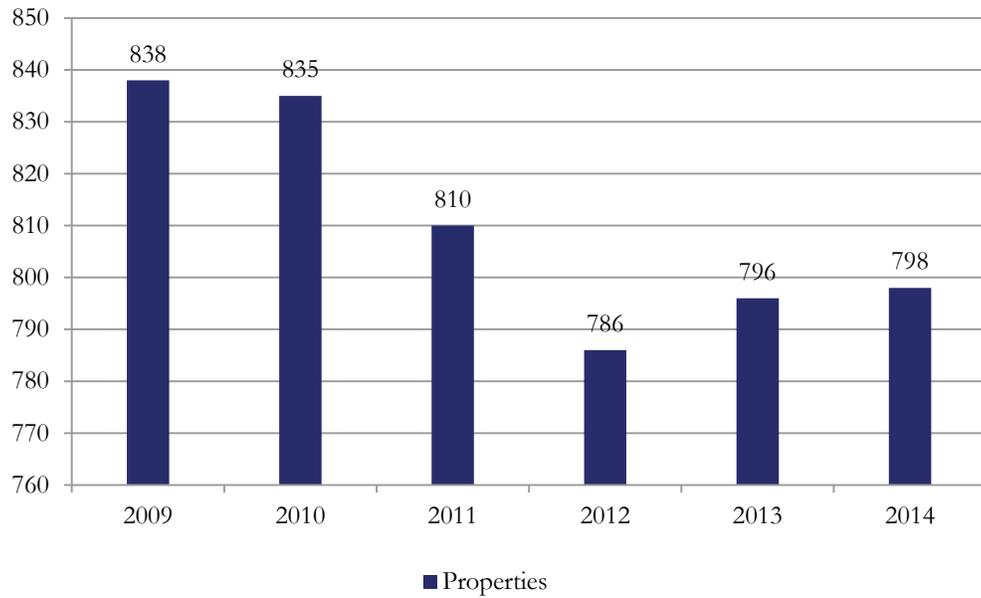
Asset Management oversees the multifamily properties funded or assisted by MaineHousing, the U.S. Department of Housing and Urban Development (HUD), and Low Income Housing Tax Credit (IRS) programs. Administrative duties include financial and program reviews on properties, inspections, tenant assistance, and working with owners and property managers on matters of compliance with program requirements. Asset Management processes all of the rental assistance for eligible residents living in properties receiving rental assistance.

Asset Management monitors multifamily mortgages, including tax and insurance payments, and ensures that mortgagors are meeting their loan obligations with MaineHousing.

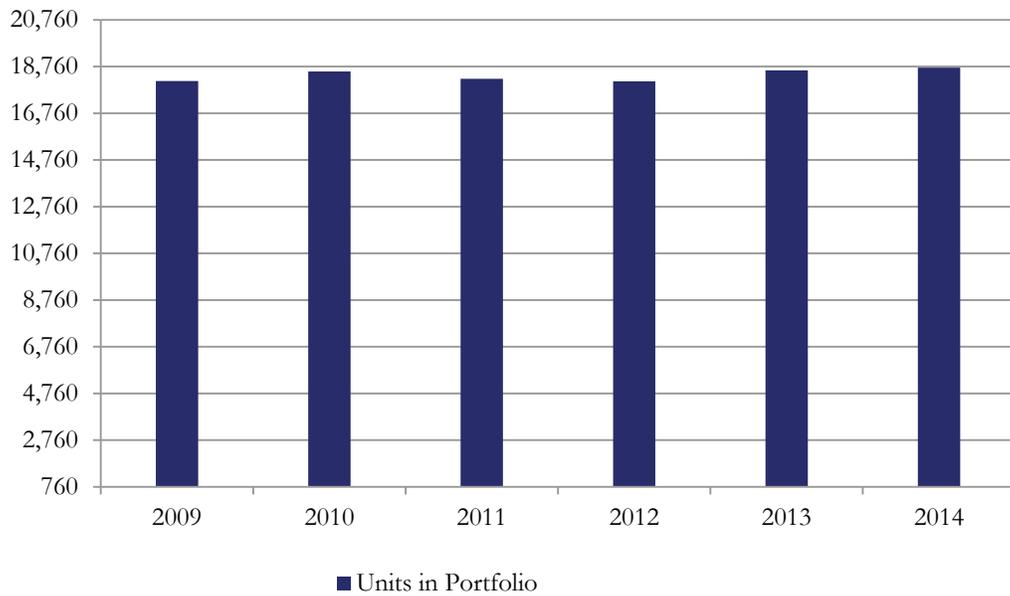
Program	Goal/Priority	Assessment
<p><b>Section 8 PBCA &amp; Section 8 New Construction</b>                      Asset Management administers these HUD rental assistance programs on behalf of the federal agency and reports to HUD on program activity on a regular basis. MaineHousing is paid an administration fee by HUD for this work. The administration duties cover both MaineHousing-financed Section 8 properties and properties funded by HUD and Rural Development.</p>	<p>To assure that properties in the MaineHousing asset management portfolio are fully leased and well maintained.</p> <p>To ensure multifamily program integrity, performance and outcomes.</p> <p>To meet the contractual obligations of our contracts with HUD.</p>	<p>MaineHousing is contracted by the U.S. Department of Housing and Urban Development to oversee the management of these properties. Currently there are 798 projects with 18,713 for which we are responsible. We consistently meet our contractual responsibilities and receive incentive funds for high performance</p>
<p><b>Subsequent Loan Program</b>                      The Subsequent Loan Program provides additional financing to owners of existing MaineHousing-financed properties for such things as unanticipated operating shortfalls, capital improvements, property rehab, energy efficiency improvements, creation of new units, and equity takeout. The term of the loan is up to 30 years. In return for the subsequent loan, owners usually must extend affordability of the units.</p>	<p>To protect MaineHousing's investment in multifamily programs.</p>	<p>The objectives of this program are being met.</p>

Program	Goal/Priority	Assessment
<p><b>Loan Modification Program</b> The Loan Modification Program offers owners of MaineHousing-financed multi-family properties the opportunity to restructure MaineHousing debt by modifying interest rates, extending loan terms, or both. Loan modifications generally lower debt service payments in return for extended project affordability.</p>	<p>To protect MaineHousing’s investment in multifamily programs.</p> <p>To ensure multifamily program integrity, performance and outcomes.</p>	<p>The objectives of this program are being met.</p>
<p><b>Multifamily Home Energy Loan Program (Multifamily HELP)</b> The Multifamily Home Energy Loan Program (Multifamily HELP) offers fixed rate financing to improve the energy efficiency of eligible affordable housing developments and reduce project operating costs.</p> <p>Multifamily HELP loans may be used to finance:</p> <ul style="list-style-type: none"> <li>• Heating system repair and replacement (including alternative fuel sources)</li> <li>• Insulation, air sealing and weather stripping (required if replacing a heating system)</li> <li>• Energy Star rated windows and appliances</li> <li>• Storm doors and storm windows</li> <li>• Ventilation and moisture controls</li> <li>• Roof repairs</li> </ul>	<p>To protect MaineHousing’s investment in multifamily programs.</p> <p>To ensure multifamily program integrity, performance and outcomes.</p>	<p>Less demand than when initially offered. Initial demand was met.</p>
<p><b>Supportive Housing Repair</b> The Supportive Housing Repair Program targets existing older supportive housing properties in MaineHousing’s portfolio and focuses on critical capital needs. MaineHousing makes deferred loans to owners of MaineHousing-financed supportive housing properties to make needed life-safety and immediate rehabilitation improvements and repairs to their properties.</p>	<p>To ensure multifamily program integrity, performance and outcomes.</p>	<p>Ongoing need.</p>

### Properties in Affordable Housing Portfolio



### Units in Affordable Housing Portfolio

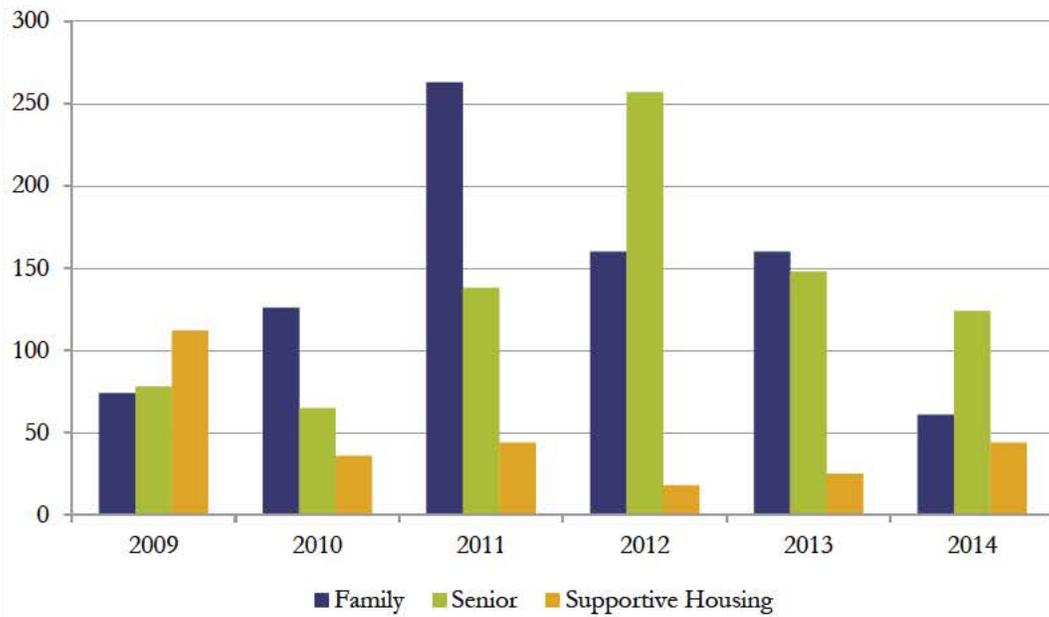


## Development

MaineHousing offers several programs to encourage private development of affordable rental housing for families, seniors, and persons with special needs. Low income housing tax credits, development loans, direct development subsidies, affordable housing tax increment financing, and options to restructure debt are available. Developers are required to ensure that housing developed with MaineHousing financing remains affordable.

Program	Goal/Priority	Assessment
<p><b>Low Income Housing Tax Credit Program</b>            Low Income Housing Tax Credits are a federal resource that MaineHousing allocates in Maine. The credits are allocated to developers, who sell them to corporate investors. Money raised from the sale is used as equity in the developer's rental housing project.</p> <p><b>Types of federal tax credits:</b></p> <ul style="list-style-type: none"> <li>● 9% Credits: Limited resource allocated through a competitive process that MaineHousing administers each year after rulemaking.</li> <li>● 4% Credits: With some exceptions, unlimited if used with tax exempt bond financing.</li> </ul>	<p>To expand the supply of affordable housing.</p> <p>MaineHousing's allocation of the LIHTC is a competitive process scored through the Qualified Allocation Plan (QAP), which is developed with input from stakeholders and approved after a public process by MaineHousing's Board of Commissioners. The QAP lays out the priorities for development investments.</p> <ul style="list-style-type: none"> <li>● Where the tax credit is needed for project feasibility;</li> <li>● Whether the housing and service needs of a distinct population, including housing for persons who are homeless are met;</li> <li>● That it provides housing for persons with very low income;</li> <li>● Per unit cost.</li> </ul>	<p>MaineHousing is allocated approximately \$3 million in 9% LIHTCs annually, which provides approximately \$30 million in subsidy.</p> <p>Each year, we award 9% LIHTCs to between 4-6 projects with a varying number of units.</p> <p>In 2014, eight projects with 185 family and senior housing units were completed; 17 projects with 746 family and senior housing units were granted notices to proceed, and 28 projects with 1,280 family and senior housing units were under review or construction.</p>
<p><b>Supportive Housing – RFP</b>            The Supportive Housing Program (SHP) provides reduced interest rate financing and subsidy funds to eligible nonprofit developers to create affordable supportive housing for persons with special needs and persons who are homeless. Financing may be used to purchase, purchase and rehab, or construct facilities such as transitional housing, group homes, emergency shelters, and supported or independent apartments.</p>	<p>To enable social service providers to better serve some of Maine's neediest clients in a stable housing environment.</p>	<p>In 2014, seven supportive housing projects with 44 units were completed; and six projects with 26 units were under review or construction.</p>

## Housing Units Completed by Type



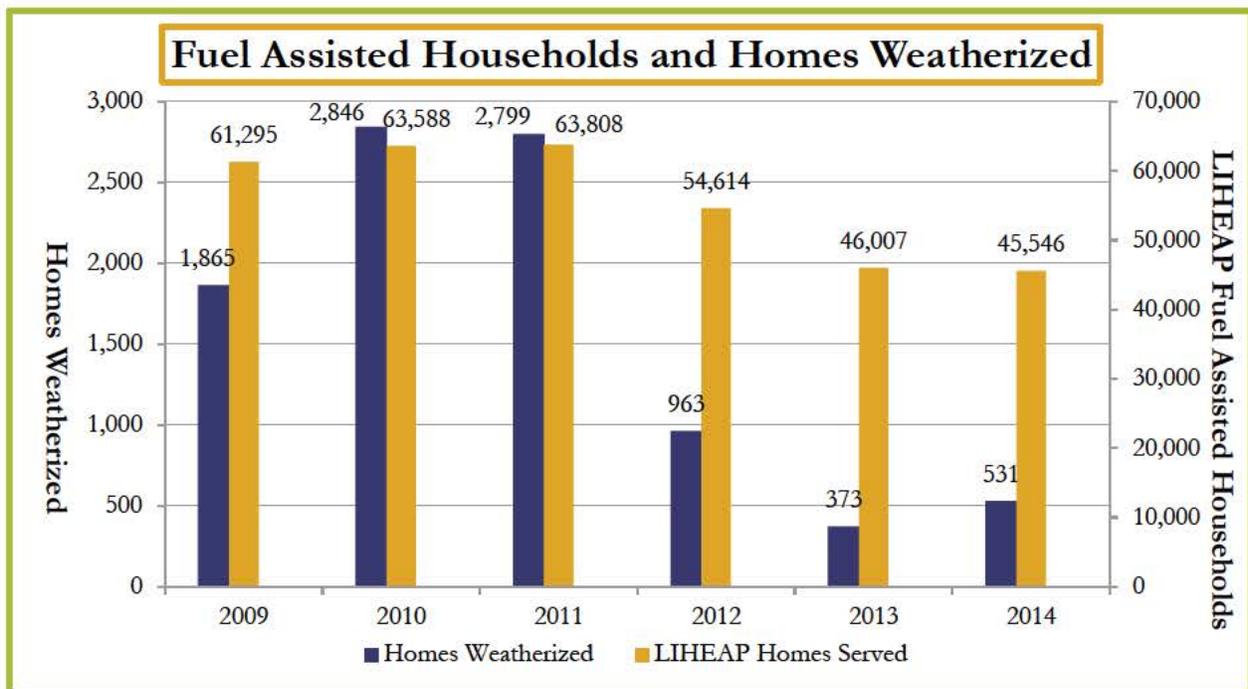
## Energy and Housing Services

MaineHousing offers several programs to help low income families pay their heating costs, make their homes more energy efficient, and make general home repairs or modifications, including repairs to address accessibility needs and life safety concerns. The majority of this work falls under the federal Low Income Home Energy Assistance Program, of which MaineHousing is the state program administrator. In federal fiscal year 2015, MaineHousing was allocated approximately \$34 million in LIHEAP funding to assist low-income Maine households with fuel assistance, weatherization, emergency heat, and central heating improvements. In FFY13, the allocation was approximately \$32.5 million.

Program	Goal/Priority	Assessment
<b>Energy Programs:</b>		
<p><b>Low Income Home Energy Assistance Program (LIHEAP)</b> The Low Income Home Energy Assistance Program (commonly called LIHEAP or HEAP Fuel Assistance) provides money to low income homeowners and renters to help pay heating costs. The funds are distributed throughout Maine by nine Community Action Agencies, in most cases directly to the fuel vendors. The program is not intended to pay for all heating costs, but to assist in paying the heating bills.</p> <p>The amount of assistance a household may get under this program is based on household size and income, energy costs, and other factors.</p>	<p>To distribute fully Maine’s annual federal funding for energy assistance in a timely manner, to do so efficiently in cooperation with Maine’s Community Action Agencies and energy suppliers.</p>	<p>In federal fiscal year 2015, 37,369 households were assisted with an average benefit of \$685.</p> <p>In federal fiscal year 2014, 45,546 households were assisted with an average benefit of \$658. Total LIHEAP resource allocation was approximately \$32.5 million.</p>
<p><b>Weatherization</b> MaineHousing’s Weatherization Program provides grants to low-income homeowners and renters to reduce energy costs by improving home energy efficiency. MaineHousing offers this program to consumers through Community Action Program agencies, who screen people for eligibility as part of the LIHEAP application process.</p> <p>Weatherization improvements may include insulation, weather-stripping, caulking, and some safety-related repairs.</p>	<p>To assist low-income households with services to weatherize their homes so they may save on heating costs and stay warm in the winter.</p>	<p>Estimated 875 homes in 2015; total \$6,804,989.</p> <p>In 2014, 513 homes; total of \$3,774,847. Average benefit of \$7,761.</p>

Program	Goal/Priority	Assessment
<p><b>Central Heating Improvement Program (CHIP)</b> MaineHousing's Central Heating Improvement Program (CHIP) provides grants to repair or replace central heating systems that serve low-income households. Funded under LIHEAP.</p>	<p>To replace outdated, inefficient older heating systems in low-income households so they may save on heating costs and stay warm in the winter.</p>	<p>In federal fiscal year 2015, 1,350 households; total of \$2,268,330. Average benefit of \$1,680.</p> <p>In federal fiscal year 2014, 1,493 households; total of \$2,465,225. Average benefit of \$1,651.</p>
<p><b>Low Income Assistance Plan (LIAP)</b> The Maine Public Utilities Commission's Low Income Assistance Plan helps low-income homeowners and renters with their electric utility bills by providing a credit on their electric bills. MaineHousing, through Community Action Agencies, accepts customer applications for LIAP as part of the LIHEAP application process.</p>	<p>To assist lower-income households with their electricity costs.</p>	<p>In federal fiscal year 2015, 24,471 households; total of \$7,967,138.</p>
<p><b>Emergency Crisis Intervention Program (ECIP)</b> This LIHEAP-funded program provides additional help if a household has less than a 3-day supply of heating fuel or is in danger of having utility services disconnected, and has no means to pay their energy company.</p>	<p>To provide heating fuel on an emergency basis to low-income households who are cold, extremely low on fuel and have no money to pay for a delivery.</p>	<p>In federal fiscal year 2015, 5,063 households; total of \$1,666,915. Average benefit of \$329.</p> <p>In federal fiscal year 2014, 6,218 households; total of \$2,365,019. Average benefit of \$380.</p>
<b>Home Repair Programs:</b>		
<p><b>Common Home Program</b> MaineHousing in 2015 created the Common Home Program to work under the umbrella of the state Home Repair Network to offer the same services but in a more collaborative way with other state and federal agencies.</p> <p>This program provides professional home repair services to income-eligible homeowners in a way that addresses the needs of individual clients who cannot afford necessary home repairs. We provide grants to eligible households for low-cost loans for health- and safety-related repairs and improvements.</p>	<p>Maine has one of the highest rates of homeownership in the country as well as one of the oldest housing stocks. For low-income households, upkeep and repairs can be costly.</p>	<p>For 2014:</p> <ul style="list-style-type: none"> <li>• Home repair: 26 projects; \$522,576;</li> <li>• Elderly hardship: 47 projects; \$278,455;</li> <li>• Septic repair/replacement: 1 project; \$25,907.</li> </ul>

Program	Goal/Priority	Assessment
<b>Home Retro Program</b> MaineHousing, working with Alpha One, assists disabled clients confronted with access issues preventing them from using all or part of their homes.	To assist low-income households with home repairs and improvements, primarily for health- and safety-reasons.	In 2014, 23 projects for a total of \$133,820.
<b>Lead Program</b> MaineHousing's Lead Hazard Control Program provides grants to eligible landlords and lower-income single-family households in an effort to make lower-income homes in Maine lead safe. Making homes lead safe may involve paint removal or stabilization, and window and door replacement.	To remove lead paint from older homes in which lower-income families reside, reducing the risk of exposure primarily to children under the age of 6.	In 2014, 72 households; average cost of \$8,644.  Maine has the 8th oldest housing stock in the nation and is 30th in per capita income. This means that many low-income families are living in substandard housing that is in need of repair including lead-based paint hazard control.  The Lead Hazard Control Program's primary target is low-income children under age six with elevated blood lead levels.
<b>Arsenic Remediation</b> In 2015, MaineHousing received a \$200,000 appropriation to assist low-income households address problems in their water supply.		In 2015 received a one-time appropriation to address.



## Finance

The Finance Department is responsible for overseeing and managing the agency's accounting and loan servicing functions. These include all loan processing activities, default management and loss mitigation functions, and other general loan administration functions.

MaineHousing offers two options for borrowers who may be having trouble making their mortgage payments. The borrower's loan servicer or lender will explain the option that is best based on the borrower's financial situation and the type of mortgage insurance they carry.

<b>Program</b>	<b>Goal/Priority</b>	<b>Assessment</b>
<p><b>MaineHousing Home Affordable Modification Program (HAMP)</b>            A MaineHousing borrower who is delinquent on their mortgage loan payment or at risk of foreclosure may be eligible for this program. MaineHousing reduces the outstanding loan balance on the existing mortgage loan, thereby lowering the monthly mortgage payment to an affordable payment. The amount of the loan reduction becomes a junior mortgage lien, with no interest and no monthly payments due. The lien is repaid when the MaineHousing First Home Loan mortgage is paid or the borrower stops using the home as a primary residence.</p>	<p>To provide assistance to MaineHousing first-time homebuyers who are unable to pay their loan obligation and are at risk of losing their home to foreclosure.</p>	<p>In 2015, 20 borrowers assisted through HAMP.</p> <p>Our goals for this program are being met.</p> <p>2015 was the first full year for the HAMP program and it's too soon to assess its long-term impact. However, everyone who has been served by this program is currently meeting their new loan obligation.</p>
<p><b>MaineHousing HomeOwnership Protection for unEmployment Plan (Maine HOPE)</b>            A MaineHousing borrower who cannot make their loan payments because they have lost their job may qualify for this program. It assists borrowers by making four of their MaineHousing mortgage payments, including taxes and homeowners insurance. The amount paid becomes a junior mortgage lien, with no interest. The lien is repaid when the MaineHousing First Home Loan mortgage is paid or the borrower stops using the home as a primary residence.</p>	<p>To provide assistance to MaineHousing first-time homebuyers who are unable to pay their loan obligation and are at risk of losing their home to foreclosure.</p>	<p>In 2015, 55 borrowers assisted through HOPE.</p> <p>Our goals for this program are being met.</p> <p>We monitor and measure the HOPE program's success rate, which has consistently been about 80%. This rate represents the amount of borrowers who used the program and were able to resume making their mortgage payments at the end of the program period.</p>

## Homeless Initiatives

MaineHousing’s homeless assistance programs support emergency shelters and offer rental assistance to people who are homeless and working toward self-sufficiency. We support emergency shelter providers with state and federal funds, including the Maine General Fund, federal Emergency Shelter Grants, and Federal HOME Partnership Program funds, to help cover shelter operating expenses and staffing, as well as incentivize shelters to reach successful housing exits and outcomes.

The funding of emergency shelters is spelled out in MaineHousing rules. The allocation of funding changed in 2016 to place increased emphasis on providing housing assistance and housing stability to shelter clients and on measuring performance. The goal is to get people out of the shelter and into housing as fast as possible.

Program	Goal/Priority	Assessment
<p><b>The Emergency Shelter and Housing Assistance Program</b> MaineHousing provides grants to 42 emergency shelters statewide that are serving individuals and families who are homeless. The grants may be used for shelter operation and maintenance, essential shelter services, and shelter staff costs.</p> <p>The Emergency Shelter and Housing Assistance Program consists of three integral funding components. These components are: the Shelter Operations Share; the Rapid Re-Housing, Long-term Stayer and Stabilization Share; and the Incentives and Performance Share.</p>	<p>Homeless programs are designed to reduce the number of people who are homeless. The funding for homeless shelters has been recently revised by MaineHousing to accomplish several objectives:</p> <ul style="list-style-type: none"> <li>• Provide a base subsidy for the operation of the shelter</li> <li>• Provide funding for services that assist shelter clients in finding permanent housing and help them achieve self-sufficiency, and</li> <li>• Provide incentives to homeless shelters that demonstrate reductions in the length of stay in shelter, an increase in the number of homeless families who exit the shelter to permanent housing, and a reduction in the number of people who return to homelessness.</li> <li>• Provide rental assistance and navigation services to people exiting homeless shelters.</li> </ul>	<p>The rule adopting these changes was approved by MaineHousing’s Board of Commissioners in 2015. The Homeless Initiatives Department will begin tracking the agreed upon performance measures and will be able to report on performance in the near future.</p> <p>In 2014, assisted 42 shelters with 949 beds and a total of 358,320 bednights.</p>
<p><b>Homeless Management Information System (HMIS)</b> The Homeless Management Information System (HMIS) is a shared, statewide data collection system to serve a wide range of homeless service providers. The HMIS is a requirement of the federal Continuum of Care grant.</p>	<p>To collect accurate data in order to make informed program and funding decisions.</p>	<p>HMIS is helping us meet the objective of better knowing the individuals and families we serve and targeting programs to them.</p>

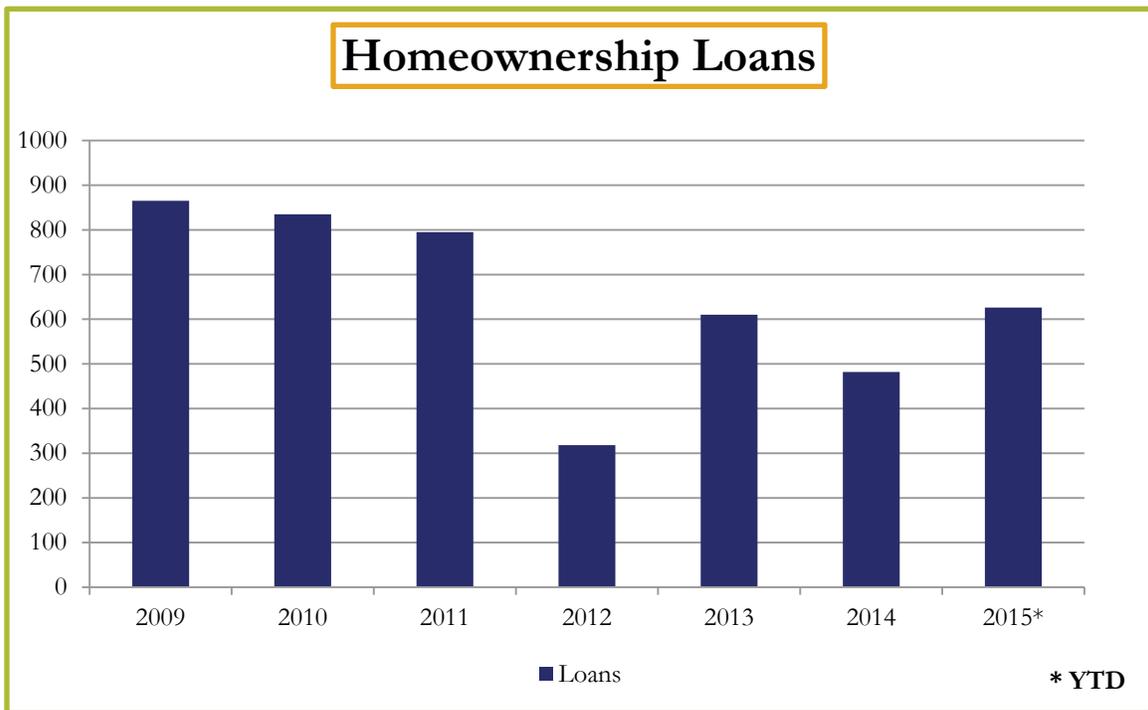
## Homeownership

MaineHousing provides low-interest rate mortgage loans and other assistance to help make homeownership affordable, achievable, and sustainable for low to middle-income homebuyers. Our programs include low interest mortgages, gap financing assistance (including down payment assistance), help with natural disaster damage, and mortgage insurance on hard-to-insure properties. These programs are financed through MaineHousing bonds.

Program	Goal/Priority	Assessment
<p><b>First Home Loan Program</b> The First Home Loan Program provides low-interest rate mortgages and other assistance to help make homeownership affordable for low- to middle-income first-time homebuyers, including those who have not owned a home in the past three years.</p> <p><b>Options:</b></p> <ul style="list-style-type: none"> <li>• The <b>Advantage</b> option provides down payment and closing cost assistance to eligible buyers.</li> <li>• The <b>Purchase Plus Improvement</b> option allows buyers to roll the cost of home repairs into their mortgages, up to \$35,000.</li> <li>• The <b>Mobile Home Self Insured</b> option provides mortgage insurance for mobile homes on leased land.</li> </ul>	<p>To provide and expand financial opportunities to help Maine people become successful homeowners.</p> <p>Provide at least 1,000 First Home Loan mortgages a year to first time homebuyers in 2016.</p> <p>To offer mortgage interest rates at below market rates.</p> <p>To offer low or no down payment mortgage options to increase affordability.</p> <p>To retain and expand a geographically diverse network of participating lender partners to reach consumers statewide.</p> <p>To increase consumer awareness of program benefits.</p> <p>To provide financial assistance to buyers needing help with down payment and closing costs.</p> <p>To provide additional flexibility to first-time homebuyers purchasing a new home that is in need of repairs.</p> <p>To provide purchasers of mobile home who do not qualify for mortgage insurance with self-insured mortgages.</p>	<p>Following the downturn caused by the recession and housing crisis, loan goals are on track to be met.</p> <p>482 households in 2014; more than 600 thus far in 2015.</p> <p>Down payment and closing cost assistance are being offered and the amount has been increased to \$3,500 from \$2,000.</p> <p>The statewide network of participating lenders has been expanded. First Home Loans are available through more than 40 participating Green Key Lenders statewide.</p> <p>Social media, digital ads, and an improved website are being utilized to provide program information to consumers.</p> <p>The mobile home self-insured program is performing well and is addressing the limited financial options available to mobile home purchasers.</p> <p>In 2014, 63 mobile homes for \$4.6 million.</p>

<b>Program</b>	<b>Goal/Priority</b>	<b>Assessment</b>
<p><b>Operation New Home</b> The Operation New Home Program offers low, fixed-rate mortgages to eligible active veterans or active duty military. It is similar to our First Home Loan Program but waives first-time homebuyer requirement.</p>	<p>To assist veterans with purchasing a home.</p>	<p>In 2014, 16 veterans purchased homes using Veterans Administration mortgage insurance.</p>
<p><b>Homebuyer Education</b> MaineHousing encourages all first-time homebuyers to take a homebuyer education course before purchasing a home. Courses are offered in a classroom setting or online, and explain how the buying process works to help buyers choose the best mortgage option, learn about credit and debt management, budgeting, and other information relevant to owning a home.</p>	<p>To provide easy access to homebuyer education to ensure that borrowers achieve long term success as homeowners.</p> <p>MaineHousing partners with hoMEworks, which offers a 10-hour class taught by industry professionals (lenders, home inspectors, real estate agents) in an educational, non-sales oriented environment. HoMEworks partners with eHome America to offer a fee-based online certification course as well.</p>	<p>A homebuyer education course is required if a homebuyer is using MaineHousing's Advantage Program.</p> <p>Attendance in homebuyer education classes has increased and an on-line option also is available.</p> <p>In 2014, 85 classes statewide saw 1,356 attendees. The numbers for 2015 are unavailable at this time.</p>
<p><b>Housing Counseling</b> For MaineHousing and other mortgage borrowers who are having difficulties making their monthly payments, MaineHousing provides references to U.S. Department of Housing and Urban Development-approved housing counselors who can provide information and services to help them.</p>	<p>To assist homeowners who are having difficulty making loan payments.</p>	<p>The objectives of this referral program are being met.</p>
<p><b>Disaster Assistance Loan Program</b> The Disaster Assistance Loan Program offers low-interest rate home-repair and home-replacement mortgages to Mainers whose primary residences have been damaged or destroyed in a declared natural disaster. It's funded through MaineHousing bonds and available through designated lenders.</p>	<p>This program is available if the need arises.</p>	

Program	Goal/Priority	Assessment
<p><b>Indian Housing Mortgage Program</b>            The Indian Housing Mortgage Insurance Program is a mortgage insurance program for homes located on tribal land. It was established in the Maine Constitution and provides a loan guarantee to lenders who finance homes on tribal land where the restrictions on ownership prevent lenders from holding a mortgage on the property. The program provides lender loan guarantees for up to 30 years, and enables Native Americans who are building or buying homes on tribal lands to qualify for mortgage loans.</p>	<p>To facilitate private mortgage lending on tribal lands.</p>	<p>The program is available.</p>



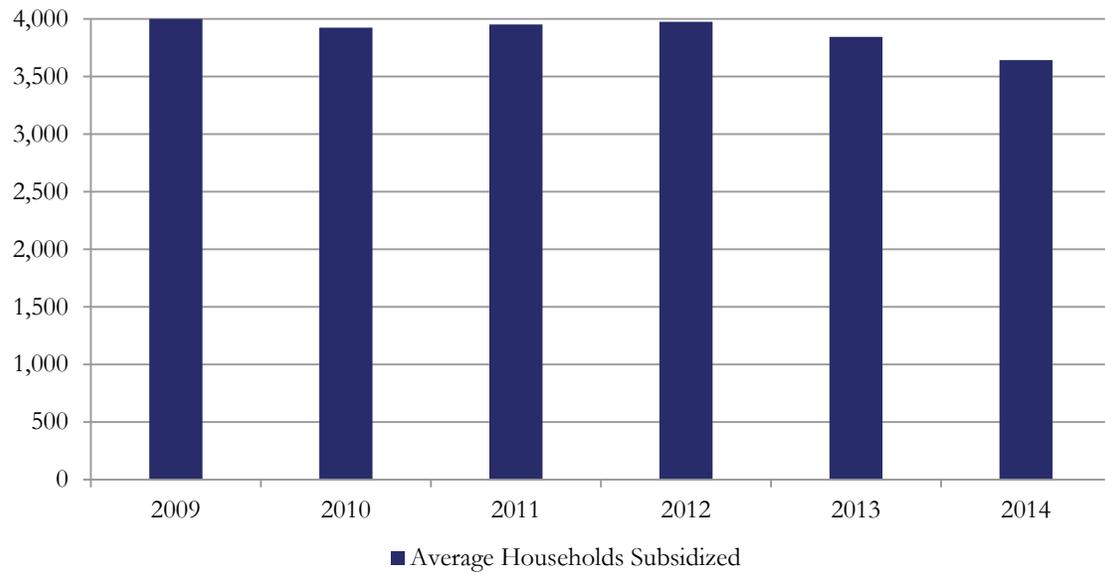
## Housing Choice Voucher (HCV)

With rents rising faster than incomes, rental housing costs are increasingly out of reach for many lower income Maine people. Rental assistance, either in the form of housing choice vouchers or subsidized apartments, can help. Vouchers can help pay rent in the apartment of their choice. Subsidized apartments provide qualified tenants affordable rents.

Program	Goal/Priority	Assessment
<p><b>Section 8 Housing Choice Voucher Rental Assistance</b> assists very low income individuals and families to choose and lease decent, safe and affordable privately owned rental housing and to achieve and maintain housing stability and self-sufficiency. The HCV program achieves its mission by providing rental assistance to eligible families.</p> <p>The program is a partnership with HUD, MaineHousing, the family and the owner/landlord. The program is limited primarily to households earning 30% or less of median family income; 75% of the program must serve this income category, 25% of the program may serve households between 30 and 50% of median family income.</p> <p>MaineHousing assistance is directed to families who live or wish to move to a community not served by a local housing authority (balance of state).</p> <p>The program is funded entirely with federal funding through the U.S. Department of Housing and Urban Development and is subject to HUD rules and requirements.</p>	<p>To maximize the use of available funds for vouchers.</p>	<p>We are at 3,669, up from 3,581 in January 2015.</p> <p>Federal administrative fees do not fully support program administrative costs.</p> <p>Waiting lists are very long for very low income seniors and families who are not homeless. The challenge is that it is difficult to maximize the use of all possible vouchers at any given time because of the barriers that many clients face (e.g. poor tenant references, lack of security deposits, and little available housing in our jurisdiction).</p> <p>The program is complicated and can be difficult to explain to clients. This is largely a function of federal requirements, but MaineHousing continues to do everything it can to simplify and streamline those aspects. A new informational video shown to new program applicants is one step in helping clients understand the program.</p>
<p><b>Owner Excellence Program</b> MaineHousing's new Owner Excellence Program recognizes and rewards property owners and managers for their exceptional property management and their high level of dedication to their tenants and properties.</p>	<p>To increase to 100 the number of owners participating in the program, which is 8% of approximately 1,300 owners.</p>	<p>Currently 50 owners and property management companies have been recognized.</p>

<b>Program</b>	<b>Goal/Priority</b>	<b>Assessment</b>
<p><b>Landlord Assistance</b> Now in the development stage, the Landlord Assistance Program is intended to provide financial assistance to eligible landlords to make necessary unit repairs in order to pass the Housing Quality Standards inspection required for landlords who agree to lease an HCV participant.</p>	<p>To implement Landlord Assistance Program.</p>	<p>New program.</p>
<p><b>Security Deposit Program</b> On a limited basis, MaineHousing offers up to \$500 for a security deposit to new program participants or those who have moved because the apartment failed a quality inspection.</p>	<p>To provide a security deposit to new HCV program participants or those who have moved due to their apartment failing a quality inspection.</p>	<p>Up to \$500 per tenant for tenants new to the program and those who have had to move due to inspection failures.</p> <p>From August to November 1, 2015, we have distributed \$14,625.</p>
<p><b>Low Poverty Incentive</b> MaineHousing gives a \$100 bonus to landlords who rent to new tenants who have moved from a high-poverty location to a low-poverty location in the hopes that the tenants find better housing and lifestyle opportunities, including education for their children. From January to September 2015, we have distributed spent \$12,000 providing 120 landlord bonuses.</p>	<p>To incentivize HCV tenants and landlords in moving tenants from a high poverty area to one with a lower rate of poverty.</p>	<p>January to September 2015, we have distributed \$12,000 providing 120 landlord bonuses</p>
<p><b>Family Self-Sufficiency Program</b> This program is available to eligible households with a Housing Choice Voucher who want assistance with attaining a certain goal, such as saving for education, transportation, homeownership and many others. Participants are chosen through a statewide coordinating committee, which includes the state Workforce Investment Board to help MaineHousing connect with FSS participants throughout the state.</p>	<p>Goals for 2016 include:</p> <ul style="list-style-type: none"> <li>• Increase participation to 30 tenants.</li> <li>• Have fully operational statewide Program Coordinating Committee (HUD-Mandated FSS Advisory Group).</li> <li>• Implement FSS website, including resources for participants statewide (including other PHAs) and interactive feature for communication between participants and FSS coordinator.</li> </ul>	<p>Twenty-four participants in 2014.</p>

### Average Households Subsidized



# Organizational Chart

MaineHousing is supported by 159 full time employees and no part time employees. The organization is divided into two functional components, Programs and Operations; each component is administered by a Deputy Director. The Internal Auditor is independent.

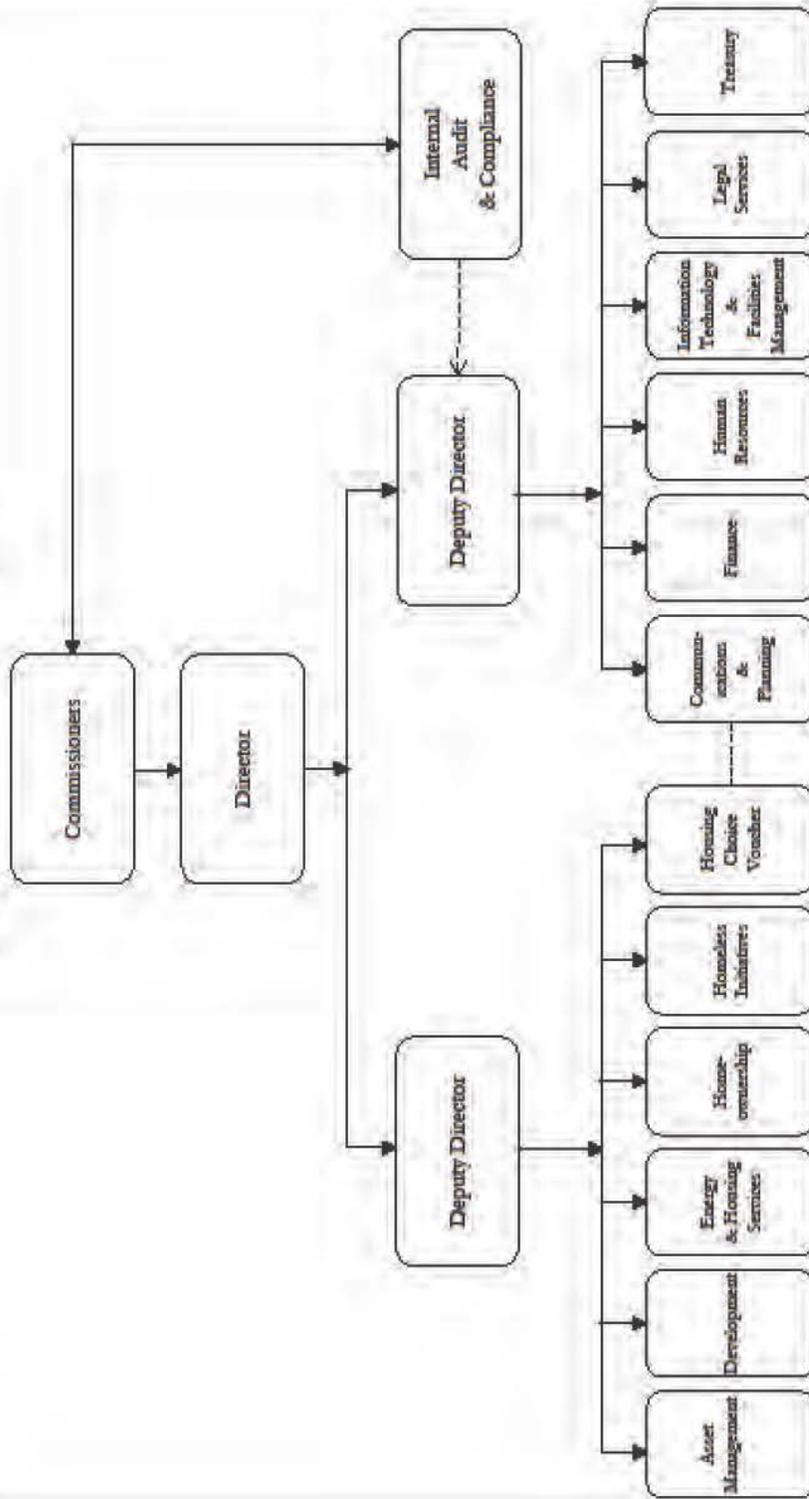
Programs include the agency's six departments that deliver products and services either directly or through partner organizations to Maine people in need of housing services. The six departments include:

- **Asset Management:** Oversees the operations of the thousands of apartment units that MaineHousing financed or that MaineHousing controls via federal programs, including ensuring the units meet fiscal and safety standards.
- **Development:** Administers a variety of programs to finance development of affordable housing and ensure its long term viability. They include the Low Income Housing Tax Credit Program, which leverages approximately \$30 million per year in private investment; development loans, direct development subsidies, and affordable housing tax increment financing. Some programs finance housing specifically for low and very low income families, seniors, and people with special needs. Other programs finance housing for lower and moderate income people.
- **Energy and Housing Services:** Administers the federal Low Income Home Energy Assistance Program, the federal Department of Energy Weatherization Program, home repair, and lead abatement programs.
- **Homeless Initiatives:** Provides funds to emergency shelters based on collected data, offers rental assistance to people who are homeless and working toward self-sufficiency, and coordinates programs to help homeless individuals and families reach permanent housing goals.
- **Homeownership:** Provides low-interest rate loans and other assistance to help make homeownership affordable, achievable, and sustainable for low to moderate-income homebuyers. Works with lenders and the real estate community to encourage income-eligible borrowers to use MaineHousing's programs.
- **Housing Choice Voucher:** Provides federal Section 8 rental assistance to income-eligible tenants by subsidizing a portion of their monthly rents and paying it directly to their landlords. The assistance provided is the difference between what the tenant pays toward rent (generally 30% to 40% of the household's adjusted gross income) and the cost of the rent. Inspects Section 8 units to ensure decent and safe living conditions in accordance with federal standards. Maintains Housing Referral Service to assist lower-income individuals and families in their search for affordable housing.

Operations include the support services for MaineHousing and are organized into the following six departments:

- **Communications and Planning:** Analyzes and prepares data to support division operations and programs; prepares and distributes public information, markets MaineHousing and its programs, and answers media inquiries.
- **Finance:** Oversees the agency's budget, fulfills financial reporting requirements, coordinates external audits, services single family, multi-family and home improvement loans, and distributes the payments to thousands of renters who receive federal housing assistance payments.
- **Human Resources:** Recruits and manages the selection process for new employees, maintains the job classification and compensation system, coordinates performance evaluation system, oversees benefits programs.
- **Information Technologies and Facilities Management:** Manages the agency's information technology infrastructure, provides support and maintenance for key technology and management information systems, plans for and manages investments in technology improvements, oversees the maintenance of MaineHousing's office space.
- **Legal Services:** Provides legal services to support the business of MaineHousing including loan documents, contracts, compliance with state and federal laws and regulations.
- **Treasury:** Oversees the sale of MaineHousing bonds and manages investments.

# Organizational Chart



## CLASSIFICATION LEVELS & POSITIONS 2015

Full Time Staff: 159

Part Time Staff: 0

DEPARTMENT	JOB TITLE	LEVEL
		1
HCV	Administrative Assistant	
IT & Facilities	Janitor	
IT & Facilities	Switchboard Receptionist	
IT & Facilities	Administrative Assistant (30-hours per week)	
		2
		3
Asset Management	Financial Operations Assistant	
Asset Management	Asset Operations Assistant	
		4
CPU	Information Technician	
EHS	Compliance Program Assistant	
EHS	LIHEAP Program Assistant	
EHS	EHS Administrative Assistant	
Finance	Loan Administration Assistant	
Finance	Loan Administration Assistant	
Finance	Mortgage Financial Analyst	
Finance	Mortgage Financial Analyst	
Homeownership	Mortgage Lending Assistant	
Legal	Legal Assistant	
HCV	HCV Program Assistant	
HCV	HCV Program Assistant	
HCV	HCV Program Assistant	
HCV	HCV Program Assistant	
HCV	Inspection Program Assistant	
HCV	Inspection Program Assistant	
HCV	Inspection Program Assistant	
Asset Management	Asset Operations Analyst	
Asset Management	Asset Operations Analyst	
Asset Management	Asset Operations Analyst	
Asset Management	Financial Analyst	
		5
EHS	Energy Programs Compliance Officer - LIHEAP/LIAP	
EHS	Energy Programs Compliance Officer - LIHEAP Vendors	
IT & Facilities	Office Manager	
		6
EHS	Housing Program Officer	
EHS	EMIS Specialist	
EHS	Energy Specialist	

<b>DEPARTMENT</b>	<b>JOB TITLE</b>	<b>LEVEL 6</b>
EHS	LIHEAP Fiscal & Program Specialist	
EHS	LIHEAP Program Officer	
EHS	Technical Services Specialist	
EHS	Technical Services Specialist	
EHS	Federal Grant Specialist	
Finance	Accountant	
Finance	Accountant	
Finance	Accountant (Payroll)	
Finance	Accounts Payable Accountant	
Finance	Program Accountant	
Finance	Mortgage Accounting Officer	
Finance	Mortgage Accounting Officer	
Finance	Loan Administration Officer	
Homeless	Program Officer - Program Monitoring	
Homeless	Homeless Information Resource Coordinator	
Homeless	HMIS Specialist	
Homeless	Homeless Information Resource Officer	
Homeless	Homeless Initiatives Program Officer	
Homeless	Homeless Initiatives Program Officer	
Homeless	Homeless Program Officer - Financial Administration	
Homeownership	Mortgage Lending Officer	
Homeownership	Mortgage Lending Officer	
Homeownership	Partner Education/Outreach Officer	
Homeownership	Mortgage Lending and Information Specialist	
IT & Facilities	Helpdesk Analyst I	
Legal	Paralegal	
HCV	Financial Operations Officer	
HCV	Financial Operations Officer	
HCV	Financial Officer	
HCV	Financial Officer	
HCV	FSS Coordinator	
HCV	HCV Program Officer	
HCV	HQS Inspector	

DEPARTMENT	JOB TITLE	LEVEL 6
HCV	HQS Inspector	
HCV	HQS Inspector	
HCV	HQS Inspector	
Asset Management	Financial Contracts Officer	
Asset Management	Financial Officer - Risk Management	
Asset Management	Financial Officer	

7

CPU	Webmaster
Director	Compliance Officer
Development	Multifamily Loan Officer
Development	Multifamily Loan Officer
Development	Senior Supportive Housing Loan Officer
Development	Construction Analyst
EHS	Grant Management Compliance Specialist
EHS	Technical Services Compliance Specialist
Finance	Default Manager
Finance	Senior Loan Administration Officer
Finance	Senior Loan Administration Officer
Finance	Senior Accountant
Homeownership	Consumer Education and Outreach Officer
IT & Facilities	Database Administrator
IT & Facilities	Helpdesk Analyst II
Asset Management	Financial Risk Officer
Asset Management	Asset Manager
Asset Management	Portfolio Loan Originator
Asset Management	Construction Analyst
Asset Management	Senior Asset Manager
Treasury	Investment Officer
Treasury	Investment Officer

8

CPU	Public Information Manager
Director	Office Administrator
Finance	Mortgage Financial Manager
IT & Facilities	Systems Engineer

DEPARTMENT	JOB TITLE	LEVEL 8
HCV	HCV Programs Manager	
HCV	HCV Programs Manager	
		<b>9</b>
CPU	Communications & Research Manager	
Development	Construction Services Manager	
Development	Manager of Lending	
Director	Manager of Audit & Compliance	
EHS	Manager of Program Operations	
EHS	Manager of Program & Fiscal Compliance	
Finance	Loan Administration Manager	
Finance	Accounting Manager	
Finance	Assistant Director of Finance	
Homeless	Manager of Homeless Initiatives	
Homeownership	Mortgage Lending Manager	
HR	Human Resources Manager	
HCV	HUD Program Manager	
HCV	Inspection Services Manager	
IT & Facilities	Information Technology Manager	
Asset Management	Portfolio Manager	
Asset Management	Financial Manager	
		<b>10</b>
Legal	Counsel	
Legal	Counsel	
Legal	Counsel	
		<b>11</b>
CPU	Director of Communications & Planning	
Development	Director of Development	
EHS	Director of Energy & Housing Services	
Finance	Director of Finance	
HCV	Director of HCV Programs	
Homeless	Director of Homeless Initiatives	
Homeownership	Director of Homeownership	
IT	Director of Information Technology	
Legal	Chief Counsel	
Asset Management	Director of Asset Management	
		<b>12</b>
Director	Deputy Director	
Director	Deputy Director	
Treasury	Treasurer	
		<b>Director</b>
Director	Director	



# MaineHousing Financial Summary

MaineHousing utilizes a variety of financial resources in carrying out its many diverse functions and has delivered over \$3.2 billion in funds through its program over the past 10 years. MaineHousing's financial resources consist of proceeds generated from selling tax-exempt housing bonds, federal and state block grants, and pass-through programs received from both the federal and state government. MaineHousing is a mortgage bank with over \$1.6 billion in assets. These assets consist mostly of mortgages – both first-time homebuyer single-family mortgages and mortgages on multifamily rental properties and supportive housing developments for people with special needs.

Using its various financing abilities, MaineHousing is able to allocate resources in different combinations to the housing and energy needs of the State as those needs arise. MaineHousing receives no operating funding from the state and therefore can shift staff resources with current need. This flexibility allows MaineHousing to direct our resources to providing assistance to low-income Maine citizens and less on operating expenses. No state funds support MaineHousing personnel costs. Approximately one-third of our staff positions are covered by fees received from federal programs and the remaining two-thirds are paid by resources generated from our lending activities.

The flexibility of the HOME Fund is critical to MaineHousing. As financial markets shift from favoring one of MaineHousing's financing mechanisms to another, HOME funds allow MaineHousing to fill market-place gaps and keep programs consistently available.

## Bonds

MaineHousing's most significant financial resource is its ability to sell bonds that are exempt from state and federal income taxes. MaineHousing sells tax-exempt housing bonds to fund single family mortgages, commonly known as Mortgage Revenue Bonds (MRBs) and multifamily housing bonds, and uses the proceeds to finance low-cost mortgages for lower income first-time homebuyers or the production of apartments at rents affordable to lower income families.

MaineHousing has issued a total of approximately \$7 billion in bonds since its inception and currently has \$1.2 billion in bonds outstanding. Over the past 10 years, MaineHousing has issued approximately \$2.1 billion in bonds and has made first-time homeownership possible for over 29,500 Maine families. In addition, \$506 million of multifamily housing bonds have provided financing to produce affordable rental apartments and supportive housing units for over 20,000 Maine citizens. MaineHousing prudently manages its bond obligations and, when market rates are favorable, will retire and/or restructure outstanding bonds to lower interest expense and to generate additional public-purpose benefits to Maine citizens. Over the past 10 years, MaineHousing has retired over \$2.6 billion of its outstanding bonds.

## Block Grants

Oftentimes MaineHousing uses the proceeds from the sale of bonds in conjunction with federal and state block grants. Block grants are flexible funding sources over which MaineHousing has some discretion regarding their use to meet affordable housing needs in Maine. Block grants, unlike bonds, do not have to be repaid to the source provider.

Because these financial resources do not have to be repaid and we have flexibility regarding their use, they enable MaineHousing to serve a wide range of Maine's population. MaineHousing uses these financial resources in a variety of ways in most of its programs. MaineHousing's block grants consist of:

### U.S. Department of Housing and Urban Development Programs

- *HOME Investment Partnership Program* - This federal block grant is designed to provide states with a flexible funding source to meet their diverse affordable housing needs. Over the past 10 years, MaineHousing has received and disbursed approximately \$67 million from the federal HOME Investment Partnership Program. This grant requires a 25% match from MaineHousing. State HOME funds are used for about half of the match.
- *Financing Adjustment Factor (FAF) Program* - Funds from this program are generated from HUD-authorized refunding of bonds issued by MaineHousing. HUD and MaineHousing share monies realized from these refundings on an equal basis. Funds can only be used to provide housing assistance for individuals and families of very low income. Over the past 10 years, MaineHousing has disbursed \$8.7 million through the McKinney Act-FAF Program.

### State Sources

- *State HOME Fund* - MaineHousing receives from the State of Maine a portion of real estate transfer tax revenues generated from the sale of real property. Over the past 10 years, approximately \$65 million was received from the state.
- *State General Obligation Bonds* - MaineHousing occasionally receives from the State proceeds from the issuance of General Obligation (G.O.) Bonds. These funds are oftentimes used in the same fashion as block grants and are used in conjunction with MaineHousing bonds. In the past 10 years, MaineHousing used through a variety of programs \$7.4 million from State G.O. Bonds. At times, State G.O. Bonds are used on a revolving loan basis, which means funds can be recycled and used multiple times. MaineHousing last received State G.O. Bonds from a 2001 State referendum.
- In 2009, MaineHousing was authorized to issue a limited amount of governmental bonds to create capital funding for affordable housing and energy efficiency improvements of housing. Unlike MRB and multifamily housing bonds that are securitized and repaid from mortgage loans, these bonds are paid from a portion of collected real estate transfer taxes. MaineHousing has issued a total of \$49.6 million of governmental bonds and has approximately \$38.8 million in bonds outstanding. Each year, MaineHousing reports to the Legislature on the uses and benefits

of these investments. Known as Part E, these investments have resulted in the creation of over 850 affordable housing units, creating or retaining 6,997 construction jobs that paid \$20.9 million in construction materials as well as \$34.9 million on purchases of building materials.

## Low Income Housing Tax Credits

Low Income Housing Tax Credits (LIHTC) are another financial resource that Maine Housing uses in concert with both its bonds and block grants. LIHTC are a federal resource that MaineHousing allocates in Maine. The credits are allocated to developers, who sell them to corporate investors; the credits reduce the investors tax liability for ten years. Money raised from the sale is used in the construction and rehabilitation of apartments affordable to low-income families. Over the past 10 years MaineHousing has allocated tax credits that have provided approximately \$277.4 million in equity for the development of affordable apartments.

## Pass-Through Programs

MaineHousing administers numerous federal and state pass-through programs. These programs provide financial resources that must be spent on a specific population because of the restrictions dictated by their source. Over the past 10 years, MaineHousing has disbursed over \$1.4 billion through various federal programs. The large federal pass-through programs that MaineHousing administered in the past 10 years include the following:

### U.S. Department of Housing and Urban Development Programs

- *Section 8 Rental Assistance Programs* – MaineHousing administers a number of federal Section 8 programs that provide rent subsidies to Maine citizens. Over the past 10 years, MaineHousing has disbursed over \$898 million in rent subsidies.
- *Emergency Solutions Grant Program* – This program provides homeless persons with basic shelter and essential supportive services. MaineHousing has disbursed over \$8.5 million through this program in the past 10 years.
- *Lead-Based Paint Hazard Control Program* – This program provides funding to make lower income homes in Maine lead safe. MaineHousing has disbursed approximately \$8.4 million in the past 10 years. This requires a match from MaineHousing. For the last grant, we contributed \$1 million to HUD's \$3 million.
- *Housing Counseling Program* - This program provides counseling to consumers on seeking, financing, maintaining, renting or owning a home. Approximately \$1.4 million has been disbursed through this program in the past 10 years.
- *Homeless Management Information System* - This program provides funding for a computerized data collection tool designed to gather data on homelessness and service interventions. Data collected is used to improve the effectiveness of homeless shelter and service delivery systems in Maine. MaineHousing has received approximately \$2.7 million through this program in the past 10 year.

## U.S. Department of Energy

- *Weatherization Program* – This program provides grants to low income homeowners and renters to improve home energy performance. MaineHousing has disbursed \$26.8 million through this program over the past 10 years.

## U.S. Department of Health and Human Services

- *Low Income Home Energy Assistance Program* – This program provides money to help low-income homeowners and renters pay for heating costs. MaineHousing has disbursed over \$442.4 million through this program over the past 10 years.
- *Residential Energy Assistance Challenge (REACH)* - The purpose of REACH is to minimize health and safety risks that result from high energy burdens on low-income citizens, prevent homelessness due to inability to pay energy bills, and increase energy efficiency. MaineHousing has disbursed \$1.2 million through this program between 2005 and 2010.

## American Recovery & Reinvestment Act of 2009 Programs

In 2009, the American Recovery & Reinvestment Act was enacted by the United States Congress. This act contained federal spending provisions for housing and energy related programs. Between 2009 and 2012 MaineHousing disbursed funds totaling \$88.4 million through the following five ARRA programs:

Homeless Prevention and Rapid Re-Housing Program  
Tax Credit Assistance Program  
Section 1602 Tax Credit Exchange Program  
Weatherization Program  
Weatherization Training Program

## State and Other Pass-Through Programs

MaineHousing also administer other pass-through programs that are funded by the state and other organizations. These programs include the following:

- *Shelter Operating Subsidy Program* – This program provides funding for the emergency shelters that serve people who are homeless in Maine. MaineHousing has received and disbursed approximately \$3.8 million over the past 10 years.
- *Low Income Assistance Plan (LLAP)* - This program helps low-income homeowners and renters pay for electricity costs by providing a credit on their electric bills. The program is funded by Maine's transmission and distribution utilities. MaineHousing has disbursed over \$12.1 million through this program over the past 10 years.
- *Appliance Replacement Program* – This program helps low-income people reduce their energy costs by replacing older refrigerators and other home appliances that are inefficient and expensive to

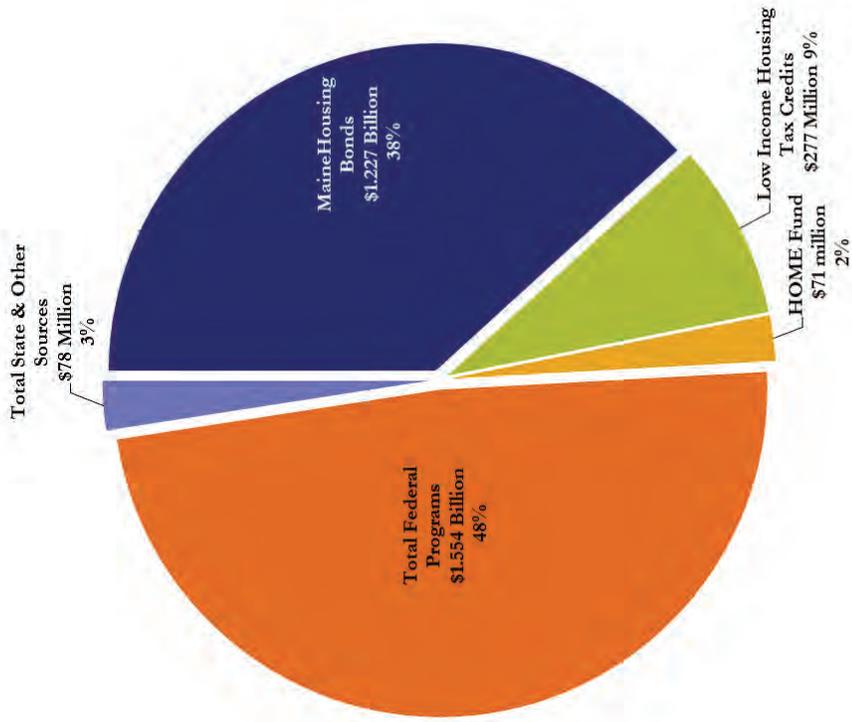
operate. The program is funded by Maine's Public Utilities Commission. MaineHousing has disbursed over \$9.6 million through this program between 2005 and 2013.

Over the past 10 years, MaineHousing has disbursed over \$3.2 billion through its various programs to address the state's housing needs.

-Note-

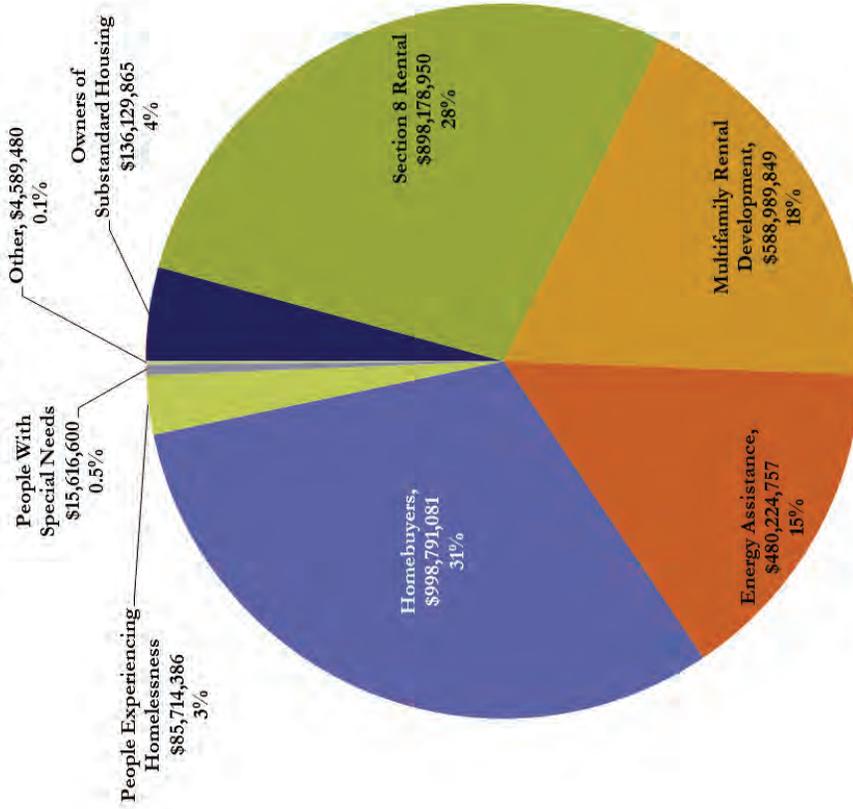
See Graphs Pages 50-56

**MaineHousing  
Program Sources of Funds  
2005 - 2014**



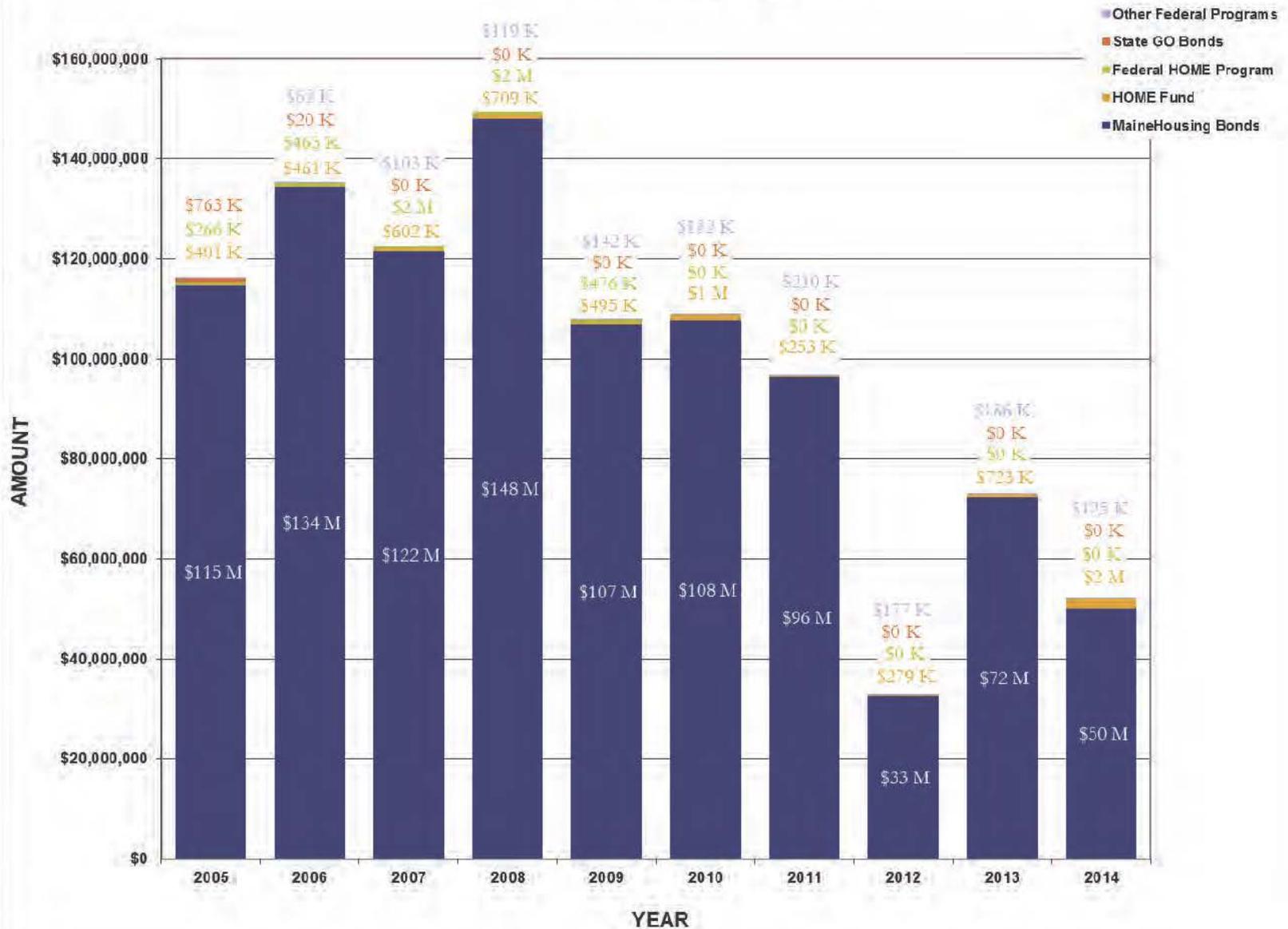
Total Sources of Funds = \$3.208 Billion

**MaineHousing  
Program Expenditures/Disbursements  
2005-2014**

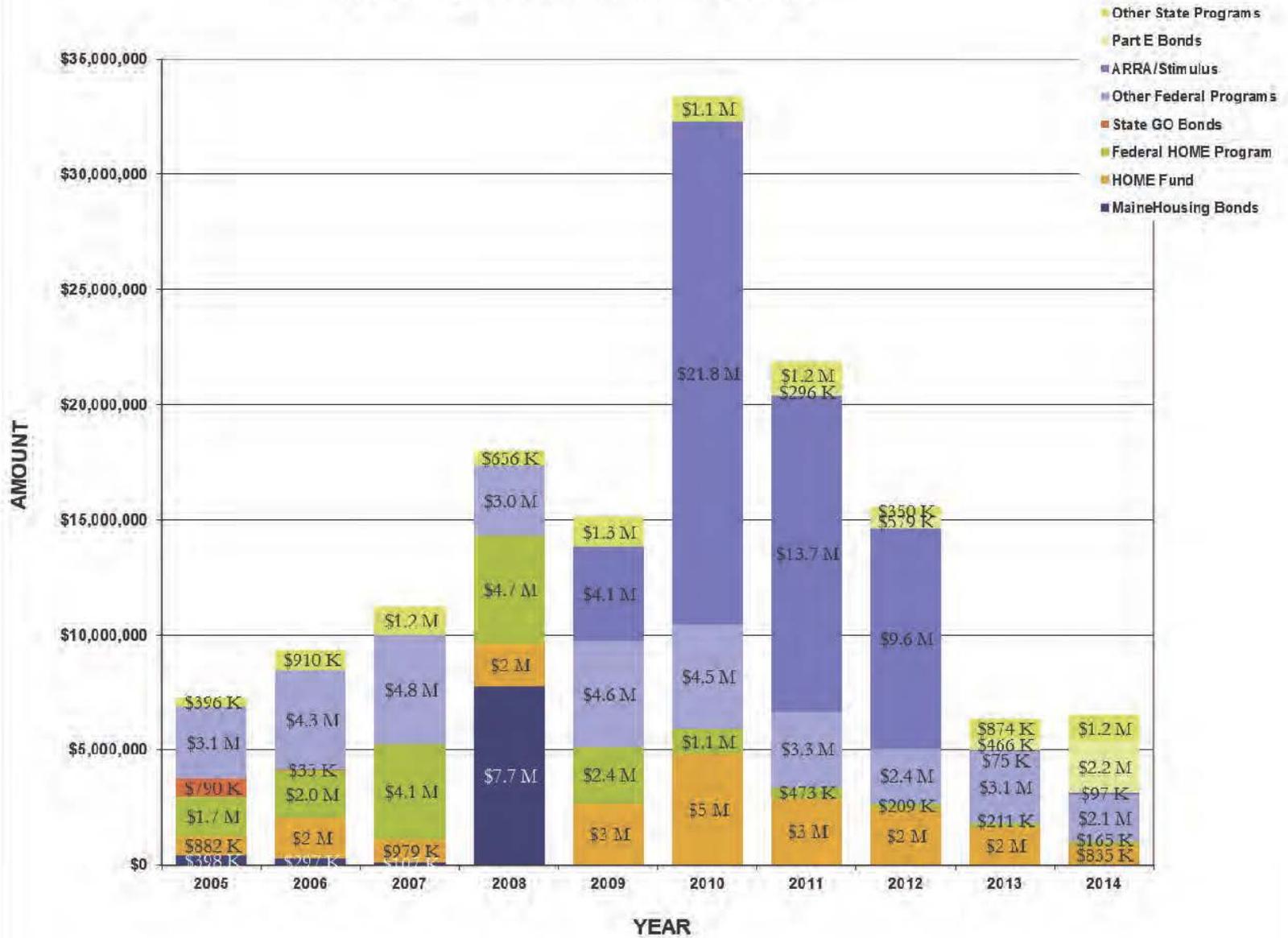


Total Program Expenditures/Disbursements = \$3.208 Billion

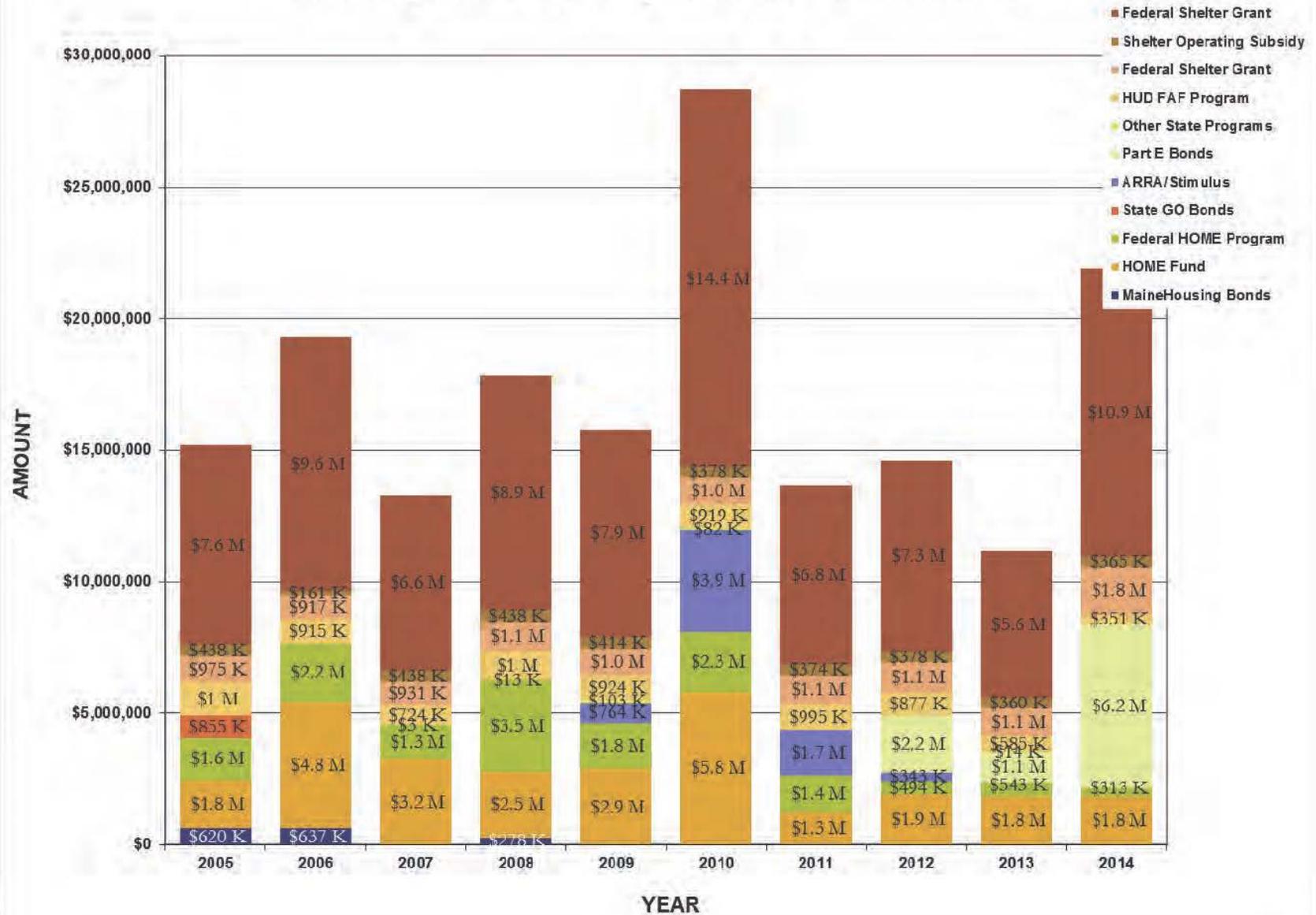
## MaineHousing Investment In Homeownership



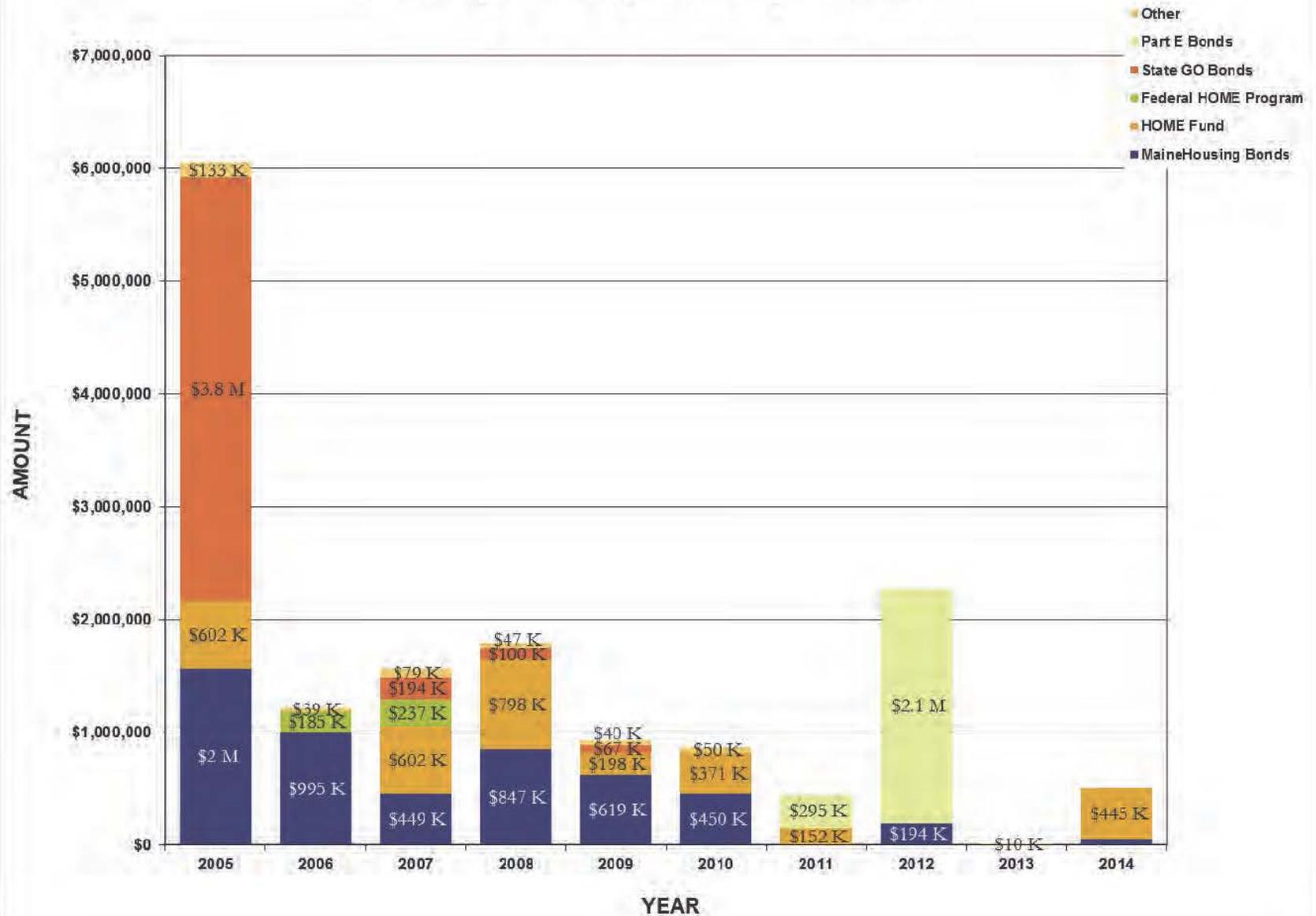
## MaineHousing Investment In Improving Substandard Housing



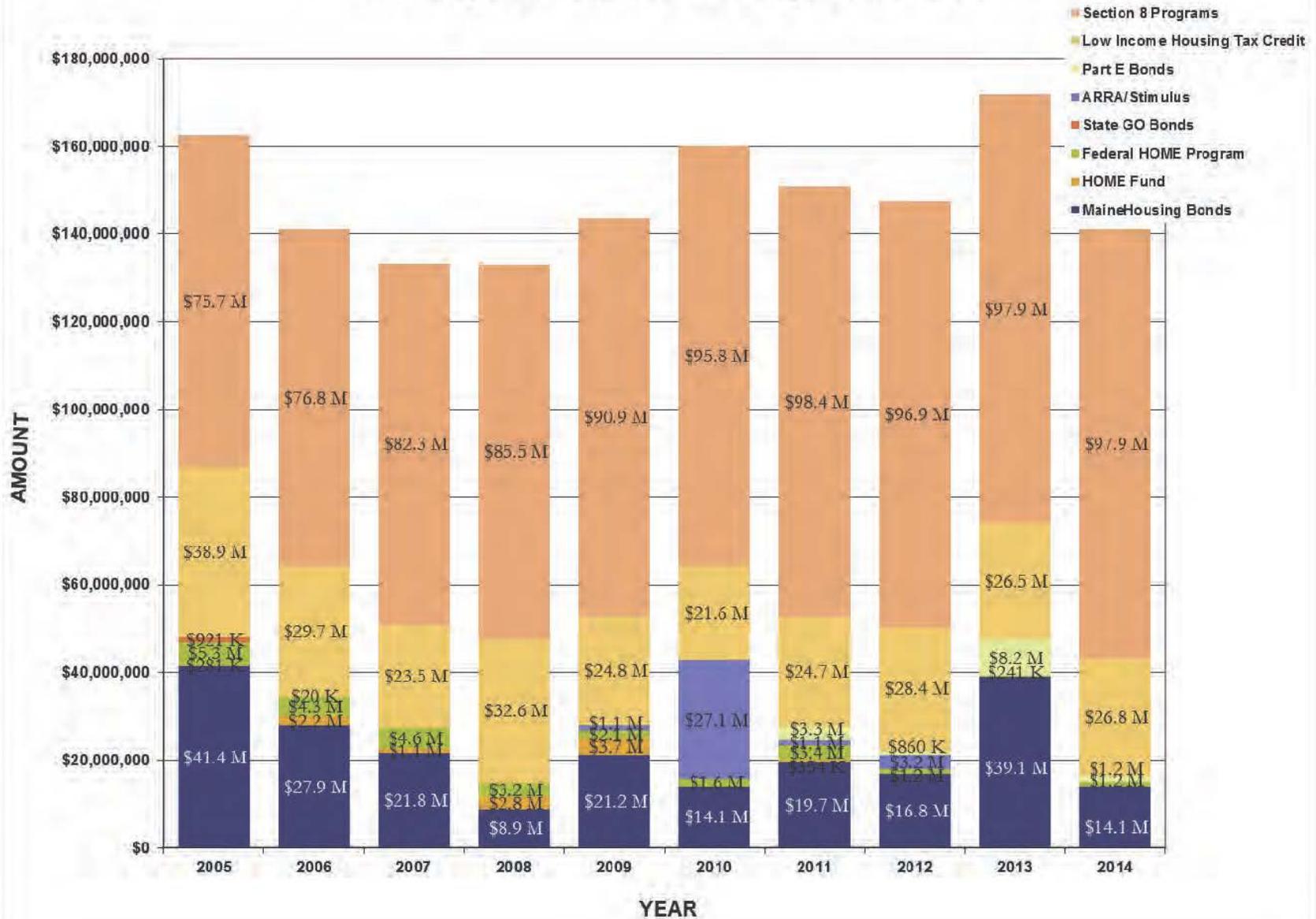
## MaineHousing Investment In Housing For People Experiencing Homelessness



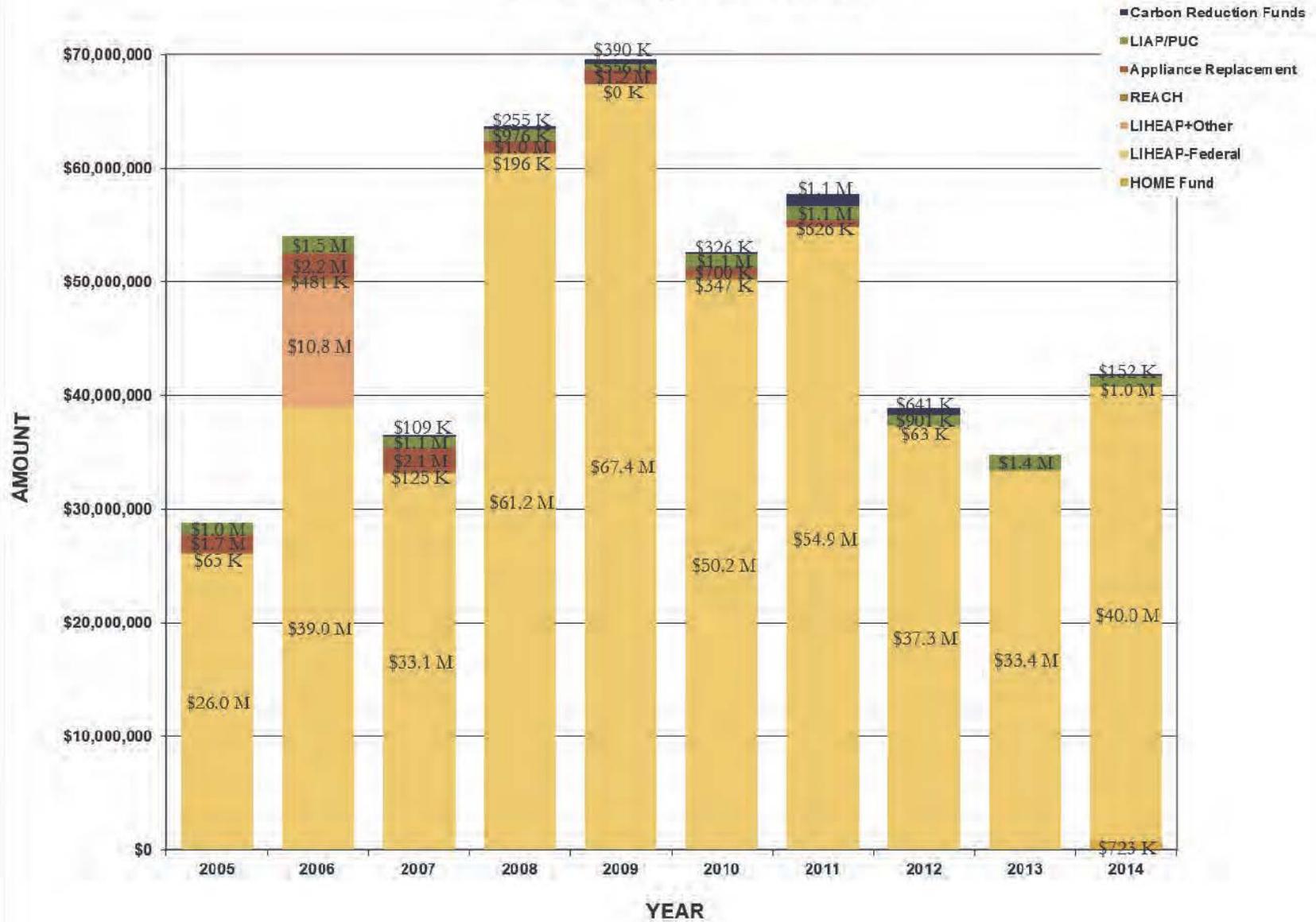
## MaineHousing Investment In Housing For People with Special Needs



## MaineHousing Investment In Housing For Renters Needing Assistance



## MaineHousing Investment In Home Energy Assistance



# Coordination with Other Agencies

Many of MaineHousing's programs work in tandem with programs offered by other federal, state, and local agencies. Coordination and collaboration are important in making sure everything works smoothly. Coordination with other agencies requires constant attention; it is an easy habit to fall out of. We have made a conscious effort to communicate and coordinate with other departments.

## Working with State Agencies

To achieve this coordination, MaineHousing leadership meets regularly with the Department of Health and Human Services (DHHS) leaders to refine our respective efforts to support the interrelated housing and service needs of consumers we both serve. Some recent examples of collaborative approaches include:

- MaineHousing serves on the Statewide Independent Living Council and has set aside Housing Choice Vouchers for the Homeward Bound program for individuals leaving institutions for independent living.
- MaineHousing's supportive housing program staff is in regular communication with staff at the Office of Adult and Disability Services to address the needs of those who require supportive housing. Recent needs include developing supportive housing for persons with autism or traumatic brain injury.
- MaineHousing and the Office of Adult and Disability Services have been awarded U.S. Department of Housing and Urban Development assistance under the Section 811 program. The 811 program will develop 60 units for nonelderly disabled households.
- MaineHousing's Housing Choice Voucher program is working with the Office of Child and Family Services to provide rental assistance to youth aging out of foster care. This population is at greater risk of becoming homeless.
- MaineHousing is working with the Office for the Prevention of Domestic Violence to establish a Safe House for victims of human trafficking.
- MaineHousing assisted the Commission for the Prevention of Domestic and Sexual Abuse in improving landlord laws related to victims of domestic violence and sexual assault.

These efforts are duplicated with numerous other agencies including close collaboration with staff at the Office of Adult and Disability Services related to elderly housing and assisted living property development, carefully coordinated homeless efforts through work with the Statewide and Regional Homeless Councils, and networking and coordinated housing and service options offered through the Departments of Health and Human Services, homeless shelter providers, domestic violence service providers and municipal welfare directors. These services in concert with housing options are

fundamental to providing a stable environment for individuals who are homeless, are in transition or are victims of abuse or neglect.

## Statewide Planning

MaineHousing works with the Department of Economic and Community Development (DECD). Together, we prepare one Consolidated Housing and Community Development Plan that is submitted to the U.S. Dept. of Housing and Urban Development (HUD) each year to apply for federal grant funds. Annually, Maine DECD and MaineHousing hold statewide public hearing and forums to gather input from communities on what housing issues are important to them and what elements should be included in the Consolidated Plan. This joint effort has led to opportunities to combine Community Development Block Grant funds and MaineHousing Federal HOME funds to assist in the housing development and redevelopment efforts in numerous communities across the state.

We also joined with DECD, USDA Rural Development, and the statewide community action agency network to provide a combined, one-stop home repair program. This extraordinary effort combines different funding programs with different rules and regulations into a seamless statewide network.

## Energy Efficiency

MaineHousing continues to improve energy efficiency.

- A U.S. Department of Health and Human Services grant funds the Low Income Home Energy Assistance Program (LIHEAP), providing money to help low income consumers pay heating costs. This program is administered in close cooperation with the Department of Health and Human Services.
- MaineHousing is an ex officio member of the Efficiency Maine Trust and closely coordinates our weatherization and low income energy assistance programs with the energy efficiency tools and programs offered by Efficiency Maine.
- Energy efficiency is recognized in the application process for new housing development supported by MaineHousing.

## Addressing Homelessness

MaineHousing supports efforts to reduce homelessness in Maine by working with many partners, including:

- MaineHousing provides administrative support to the Statewide Homeless Council which is responsible for creating a plan to reduce homelessness in Maine. MaineHousing is also the administrative agent for the Balance of State Continuum of Care.

- We partner with the Office of Substance Abuse and Mental Health Services to identify and meet the needs of homeless individuals with mental health and/or substance abuse needs including the sharing of information, coordinated assessment and a referral system.
- Through our collaborative efforts with veterans' agencies and organizations, MaineHousing seeks to help create strong outreach strategies and a coordinated network in order to expand our collective reach to homeless vets in Maine. We administer the Veterans Assisted Supportive Housing voucher program in close cooperation with the Veterans Administration in Maine.



# Constituents Served by MaineHousing

MaineHousing identifies five major constituent groups served by our programs. Our needs assessment, resource allocation, and goal setting processes focus on serving these five population groups within the framework of our Program Goals.

The constituent groups are:

- First-time homebuyers;
- Owners of substandard housing;
- People experiencing homelessness;
- People with special needs;
- Renters needing assistance; and

These constituency groups may receive services within two or more program goals. For example, People Experiencing Homelessness may receive services from programs designed to improve Housing Stability and or Expand the Supply of Affordable Housing. And a program goal may address the needs of multiple constituencies. Again, as an example, Expanding the Supply of Affordable Housing offers programs for both First-time Homebuyers and Renters Needing Assistance.

MaineHousing programs and the benefits to our constituents are described in greater detail in Section 5, Program Descriptions.



# Use of Alternative Delivery Systems Including Privatization

MaineHousing works with two major groups: our customers and our partners. Each is a major stakeholder in our efforts to provide affordable housing to Maine people.

MaineHousing customers are those who may be homeless, in need of an apartment, interested in purchasing their first home or in need of home repair. Generally, MaineHousing does not provide direct service or assistance to Maine citizens. Instead, we rely on a large and interconnected network of intermediaries to provide housing services and resources to Maine citizens in need. These partners contract with MaineHousing, receive funds, and in turn serve housing customers. The exception is the Housing Choice Voucher program which is administered by MaineHousing in those communities without a local housing authority. In these communities MaineHousing provides direct service to renter households and landlords.

## Sheltering the Homeless

To serve those who are experiencing homelessness, MaineHousing works with existing shelters and other statewide partners striving to end homelessness in Maine. A group of 42 shelters provides a bed, roof, and warm meal to some of Maine's neediest and most vulnerable citizens. Though each shelter is different, collectively they provide emergency housing to meet the needs of youth, persons with mental illness, those suffering from substance abuse, victims of domestic violence, and the general public. Located in communities across Maine, these shelters provide society's ultimate safety net.

## Making Homeownership a Reality

In our effort to assist first-time homebuyers, MaineHousing works closely with lending institutions and real estate professionals throughout Maine. We contract with lending institutions who originate loans to those who qualify for our first-time homebuyer program and real estate professionals who refer the homebuyers to lending institutions that have our products available. MaineHousing has implemented a Green Key Lender Program to recognize the efforts of our 40-plus lenders who direct first-time homebuyers to our mortgage loans. Homebuyers, too, like the Green Key distinction and are asking lenders if they are a MaineHousing Green Key Lender.

## Making Homes Safe and Warm

For many years, the state's 9 Community Action Agencies have served as our primary partners in delivering programs that assist owners of substandard single-family housing with weatherization, fuel assistance, home repair, and a variety of other community services to meet their needs. Their expertise and knowledge of the needs of low-income Mainers as well as their well-honed outreach capacity, makes these community-based service agencies the perfect source through which these important programs are delivered. Each of the Community Action Agencies is a licensed lending

institution, allowing them to use our resources to provide loans, grants, or assistance to improve the homes of Maine's low income citizens.

## **Combining Housing and Services**

Delivering services to people with special needs is often quite complex. A maze of housing and service options can present challenges in meeting special needs. However, over the years, MaineHousing has developed strong working relationships with federal and state agencies and non-profit organizations that help to bring the service and housing components together as primary deliverers of MaineHousing's special needs efforts. In some cases these organizations have a mission that is limited to housing but in other cases they may be multi-purpose agencies such as regional mental health agencies, area agencies on aging, community action agencies, or local public housing authorities, providing both housing and services. Working collaboratively to maximize limited resources, these non-profit agencies and MaineHousing strive to meet the special housing and service needs of persons with mental health or substance abuse issues, victims of domestic violence, and the frail elderly, to name a few. The Coordination with Other Agencies section describes some of our initiatives in this area.

## **Partnering with Housing Developers**

Creating new affordable housing is becoming a more complex undertaking. MaineHousing is fortunate that a number of non-profit and for profit developers have mastered the complexities of the tax credit program and the federal and state rules governing our subsidies. These developers are also a key source of advice and counsel to us on how to improve these programs.

## **Providing Rental Assistance**

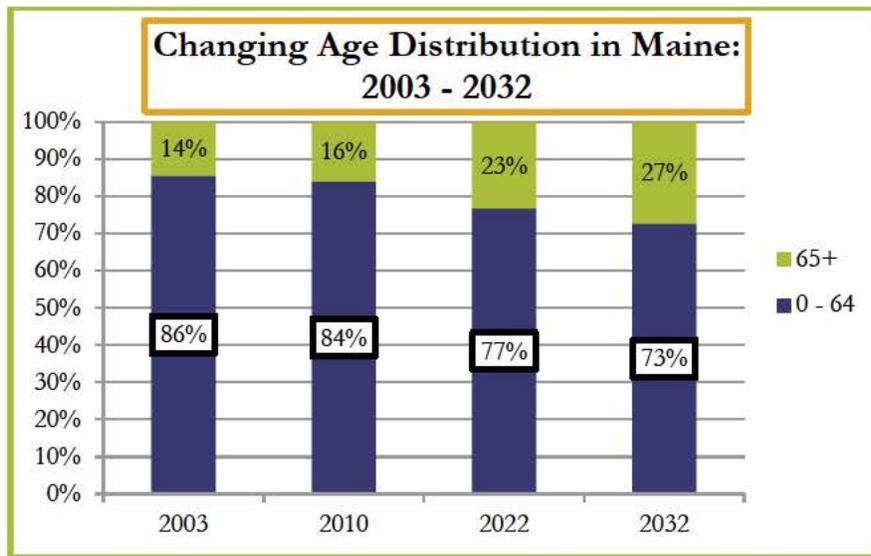
Lastly, the most complex delivery system employed by MaineHousing is the system by which apartments and rental assistance are made available to the state's low-income renters. The rental assistance program is facilitated and delivered directly through HUD; through MaineHousing contracted partners; and through local public housing authorities located throughout the state. To make affordable apartments available to low income renters, over the years, HUD has contracted directly with large private developers, providing financing to those developers who in turn set aside low-income units for needy citizens. HUD also contracts directly with local public housing authorities and MaineHousing (serving the balance of the state where no local housing authorities exist) to administer rental assistance to low income renters through the Section 8 Housing Choice Voucher Program. Though the local housing authorities directly administer the Section 8 Voucher Program in regions within their jurisdiction, MaineHousing delivers the Section 8 Voucher Program for the balance of the state.

We are pleased with the delivery systems we have in place, but we continue to review these for possible improvements.

# Emerging Issues

## The Aging Population

The changing senior housing landscape is being driven by the baby boomer generation not only in Maine but nationwide. Only 12 percent of the nation's population was over 65 in 1980; now it's 15.4 percent. It will continue to increase through 2030, when the last of the baby boomers turn 65. In Maine it's slightly higher at 15.9 percent. By 2032, residents over the age of 65 years will comprise 27 percent of Maine's population, nearly doubling the number since 2003.



Baby boomers are unlike the generations before them. They are fiercely independent, technologically inclined, better educated, and consumer oriented. They will live longer and healthier lives thanks to advances in medicine and health care. Their impact on housing trends has been studied and discussed in countless periodicals, conferences, and other forums. One common theme emerges: they will need or demand more of everything, including units, flexibility, affordability, autonomy, access, and community and people-centered services. “More” is how baby boomers have lived their lives, shaping trends for decades, and they’ll continue to push others to adapt, provide, and conform.

This change will impact the way of MaineHousing designs and implements its multi-family housing programs. The changing demographics will require housing providers to find new models for meeting the housing needs of an aging population -- health care, aging in place, and demands by baby boomers for certain amenities. It will also impact the focus of our home repair program to helping seniors stay in their homes.

## The Shift from Owning to Renting and the Growing Affordability Gap for Renters

For the past 10 years there has been a shift from homeownership to renting. While ownership still has more than a 2:1 preference, the trend has been toward more rentals. In Maine, renter occupied units grew by 56.8% from 2007 to 2012 while owned units grew 0.1%. This is primarily because members of the Millennial Generation are waiting longer to purchase their first home. That, coupled with an increase of homes on the market as baby boomers downsize may have an impact on MaineHousing's First Time Homebuyer program.

These same trends are putting upward pressure on the cost of rental housing. The gap between rents and what people can afford to pay is growing. According to our analysis, 57.8% of renter households are unable to afford an average two-bedroom rent. That is 92,844 out of 160,766 households.

## Uncertain Federal Funding

The future of federal funding for housing programs is uncertain. Maine depends on federal rental assistance programs to maintain the current level of housing support. We know from the long waiting lists statewide for this assistance that the current appropriation does not meet the need. At the same time, budget limits at the federal level are forcing us to maintain the current level of subsidy per client by reducing the number of people served. Put another way, level funding results in reducing the number of people helped. The cost of a rental assistance program limits any role the state can take.

Reduced federal funding is not limited to the rental assistance programs. MaineHousing has seen the federal HOME Partnership program reduced from \$6.5 million in 2010 to \$3.3 million in 2014.

This concern is certainly not limited to housing programs.

## Adequacy of Housing Supply

Maine's housing stock is the 8<sup>th</sup> oldest among the states and poses potential environmental hazards such as lead paint, arsenic, asbestos, and radon, and fire safety and life safety concerns such as smoke detection and adequate egress

Studies show that the millennial generation is looking for newer, energy efficient homes located near social, cultural and recreational amenities. There will be a growing mismatch between the available housing stock and the demand for housing; housing not being where there is demand for it.

## Homelessness

In 1999 we reported that one emerging issue was that the homeless shelters in Maine were becoming delivery system for mental health and substance abuse services because they are the last resort for people with mental health or substance abuse problems (or both). In 2007 we reported to you that

that trend continued. In 2015, we again report to you that despite the best efforts of all involved, over two-thirds of those using Maine's homeless shelters have a mental health issue, a substance abuse issue, or a combination of the two.

Two other trends are new. The first is the number of younger clients with opiate use problems. The second is the influx of asylum seekers whose immigration status prohibits them from working for six months after they file a claim.

Strides have been made to move people out of the shelters and into housing as fast as possible. Projects have been built using the "housing first" model, which makes finding housing the first priority – a foundation that makes it easier to address the other challenges the person faces.

MaineHousing is implementing a new approach to its funding of shelters. That funding has been supplemented, beginning July 2015, by an increase in general fund appropriations of just over \$2.1 million. This was accomplished with the support and advocacy of many including the LCRED Committee. Under the old formula, shelters were reimbursed for the number of nights each bed was utilized. Under the new approach, 40% of the funds will be distributed to cover fixed costs, 40% will be distributed to cover staffing costs to help the clients navigate the support systems such as social security and MaineCare and to them get quickly relocated to permanent housing, and 20% will be distributed as an incentive for having exceeded expectations.



# Other Information Requested by the Committee

No additional information has been requested by the Committee.



# Comparison of Federal Laws and Regulations to State Laws and MaineHousing Rules

MaineHousing runs several programs established under federal law. Federal statutes and regulations create and govern the programs. State law gives MaineHousing specific authorization as the entity within Maine to administer the federal programs and in some cases imposes additional requirements on the program. MaineHousing also has adopted rules regarding its administration of the federal programs. The following is a summary of the federal laws establishing MaineHousing programs, the Maine statutory provisions concerning MaineHousing's administration of the programs, and MaineHousing rules governing the programs.

## Tax Exempt Bonds

*Federal law:* Sections 141-148 of the Internal Revenue Code of 1986, 26 U.S.C. §§ 141-148, and applicable regulations govern MaineHousing's issuance of tax exempt bonds for (1) qualified residential rental projects, (2) first time homebuyers, and (3) properties owned by 501(c)(3) corporations.

*State law:* MaineHousing has the authority to issue housing-related tax exempt bonds in the State of Maine. 10 M.R.S.A. § 363. MaineHousing has the authority to issue bonds for its corporate purposes. 30-A M.R.S.A. 4871, *et seq.* MaineHousing has the power to invest funds, deal in mortgage credits, allocate MaineHousing's share of the tax-exempt bond ceiling, and certify bonds. 30-A M.R.S.A. 4741. MaineHousing may use bond proceeds make or purchase mortgage loans for housing for persons with low incomes. 30-A M.R.S.A. § 4905. MaineHousing is required to maintain minimum reserves to secure its bonds; there is annually appropriated to MaineHousing any amount required to meet the minimum reserve requirements as certified by the director of MaineHousing to the Governor (the "moral obligation"). 30-A M.R.S.A. § 4906.

*MaineHousing Rules:* Chapter 1 of MaineHousing's rules (single family) primarily sets forth the requirements of 26 U.S.C. §§ 141-148 regarding single family loans. Chapter 29 of MaineHousing's rules (multi-family and supportive housing) sets forth general parameters for MaineHousing's programs for multi-family and supportive housing.

## Home Energy Assistance Program

*Federal law.* Pub. L. 97-35, Title XXVI and applicable regulations govern MaineHousing's low income home energy assistance program.

*State law:* MaineHousing has the authority to act as the weatherization, energy conservation, and fuel assistance agency for the State. 30-A M.R.S.A. § 4741.15. MaineHousing must administer a fuel assistance program for eligible households. 30-A M.R.S.A. § 4991. MaineHousing may select local

program operators as long as they comply with the program operating standards established in rule by MaineHousing. 30-A M.R.S.A. § 4992. The State Controller, upon recommendation of the State budget Officer and approval of the Governor, may advance up to \$10,000,000 from the General Fund unappropriated surplus to a Fuel Assistance Reserve Fund to ensure that fuel assistance benefits for the State's eligible elderly and low-income residents are available prior to the beginning of the heating season. 30-A M.R.S.A. 30-A M.R.S.A. § 4992-A.

*MaineHousing Rules:* Chapter 24 of MaineHousing's rules establishes standards for the Home Energy Assistance Program for the State of Maine as administered by the Maine State Housing Authority.

## Weatherization

*Federal Law:* Part A of the Energy Conservation in Existing Buildings Act of 1976, 42 U.S.C. § 6861 *et seq.*, and applicable regulations govern MaineHousing's weatherization programs.

*State law:* MaineHousing has the authority to act as the weatherization, energy conservation, and fuel assistance agency for the State. 30-AMRSA 4741.15.

*MaineHousing Rules:* Chapter 24 of MaineHousing's rules establishes the weatherization assistance program for low-income households for the State of Maine.

## Low Income Housing Tax Credit

*Federal law:* Section 42 of the Internal Revenue Code of 1986, 26 U.S.C. § 42, and applicable regulations govern MaineHousing's low income housing tax credits program. Section 42 of the Code requires housing credit agencies to adopt a qualified allocation plan for allocating and administering the federal low-income housing tax credit, including the annual ceiling of federal low-income housing tax credits allocated to housing credit agencies.

*State law:* MaineHousing is designated the housing credit agency for the State of Maine. 30-A MRSA 4742.14.

*MaineHousing Rule:* Chapter 16 of MaineHousing's rules is the qualified allocation plan for the State of Maine. It establishes the policies, selection criteria and procedures for allocating and administering the federal low-income housing tax credit in the State of Maine.

## Section 8 Rental Assistance

*Federal law:* Section 8 of the United States Housing Act of 1937, 42 U.S.C. §1437 *et seq.*, and applicable regulations govern MaineHousing's tenant based certificate and voucher programs, MaineHousing's mod-rehab program, and MaineHousing's Section 8 multifamily portfolio.

*State law:* To provide Federal financial assistance (Section 8) for a new construction or substantial rehabilitation project within the territory of a municipality housing authority, MaineHousing must notify and in the case of new construction obtain the prior consent of the municipality. 30-A MRSA 4771, *et seq.*

*MaineHousing Rule:* Chapter 2 of MaineHousing’s rules sets forth procedures for cooperation between MaineHousing and local governments.

## Homelessness Assistance

*Federal law:* The Stewart B. McKinney Homeless Assistance Act, 42 U.S.C. § 11301, *et seq.*, and applicable regulations govern some of MaineHousing’s funds for homeless programs, transitional housing and shelter plus care.

*State law:* MaineHousing has the authority to coordinate homeless programs for the State and administer federal funds for homeless persons under 30-AMRSA 4741.18.

*MaineHousing Rules:* MaineHousing uses funds from certain federal and state resources to give grants to agencies for a variety of activities to assist people who are experiencing homelessness or the risk of being homeless. Chapter 19 of MaineHousing’s rules governs MaineHousing’s allocation of resources for such programs, program design, the publication and distribution of program guides, basic criteria for determining eligible recipients, and potential selection criteria. Some resources are distributed according to a funding formula set forth in the rule. Other resources are distributed according to programs designed by MaineHousing.

## HOME Investment Partnerships Act

*Federal law:* The HOME Investment Partnerships Act, Title II of the Cranston-Gonzales National Affordable Housing Act, as amended, 42 U.S.C. 12701 *et seq.*, and applicable regulations govern some MaineHousing programs for single family purchase, single family repair, multifamily development, and tenant based rental assistance.

*State law:* MaineHousing has the authority to carry out the program under 30-A MRSA 4741.17.

*MaineHousing Rules:* MaineHousing uses the funds for programs authorized under Chapter 1 of MaineHousing’s rules (single family), Chapter 19 of MaineHousing’s rules (homelessness solutions programs), and Chapter 29 of MaineHousing’s rules (multi-family and supportive housing).



# MaineHousing Privacy Policies

## Agency Policies for Collecting, Managing, and using Personal Information over the Internet

The state and federal laws governing MaineHousing deem confidential tenant application information, individual financial information statements submitted in connection with mortgage applications, and applicant information gathered for the weatherization, energy conservation, homeless assistance, or fuel assistance programs.

MaineHousing complies with the federal Privacy Act of 1974 and the privacy policies of the federal agencies that provide funding for our programs. Those policies are incorporated into the various forms and applications we use. They are not included here but are available if the Committee would like to see them.

Included in this section are MaineHousing's policies for collecting, managing, and using personal information over the internet and nonelectronically:

- Acceptable Use Policy and Procedures
- Remote Access Policy for Business Partners

While acting to protect the privacy of those we serve, MaineHousing also complies with the spirit as well as the letter of Maine's disclosure laws.

## MaineHousing Website Privacy Policy

This policy pertains exclusively to the collection of personal information on the MaineHousing web site, which is controlled, operated and maintained by the MaineHousing personnel. MaineHousing understands the importance of protecting the privacy of the visitors to our web site, and therefore does not collect personally identifying information about you, such as your name, address or telephone number, unless you voluntarily provide the information to us.

### Public Disclosure

The information you provide voluntarily will be treated in the same manner as information provided in written form and is subject to the general confidentiality, public inspection, and legal discovery provisions of 1 MRSA Chapter 13.

### Cookies

MaineHousing's web site does not use cookies to track your visits to our web site.

## Information We Collect

MaineHousing may collect some or all of the following information, from server logs, about visitors who view or download information from our web site. This information does not identify you personally. Below are definitions of the information that we do collect.

- Date: Date the visit occurred.
- Time: Time the visit occurred
- Client IP: Unique Internet Protocol (IP) address of the web site visitor. The IP address is normally that of the visitor's Internet service provider.
- Server IP: Unique Internet Protocol (IP) address of the web server that was accessed.
- HTTP Request URL: Identifies the web page or file requested by the web site visitor during that connection.
- Bytes Sent: Amount of data send from the web server to the web site visitor during that connection.
- Bytes Received: Amount of data sent from the web site visitor to the web server.
- User Agent: Type of web browser or other client software that made the request to the web server.
- Referrer: Uniform Resource Locator (URL) that referred to the requested file.
- Protocol Version: Version of HTTP used by the visitor's web browser software.

MaineHousing collects this information to help us analyze trends and make our site more useful to visitors. The information on the web site logs is not personally identifiable, and we make no attempt to link it with the individuals that browse our web site.

## Personally Identifiable Information

Personally identifiable information is information about a natural person that is readily identifiable to that specific individual. It includes, for example a person's name, street address, email address, fax number, or telephone number. We will not collect any personally identifiable information about you through our web site, unless you voluntarily use our site to send us an e-mail message, participate in a survey, or fill out and send an on-line form.

Your choice not to engage in these activities will not impair your ability to browse our web, read or download any information provided on the site.

## If You Send Us an Email

You may choose to provide us with personally identifiable information in an email message. Your email message and address may be forwarded to another agency for response or other action if appropriate. We strongly discourage visitors from including identifying information, such as Social Security numbers, federal employer identification numbers, or bank account numbers. Email addresses obtained as a result of making a request to our site will not be sold or given to private companies for marketing purposes.

## **Security**

While MaineHousing has instituted security measures to protect the information and systems that we maintain, it cannot guarantee that all transmissions to and from the MaineHousing web site are secure. Emails that you send to MaineHousing may be subject to interception. If your communication includes personal information that you do not wish to provide electronically, please contact MaineHousing by postal mail or telephone.

## **Disclaimer for External Links**

Our web site contains links to other web sites that are not owned, operated, controlled, or reviewed by MaineHousing. When you link to another site, you are no longer on our site and are subject to the data collection activities and private policies of that web site. We encourage you to read the privacy policies of web sites reached through the use of links from the MaineHousing site. Specific questions regarding information on off-site pages should be directed to the appropriate organization.

Links from MaineHousing web site to other web sites do not constitute or imply an endorsement or recommendation by MaineHousing.

## **Disclaimer and Liability Notice**

This web site is intended to provide general information to the public. The information in this web site is dynamic and will change over time. Portions of such information may be incorrect or not current.

MaineHousing shall not be held liable for improper or incorrect use of the information contained in this web site. Neither MaineHousing nor any of its employees makes any warranty, expressed or implied, including the warranties of merchantability and fitness for a particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would in infringe on privately-owned rights.

Any person or entity that relies on any information obtained from this site does so at his or her own risk.

## **Changes to Privacy Statement**

Advances in technology, legal developments, and new policies and practices may necessitate the need to change or update this privacy statement from time to time. We reserve the right to change this statement without notice. It is the responsibility of the user to check this page for any changes.

## Questions or Complaints

If you have specific questions about this privacy statement or complaints about the MaineHousing web site, please contact:

Webmaster  
MaineHousing  
353 Water Street  
Augusta, Maine 04338  
Voice: (207) 626-4605  
Email: [webmaster@mainehousing.org](mailto:webmaster@mainehousing.org)



## Information Resources

### Acceptable Use Policy and Guidelines

#### INTRODUCTION

MaineHousing relies on computer technology that is powerful and far-reaching to facilitate our ability to serve clients throughout the state of Maine. Every day, our information systems process, store, and transmit confidential client information and sensitive data. Securing this data and using care when it is accessed reduce the chances of harm.

Everyone at MaineHousing, as well as MaineHousing agents and contractors, shares in the responsibility for maintaining the security of our information systems, data, equipment, and processes. The purpose of this document is to help you understand what you need to do in order to comply with MaineHousing's expectations for protecting our computer technology as well as our client's information.

For future reference, a copy of this Acceptable Use Policy and Guidelines can be found on the shared network at I: Share/HR/Policies.

#### WHAT ARE "INFORMATION RESOURCES"?

The Information Resources covered under this Acceptable Use Policy include both computer technology and confidential information.

**Computer Technology:** the equipment, systems and networks used to acquire, process, transmit, and manage the information required to accomplish MaineHousing's mission, programs and services. This includes all MaineHousing-managed:

- computers, servers, and networking equipment
- hardware and software
- desk top computers and portable laptops
- portable data storage devices, such as CD's, DVD's, USB drives, and
- telecommunications equipment, such as desk phones, cell phones, fax services, mobile email and smartphone devices.

**Confidential Information:** protected or proprietary knowledge regarding MaineHousing's clients, staff and business.

- Protected information is any data that can be used to distinguish or trace an individual's identity. Maine State Statute specifically defines confidential information regarding applicants and clients participating in MaineHousing programs. MaineHousing must comply with other laws which govern management of confidential employee and/or financial information.
- Proprietary information is data about MaineHousing's operation that could lead to breaches of security or degradation of services, such as network diagrams, server configurations, or account access information (passwords, etc.)

### **MAINEHOUSING'S RESPONSIBILITY**

In most organizations, an Information Security Officer (ISO) is responsible for coordinating information security programs and activities to ensure that compliance is maintained. At MaineHousing, because no one person performs all of the responsibilities of the ISO, an Information Security Committee (ISC) has been formed. Membership of the Committee includes a Deputy Director, an outside security consultant (Sage Data Security), the Internal Audit Manager (chair), the Information Services Director, and additional Information Services staff. The responsibilities of the Information Security Committee include:

- Ensuring that appropriate processes are implemented to identify, measure, monitor, and control information security risks, and
- Implementing security recommendations and changes resulting from compliance reviews, information technology audits, third-party vulnerability assessments and penetration tests.

### **YOUR RESPONSIBILITY**

It is your responsibility to read, understand and comply with the Information Resources Acceptable Use Policy. Misuse of these Information Resources can result in damage to the reputation of MaineHousing, lead to legal liability, and trigger excessive support costs. Violation of these policies may result in disciplinary action up to and including termination of employment. Additionally, violators may be subject to civil and criminal prosecution.

Keeping protected information secure is an obligation mandated by state and federal laws, along with contractual agreements between MaineHousing and its partners – and it's the right thing to do.

If you have any doubt or questions on any aspect of the security of our computer resources or protected information, don't hesitate to ask your manager, the Information Services HelpDesk, the Information Services Director, or any member of the Information Security Committee.

In a constantly changing technical environment, it is critical that everyone understands and follows the rules for utilizing technology and handling information.

### **INFORMATION PROTECTION**

Personally Identifiable Information (PII) is any information about an individual that can be used to distinguish or trace an individual's identity. PII is also any other information that is linked (or linkable) to an individual, such as medical or financial information.

Examples of PII include, but are not limited to:

- any information provided by applicants or participants in MaineHousing programs (includes information provided by third parties working on behalf of an applicant/participant).
- personal identification numbers, such as social security number (SSN), passport number, driver's license number.
- financial account or credit card information, including account numbers, card numbers, expiration dates, cardholder name, or service codes.
- healthcare / medical information disclosed to MaineHousing.
- names and addresses of clients participating in MaineHousing programs or on waiting lists.
- the address of a shelter or other living accommodations for victims of domestic violence.

The format that the information is in **does not** matter! Paper records, electronic files, voice mail messages and email can all contain protected information.

### **INFORMATION PROTECTION EXPECTATION**

Do not disclose or discuss any protected information about clients or employees to anyone outside of MaineHousing unless specifically authorized by your manager.

Any protected information that leaves the premises must be encrypted or be handled by a secure delivery process. This includes emails, email attachments, CDs, USB drives, laptop drives, cell phones and other portable devices that contain files and emails with protected information.

### **WAYS TO PROTECT PERSONALLY IDENTIFIABLE INFORMATION**

- Access only the protected information that relates directly to your job responsibilities. You must have business justification when accessing any protected information.
- Do not discuss client information with others unless it is required for you to perform your job responsibilities.
- Do not send protected information via e-mail unless the data is encrypted using a secure method. (MaineHousing's encryption process is detailed on page 4.)
- Never take protected information off premises unless specifically authorized to do so by your manager. If you are authorized to take protected information off premises, you must use encrypted media (e.g. encrypted flash drives, CD's or DVD's) provided by Information Services.
- Paper copies of protected data are just as important to protect as electronic versions:
  - Remove all print outs or faxes that contain protected information from printers and fax machines immediately.
  - Do not leave protected files or paperwork on your desk or work area unattended, and do not leave protected information out in the open during non-working hours.
  - Secure and preferably lock up all files at the end of the day.
  - Shred (or place in a secure container for shredding at a later time) all paper documents containing protected information that are no longer needed. At MaineHousing, shredding bins are located on all four floors, and locked shredding bins are located on the first and third floors.
- Transportation of protected information must be done by an employee, the US Postal Service, authorized courier, or other "track-able" delivery services.

If you suspect or become aware of a failure to protect personally identifiable information, notify your manager or a member of the Information Security Committee immediately.

### **E-MAIL**

Regular email is NOT a secure way to transmit protected information!

- Regular (non-secure) email should never be used to send or transmit protected data outside of MaineHousing. This includes protected data within the body of the e-mail message and all attachments that contain protected information.
- If a client sends you an unsecure e-mail containing protected information, be sure you DO NOT "Reply" or "Forward," this will re-send the information over the Internet. Compose a new email in response, request that the sender find an alternative method for sending protected data, and notify your manager and a member of the Information Security Committee that a breach of protected information may have occurred.

Here is how to send a secure e-mail to external addresses from a computer within MaineHousing or connected to MaineHousing via Citrix. (More details may be found at I:\SHARE\IS\How To Documents.)

1. Make a new blank email and add addresses.
2. In the Subject line, include the word CONFIDENTIAL or the phrase VIA SECURE EMAIL. It doesn't matter where in the subject you put it. "this is confidential" works as well as "confidential: monthly report" or "monthly report via secure email". The word "secure" by itself does not work.
3. Type your message text, add attachments as needed, SEND.
4. You will receive a notification email from "Mail Monitoring" to acknowledge that your email entered the secure email system.
5. Your recipients will get a notification email with a web link back to our secure email system.
6. Using a web browser and the provided link, they log into the secure system and the secure email you sent is there for them to view and download attachments through the secure web link that has been established.
7. Your recipients may reply, with attachments, to your message on the secure web site. They will then receive a notification from "Mail Monitoring" to acknowledge their email to you.

**Note:** This does not apply to emails sent from within MaineHousing to another internal MaineHousing address. Even with the CONFIDENTIAL or VIA SECURE EMAIL in the subject line, internal recipients will receive the email as usual, and steps 5 – 7 will not apply.

#### **OTHER E-MAIL CONSIDERATIONS**

The use of the MaineHousing's email system is intended for conducting business. Business email will be given first priority. Furthermore,

- Never use email to share protected information with other users who are not authorized to access such information.
- Unless specifically authorized by MaineHousing management, you may not make any attempt to intercept, read, or access emails not specifically addressed to you.
- You may not for any reason create anonymous or disguised email messages.
- Email to clients and other parties associated with the MaineHousing (such as vendors, partners, etc.) should be written professionally and courteously. You may not use email to harass, stalk, abuse, or otherwise violate the legal rights of others or to make offensive statements based on race, color, religion, sex, sexual orientation, national origin, ancestry, age, disability, or familial status, or receipt of public assistance.
- You may not use MaineHousing's email system for the transmission of funding solicitations, requests for donations, or similar non-MaineHousing business purposes (whether initiated by you or forwarded from another source.)
- You may not send or forward bulk ("spam") emails or chain letters.

All messages created, sent, or received on the MaineHousing.org mail server are the property of MaineHousing and *may be regarded as public information*, based on MaineHousing's obligations under the Freedom of Information Act. MaineHousing has the right to review, examine, archive, retrieve, restore, investigate, and delete all email messages.

All communications, including text and images, can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

**This means do not put anything into your e-mail messages that you wouldn't want to see on the front page of the newspaper or be required to explain in a court of law.**

#### **CARE AND SAFETY OF PORTABLE COMPUTERS, PDAs, OTHER PORTABLE DATA STORAGE DEVICES**

Be extremely careful how you handle Laptop computers, CDs, DVD's and USB's (thumb drives, memory cards, sticks, etc.) or any other media that contain protected information.

- Portable storage devices should always be secured and properly stored when outside MaineHousing. Never take portable data storage devices home with you unless you are specifically authorized to do so by your manager, and you have a secure place at home to store them. If you are authorized to take protected information off premises, you must use encrypted media (e.g. encrypted flash drives, CD's or DVD's) provided by Information Services.
- Never dispose of portable data storage devices by putting them in the trash. These should always be turned over to the Information Services Department for safe disposal.
- Always consult with Information Services to ensure proper safeguards are installed and configured on portable storage devices. Only equipment and software that has been approved by Information Services may be attached to or installed on MaineHousing Information Resources.
- Make sure the diskette drive, CD drive and USB ports are not easily accessible from where clients may be. For example, if clients sit in your office, they shouldn't be able to easily reach the drives or ports. Your PC screen should also be situated so that clients cannot easily view it. This may mean re-locating the PC screen to a less visible place.
- Portable data storage devices must be secured and kept out of sight, even if you work in an area that is closed to the public.
- Portable devices are to be returned to MaineHousing and secured when you are on leave or on other extended absence.

#### **RESOURCE PROTECTION**

Information Resources are designed and engineered to meet the business needs of MaineHousing. Careful use of the existing configurations and care in introducing new elements is essential to maintaining the productivity of the resources and of the staff who use them.

- Only equipment and software that has been approved by Information Services may be installed or attached to MaineHousing Information Resources.
  - Installing software (whether from removable media such as a DVD, CD, or USB stick – or via download from the internet) can interfere with the business use of the device. Installation can also introduce destructive malware capable of compromising or destroying protected information. Web browser add-on installations can be solicited by web sites and updates can be solicited by software already installed via the use of pop-ups or banners. Any installation is prohibited. If you need specific software installed for business purposes, contact Information Services.

- Hardware and software configuration settings on Information Resource equipment provided to you should not be changed without the approval of Information Services.
- Attaching any new peripheral devices (i.e. mouse, keyboard, etc.) requires prior approval by Information Services.
- Protection tools /scanners implemented by Information Services may not be disabled. Information Resource systems are furnished with software and processes intended to prevent and mitigate intrusion by malware, viruses and other destructive applications which attack to damage systems or to steal information. These protection tools may result in diminished system performance but are an important tool in protecting us against attacks.

#### **PIRATED, STOLEN, UNLICENSED SOFTWARE**

As stated above, equipment and software must be approved by Information Services before they may be installed or attached to MaineHousing Information Resources.

- You are forbidden from copying software in violation of the software's license agreement.
- Always assume that all software on computer systems is subject to a licensing agreement which prohibits copies. Licensing that is offered as "free" may apply only to personal, non-business use on home computers.
- The installing or copying of software may only be performed by Information Services staff or individuals given specific authorization by Information Services. This includes backup copies expressly allowed in the license agreement.
- You are not allowed to use or install any software on MaineHousing equipment that has been stolen, unlawfully copied, or is not properly licensed.

#### **ACCESS RESTRICTIONS**

MaineHousing employees, as well as agents and contractors, are permitted access to areas of Information Resources appropriate to their job requirements. Requests for initial access to MaineHousing-managed systems, as well as adjustments to that access, will be made by your manager and sent to the IS HelpDesk. Access to resources is then achieved based on assigned user credentials, such as a username, password and optionally, a hardware security token.

- The sharing of credentials is not permitted. You may not use the user name / password assigned to someone else. In addition, leaving your credentials visible in plain sight or "hidden" in an obvious place is prohibited.
- You are prohibited from accessing or attempting to access Information Resources that are not specifically required to perform your job functions. If you inadvertently enter an unauthorized site or access unauthorized information (such as a folder, document, or database), end the access immediately, and report the event to your manager or a member of Information Services.

#### **PASSWORDS**

- Never disclose or discuss your passwords, or anything about your passwords, with anyone, including clients, co-workers, friends, and family.
- When selecting a password, do not use familiar names, your name, the company name, a season, child's name or terms that relate to you personally.

- You must use three of the four following requirements for creating a password:
  - English uppercase characters (A through Z)
  - English lowercase characters (a through z)
  - Numerals (0 through 9)
  - Special characters (such as % \* \$ # @ = &c)
- Passwords must be at least 8 characters in length.
- Never write down a password and leave it in or on your desk, under your keyboard, or posted on your computer or wall.
- When you change your password, don't use a modified version of the previous password. Create a completely new one.
- You are required to change passwords when prompted, and you are not allowed to re-use the past several passwords that have expired.
- Unless special need is demonstrated and permission granted by MaineHousing management, no user will have more than one account to any system.
- If you think your password may have been compromised, notify the Information Services Department immediately.

#### **SOCIAL ENGINEERING**

Social engineering refers to a criminal attempt to get you to reveal your password or other confidential information. Examples of social engineering include:

- You get a phone call from someone claiming they are from the Information Services Department and they need your password to fix a malfunction.
- A visitor to your work area observes you when you enter your password and memorizes the sequence.
- A co-worker casually asks you for your password for what appears to be a legitimate business reason.
- Someone you know engages you in a seemingly innocent conversation about MaineHousing's security.
- Be aware of anyone who voluntarily offers their password to you; this could be part of an elaborate scheme to gain fraudulent access to information or systems.
- Be especially wary of unexpected emails containing links or attachments. Copy and paste the link into your internet browser if possible, or ask Information Services for assistance.
- If information is solicited over the phone, call the person back before providing any information.

Immediately report all instances of suspected social engineering to your manager or to a member of the Information Security Committee.

#### **LOGGING IN AND LOGGING OUT**

- You must log in under your assigned username and password regardless of the workstation you are using.
- Save your work frequently. Spreadsheets, word processing documents, etc. should be saved every five minutes or so, more if an important calculation or process has occurred.

- Name your computer files with clear, concise, and descriptive names. Always save your work to the file server which is backed up daily. Do not save to your local hard drive.
- Exercise care to prevent physical damage. Make reasonable efforts not to spill food or drink on keyboards, monitors, pointing devices, and other computer components.
- Avoid piling materials such as paper, books, etc. on and around the systems especially near the ventilation fans.
- When leaving your desk, even for short periods of time such as to go to the copy machine, you should lock your PC by using the control, alt, delete key combination. When you press these 3 keys simultaneously, a screen will appear, select the "lock workstation" function. When you return, enter your Microsoft Windows password to regain access to your work station.
- If you will be away from your desk for an extended period, such as lunch, exit active programs that access client information and then lock your workstation as indicated above.

#### **APPROPRIATE USE OF THE INTERNET**

All of us are connected to the Internet, and in order to protect our information resources, MaineHousing:

- blocks access to Internet sites deemed to contain materials inappropriate for the workplace and
- prevents electronic mail transmission or receipt of inappropriate materials.

Determination of what is inappropriate for the workplace is at the discretion of MaineHousing's Director and subject to change without notice. If a blocked site is needed for business reasons, you may request unblocking by sending an e-mail to the IS Team, with the business justification for accessing the site. Approval by the Director may also be required.

#### **INTERNET CONNECTIONS**

Even though Information Services has implemented strong perimeter security for our system, it is important that you keep an eye on your PC when accessing the Internet.

- If your PC performance noticeably degrades over the course of the day, it may be an indication that spyware or some other software agent has been downloaded from the Internet to your workstation. Immediately contact the Information Services Department.
- When visiting a website, be cautious about entering MaineHousing, client, or personal information.
- Similar to email, Internet access utilizing MaineHousing Information Resources is for business purposes, and activities on the Internet that are clearly offensive are prohibited. While accessing the Internet, you may not:
  - Engage in non-professional chat groups.
  - Use Social Networking sites, except for approved MaineHousing business use.
  - Download or post any material, documents, or files of any sort that are pornographic, sexually-oriented, violent, racist, threatening, unlawful, or contrary to any of MaineHousing's policies.
  - Violate copyrights or intellectual property laws.
  - Harass, stalk, abuse, or otherwise violate the legal rights of others, or make offensive statements based on race, color, religion, sex, sexual orientation, national origin, ancestry, age, disability, or familial status, or receipt of public assistance.

- Violate the privacy and confidentiality of others, including clients and non-clients.
- Disguise your identity, or forge the identity of others.
- Attempt to circumvent any controls implemented by MaineHousing.
- Use another person's password or account without the permission of that employee's manager.
- Gamble.
- Engage in any activities which violate local, state, or federal laws.

#### **CONSIDERATIONS FOR WORKING OFF SITE**

Acceptable Use Policies and Guidelines are applicable when you telecommute or conduct MaineHousing business from your home computer system, too.

- Unencrypted protected data may not be sent by regular (unencrypted) email or transported on a portable device for work-at-home reasons.
- All remote access sessions must be conducted via the MaineHousing Citrix Secure Gateway by using [homeport.mainehousing.org](http://homeport.mainehousing.org).
- You must shred any printed material containing Personally Identifiable Information at home, or it must be brought back to MaineHousing for disposal in the appropriate shredder bins. Do not dispose of confidential materials in your household trash.
- You have a responsibility to maintain security on your home computer or laptop used to access MaineHousing resources:
  - You must apply current security patches to your home computers.
  - You must have Virus Protection software running with the latest version installed.
  - You must not leave an active session/connection to MaineHousing unattended.

#### **VIRUS PREVENTION & REPORTING**

You are the first line of defense to help prevent the spread of viruses.

- Never attach or install diskettes, CD-ROMs, tapes, or other media that have not been approved by Information Services and scanned for viruses. This includes, but is not limited to, diskettes from vendors (example: demo software) or other portable media received in the mail as part of a promotion or with product sales information.
- NEVER open email attachments that arrive from an unknown or unrecognizable source.
- Immediately notify a member of the Information Services department if there is any question about the safety of media.
- In the event a virus is discovered:
  - Leave the system in exactly the state it was in when the apparent virus event occurred in order to preserve any evidence of the effects of the virus.
  - Make no attempt to remove the virus.
  - Notify the Information Services Department immediately.

### **PERSONAL USE OF INFORMATION RESOURCES**

Although employees have no expressed or implied right to use MaineHousing's Information Resources for personal use, limited personal use of MaineHousing's Information Resources is permitted. However, MaineHousing expects personal use to be reasonable and reserves the right to limit personal use with or without cause or notice at any time.

Personal use may be terminated or restricted when such use:

- conflicts with the employee's ability to perform their job,
- puts the Information Resources at risk in any way, regardless of degree,
- hinders the performance of the systems,
- does not conform to MaineHousing mission/values, or
- is considered by MaineHousing management to be in violation of any portion of this agreement.

All storage of personal information, files, photos, etc. within MaineHousing's Information Resources will be managed as MaineHousing sees fit. If it is deemed necessary by Information Services personnel for the safe and secure operation of the information resource system, MaineHousing may delete any stored personal information at its discretion and without notification to the employees.

MaineHousing is not responsible for ensuring the confidentiality of personal information stored on its Information Resources by employees for their personal use. Furthermore, MaineHousing does not imply or express any warranty regarding its Information Resources used for personal purposes and is not liable for any damages, consequential or otherwise, incurred by any employee in their personal use of the computer systems.

### **MONITORING AND PRIVACY**

- **Monitoring of Computer Resources and Internet Usage:** MaineHousing has the right to monitor and log any and all aspects of usage of its Information Resources and Internet connections, including but not limited to Internet web sites, chat rooms, forums, social site and newsgroup visits, file downloads, application use, and sent or received communications.
- **No Expectation of Privacy:** Employees and other authorized users are provided Information Resources, including Internet access, to assist them in the performance of their assigned duties. Users should have no expectation of privacy in anything they create, store, view, send, or receive using MaineHousing's Information Resources.

Information Resources are the property of MaineHousing and may be used only for MaineHousing purposes. Anything stored on Information Resources is subject to legal discovery and freedom of information processes.

- **Waiver of privacy rights:** Users waive any right of privacy in anything they create, store, execute, view, send, or receive using MaineHousing's Information Resources (including Internet access). Users consent to MaineHousing's access to and audit of all:
  - Information Resources and MaineHousing-provided equipment, software, and network connections wherever they may be located.
  - Information Resources settings for hardware and software.
  - Applications loaded and executed on Information Resources, and
  - All materials created, stored, viewed, sent, or received by users through any Information Resource or through any Internet (or other network) connection provided by MaineHousing.



**I hereby state that I have received and read a copy of the MaineHousing Acceptable Use Policy for Information Resources and that I fully understand all of the provisions therein.**

- I understand and acknowledge my personal obligations and responsibilities.
- I agree that I will not engage in any activity that may compromise the security of personally identifiable information.
- I agree that I will not engage in activity that may:
  - ✓ degrade the performance of Information Resources
  - ✓ deprive an authorized MaineHousing user access to a company resource
  - ✓ obtain extra resources beyond those allocated, or
  - ✓ in any way circumvent Information Resource security measures.
- I understand that MaineHousing reserves the right to monitor Information Resource activity and usage. My signature (electronic or physical) on this document signifies that I have consented to this monitoring.
- I further understand that violation of these policies will be handled in accordance with MaineHousing's Employee Handbook. Additionally, I understand that I may be subject to civil and/or criminal prosecution if I violate these policies.

Acknowledged and agreed to by:

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_





**Remote Access**  
**Acceptable Use Policy and Guidelines**  
**for MaineHousing Business Partners**

**INTRODUCTION**

MaineHousing and its business partners rely on computer technology that is powerful and far-reaching to facilitate our ability to serve clients throughout the state of Maine. Every day, our information systems process, store, and transmit confidential client information and sensitive data. Securing this data and using care when it is accessed reduce the chances of harm.

Everyone at MaineHousing, as well as MaineHousing agents and contractors, shares in the responsibility for maintaining the security of our information systems, data, equipment, and processes. The purpose of this document is to help you understand what you need to do in order to comply with MaineHousing's expectations for protecting our client's information.

**WHAT ARE "INFORMATION RESOURCES"?**

The information resources covered under this Remote Access Acceptable Use Policy include both computer technology and confidential information.

**Computer Technology:** the equipment, systems and networks used to acquire, process, transmit, and manage the information required to accomplish MaineHousing's mission, programs and services. This includes all technology used to connect to MaineHousing systems or store MaineHousing client information:

- computers, servers, and networking equipment
- hardware and software
- desk top computers and portable laptops
- portable data storage devices, such as CD's, DVD's, USB drives, and
- telecommunications equipment, such as desk phones, cell phones, fax services, mobile email and smartphone devices.

**Confidential Information:** protected or proprietary knowledge regarding MaineHousing's clients, staff and business.

- Protected information is any data that can be used to distinguish or trace an individual's identity. Maine State Statute specifically defines confidential information regarding applicants and clients participating in MaineHousing programs. MaineHousing must comply with other laws which govern management of confidential employee and/or financial information.
- Proprietary information is data about MaineHousing's operation that could lead to breaches of security or degradation of services, such as account access information (passwords, etc.), server configurations or network diagrams.

### **MAINEHOUSING'S RESPONSIBILITY**

In most organizations, an Information Security Officer (ISO) is responsible for coordinating information security programs and activities to ensure that compliance is maintained. At MaineHousing, because no one person performs all of the responsibilities of the ISO, an Information Security Committee (ISC) has been formed. The responsibilities of the Information Security Committee include:

- Ensuring that appropriate processes are implemented to identify, measure, monitor, and control information security risks, and
- Implementing security recommendations and changes resulting from compliance reviews, information technology audits, third-party vulnerability assessments and penetration tests.

### **YOUR RESPONSIBILITY**

It is your responsibility to read, understand and comply with the Information Resources Remote Access Acceptable Use Policy and Guidelines for MaineHousing Business Partners. Misuse of these Information Resources can result in damage to the reputation of MaineHousing and its Business Partners and lead to legal liability. Violation of these policies may result in the suspension of remote access privileges. Additionally, violators may be subject to civil and criminal prosecution.

Keeping protected information secure is an obligation mandated by state and federal laws, along with contractual agreements between MaineHousing and its partners – and it's the right thing to do.

If you have any doubt or questions on any aspect of the security of computer resources or protected information, please alert your supervisor, who will then contact MaineHousing.

In a constantly changing technical environment, it is critical that everyone understands and follows the rules for utilizing technology and handling information.

### **INFORMATION PROTECTION**

Personally Identifiable Information (PII) is any information about an individual that can be used to distinguish or trace an individual's identity. PII is also any other information that is linked (or linkable) to an individual, such as medical or financial information.

Examples of PII include, but are not limited to:

- any information provided by applicants or participants in MaineHousing programs (includes information provided by third parties working on behalf of an applicant/participant).
- personal identification numbers, such as social security number (SSN), passport number, driver's license number.
- financial account or credit card information, including account numbers, card numbers, expiration dates, cardholder name, or service codes.
- healthcare / medical information disclosed to MaineHousing.
- names and addresses of clients participating in MaineHousing programs or on waiting lists.
- the address of a shelter or other living accommodations for victims of domestic violence.

The format that the information is in **does not** matter! Paper records, electronic files, voice mail messages and email can all contain protected information.

### **INFORMATION PROTECTION EXPECTATION**

Do not disclose or discuss any protected information about MaineHousing clients to anyone-unless specifically authorized by your supervisor.

Any protected information must be encrypted or be handled by a secure delivery process. This includes emails, email attachments, CDs, USB drives, laptop drives, cell phones and other portable devices that contain files and emails with protected information.

### **WAYS TO PROTECT PERSONALLY IDENTIFIABLE INFORMATION**

- Access only the protected information that relates directly to your job responsibilities. You must have business justification when accessing any protected information.
- Do not discuss client information with others unless it is required for you to perform your job responsibilities.
- Do not send protected information via e-mail unless the data is encrypted using a secure method.
- Protected information stored electronically must use encrypted media (e.g. encrypted flash drives, CD's, DVD's, etc.)
- Paper copies of protected data are just as important to protect as electronic versions.
  - Remove all print outs or faxes that contain protected information from printers and fax machines immediately.
  - Do not leave protected files or paperwork on your desk or work area unattended, and do not leave protected information out in the open during non-working hours.
  - Secure and preferably lock up all files at the end of the day.
  - Shred (or place in a secure container for shredding at a later time) all paper documents containing protected information that are no longer needed.
- Transportation of protected information must be done by an employee, the US Postal Service, authorized courier, or other "track-able" delivery services.

If you suspect or become aware of a failure to protect personally identifiable information, notify your supervisor, who then must notify MaineHousing immediately.

### **E-MAIL**

Regular email is NOT a secure way to transmit protected information!

- Regular (non-secure) email should never be used to send or transmit protected data. This includes protected data within the body of the e-mail message and all attachments that contain protected information.
- If a client or another business partner sends you an unsecure e-mail containing protected information, be sure you DO NOT "Reply" or "Forward," as this will re-send the information over the Internet. Compose a new email in response and request that the sender find an alternative method for sending protected data. Then notify your supervisor, who will report the event to MaineHousing.
- If you do not have access to an application that encrypts e-mail, you may send an e-mail to your contact at MaineHousing and request that they send you a secure e-mail. You can then reply back to that e-mail (using the same secure e-mail system) and your e-mail and attachments will be encrypted.

All messages that reside on the MaineHousing.org mail server are the property of MaineHousing and *may be regarded as public information*, based on MaineHousing's obligations under the Freedom of Information Act. MaineHousing has the right to review, examine, archive, retrieve, restore, investigate, and delete all email messages. All communications, including text and images, can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

**This means do not put anything into your e-mail messages that you wouldn't want to see on the front page of the newspaper or be required to explain in a court of law.**

#### **CARE AND SAFETY OF PORTABLE COMPUTERS, PDAs, OTHER PORTABLE DATA STORAGE DEVICES**

Be extremely careful how you handle Laptop computers, CDs, DVD's and USBs (thumb drives, memory cards, sticks, etc.) or any other media that contain protected information.

- Portable storage devices should always be secured and properly stored. Never take portable data storage devices home or off-site with you unless you are specifically authorized to do so by your supervisor, and you have a secure place to store them. If you are authorized to take protected information home or off premises, you must use encrypted media (e.g. encrypted flash drives, CD's or DVD's).
- Never dispose of portable data storage devices by putting them in the trash.
- Make sure the diskette drive, CD drive and USB ports are not easily accessible from where clients may be. For example, if clients sit in your office, they shouldn't be able to easily reach the drives or ports. Your PC screen and paperwork should also be situated so that clients cannot easily view them. This may mean re-locating the PC screen and paperwork to a less visible place.
- When not in use, portable data storage devices must be secured and kept out of sight, even if you work in an area that is closed to the public.

#### **ACCESS RESTRICTIONS**

MaineHousing employees, as well as agents and contractors, are permitted access to areas of Information Resources appropriate to their job requirements. All users requiring the use of remote access for business purposes must go through an application process that clearly outlines why the access is required and what level of service the employee needs should his/her application be accepted. Application forms must be approved and signed by the user's unit manager, supervisor, or department head before submission to MaineHousing.

Access to resources is then achieved based on assigned user credentials, including a username, password, and a hardware security token.

- The sharing of credentials is not permitted. You may not use the user name / password or security token assigned to someone else. In addition, leaving your credentials visible in plain sight or "hidden" in an obvious place is prohibited.
- You are prohibited from accessing or attempting to access information resources that are not specifically required to perform your job functions. If you inadvertently enter an unauthorized site or access unauthorized information (such as a folder, document, or database), end the access immediately, and report the event to your supervisor.

## **PASSWORDS**

The following password rules are required when accessing MaineHousing systems, and are recommended guidelines when logging in to any system (depending on system requirements.)

- Never disclose or discuss your passwords, or anything about your passwords, with anyone, including clients, co-workers, friends, and family.
- When selecting a password, do not use familiar names, your name, the company name, a season, child's name or terms that relate to you personally.
- You must use three of the four following requirements for creating a password:
  - English uppercase characters (A through Z)
  - English lowercase characters (a through z)
  - Numerals (0 through 9)
  - Special characters (such as % \* \$ # @ = &c)
- Passwords must be at least 8 characters in length.
- Never write down a password and leave it in or on your desk, under your keyboard, or posted on your computer or wall.
- When you change your password, don't use a modified version of the previous password. Create a completely new one.
- You are required to change passwords when prompted, and you are not allowed to re-use the past several passwords that have expired.
- Unless special need is demonstrated and permission granted by MaineHousing management, no user will have more than one account to any system.
- If you think your password may have been compromised, notify your supervisor immediately, who will alert MaineHousing.

## **SOCIAL ENGINEERING**

Social engineering refers to a criminal attempt to get you to reveal your password or other confidential information. Examples of social engineering include:

- You get a phone call from someone claiming they are from the MaineHousing Information Services Department and they need your password to fix a malfunction.
- A visitor to your work area observes you when you enter your password and memorizes the sequence.
- A co-worker casually asks you for your password for what appears to be a legitimate business reason.
- Someone you know engages you in a seemingly innocent conversation about MaineHousing's security.
- Be aware of anyone who voluntarily offers their password to you; this could be part of an elaborate scheme to gain fraudulent access to information or systems.
- Be especially wary of unexpected emails containing links or attachments. Copy and paste the link into your internet browser if possible.
- If information is solicited over the phone, call the person back before providing any information.

Immediately report all instances of suspected social engineering to your supervisor, who will report the incident to MaineHousing.

### **CONSIDERATIONS FOR WORKING OFF SITE**

Acceptable Use Policies and Guidelines are applicable when you conduct MaineHousing business from your home computer system or other off-site locations too.

- Unencrypted protected data may not be sent by regular (unencrypted) email or transported on a portable device.
- All remote access sessions must be conducted via the MaineHousing Citrix Secure Gateway by using [homeport.mainehousing.org](http://homeport.mainehousing.org).
- You must shred any printed material containing Personally Identifiable Information that are no longer needed. Do not dispose of confidential materials in regular trash.
- You have a responsibility to maintain security on the computer equipment used to access MaineHousing resources:
  - You must apply current security patches to your computers used at home or off-site.
  - You must have Virus Protection software running with the latest version installed.
  - You must not leave an active session/connection to MaineHousing unattended.

### **MONITORING AND PRIVACY**

- **Monitoring of Computer Resources and Internet Usage:** MaineHousing has the right to monitor and log any and all aspects of usage of its Information Resources, including but not limited to file downloads, application use, and sent or received communications.
- **No Expectation of Privacy:** Authorized users are provided Information Resources to assist them in the performance of their assigned duties. Users should have no expectation of privacy in anything they create, store, view, send, or receive using MaineHousing's Information Resources.  
Information Resources are the property of MaineHousing and may be used only for MaineHousing purposes. Anything stored on Information Resources is subject to legal discovery and freedom of information processes.
- **Waiver of privacy rights:** Users waive any right of privacy in anything they create, store, execute, view, send, or receive using MaineHousing's Information Resources. Users consent to MaineHousing's access to and audit of all:
  - Information Resources and MaineHousing-provided equipment, software, and network connections wherever they may be located.
  - Information Resources settings for hardware and software.
  - Applications loaded and executed on Information Resources, and
  - All materials created, stored, viewed, sent, or received by users through any Information Resource or through any Internet (or other network) connection provided by MaineHousing.



**I hereby state that I have received and read a copy of the Remote Access Acceptable Use Policy for MaineHousing Business Partners and that I fully understand all of the provisions therein.**

- I understand and acknowledge my personal obligations and responsibilities.
- I agree that I will not engage in any activity that may compromise the security of personally identifiable information.
- I agree that I will not engage in activity that may:
  - ✓ degrade the performance of Information Resources,
  - ✓ deprive an authorized MaineHousing user access to a company resource,
  - ✓ obtain extra resources beyond those allocated, or
  - ✓ in any way circumvent Information Resource security measures.
- I understand that MaineHousing reserves the right to monitor Information Resource activity and usage. My signature (electronic or physical) on this document signifies that I have consented to this monitoring.
- I further understand that violation of these policies may result in suspension of remote access privileges. Additionally, I understand that I may be subject to civil and/or criminal prosecution if I violate these policies.

Acknowledged and agreed to by:

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# Reports, Applications, and Paperwork Required to be Filed

Participation in all of MaineHousing's programs is voluntary. MaineHousing does not require the public to file any reports or other paperwork unless a member of the public is seeking MaineHousing financing or program benefits. We have provided a brief description of the types of reports, applications, and paperwork we require to take advantage of our programs. We would be happy to provide more details if desired.

## Grant Programs

All of our grant programs are income based. We have consolidated the application process for six different programs: the Low Income Home Energy Assistance Program (LIHEAP), the LIHEAP Weatherization Program, the LIHEAP furnace replacement program, the Department of Energy Weatherization Program, and the Low Income Assistance Program. This provides a one-stop application process for the people we serve. Once an applicant is approved, any additional paperwork required comes from our auditing of the businesses entrusted to provide the services.

Our rental assistance programs require applications and annual income certifications pursuant to federal law and regulation. Applicants for Housing Choice Vouchers are required to submit an application if they want to participate and respond to period requests for updates. We provide on-line application option and maintain a database to eliminate duplicate entries.

## Homeownership Programs

For our first time homebuyer loans, a borrower applies to a participating lender on their forms and provides all of the routine paperwork required of any homebuyer. In addition, we require a borrower affidavit and a seller affidavit. For our mobile home loans we require a security agreement, and, for a home in a park, a copy of the lease and a lien notice. For our homebuyer loans with a home improvement loan included, we require an additional certification and escrow agreement.

## Rental Development Programs

Our loan programs for multi-family and supportive housing are used by non-profit and for profit developers who serve members of the public. These are usually very complex, often involving multiple funding sources that have their own very detailed regulation and requirements. These developers apply directly to MaineHousing for loans and have obligations to us that can have terms as long as ninety years. We review their operations, administration, and finances and they are required to submit reports to us annually. The Asset Management Reporting Requirements are attached to give a flavor for these requirements.

## Affordable Housing Tax Increment Financing Program

Municipalities that have an approved affordable housing tax increment financing program must annually certify that the purpose of the district is being met and that the housing units remain affordable.

Report	Entities Required to Submit Report	Frequency of Reporting	Statutory Authority	Implementation of Statutory Authority	Number of Filings Received Annually	Actions to Reduce Redundancy
<p><b>Audited Financial Reports (AFRs)</b></p>	<p>MaineHousing financed properties, usually with 20 or more units – MaineHousing reserves the right to require these submissions if it deems necessary for the well being of the property.</p>	<p>Annually – Due 60 days after the close of the property’s fiscal year. Compliance with this reporting requirement, in most cases, is coterminous with the loan discharge.</p>	<p>This reporting requirement is driven by the funding source used to develop the property. In the case of tax-exempt bonds, the official statement provides assurance that MaineHousing will monitor the fiscal viability of the property.</p>	<p>This requirement commences at the time of the permanent loan closing.</p>	<p>2010 – 231 2011 – 236 2012– 243 2013– 251 2014 – 253</p> <p>*Anticipated: numbers could change due to new loans or existing loans being paid off.</p>	<p>MaineHousing has established a method by which AFRs can be electronically submitted for review. This reduces the consumption of paper.</p>
<p><b>A-133 Audited Financial Reports</b></p>	<p>All non-profit (501c3) entities that receive \$500,000 or more in federal funds.</p>	<p>Annually – Due 9 months after the close of the property’s fiscal year. Compliance with this reporting requirement, in most cases, is coterminous with the loan discharge and is required throughout the term of the HAP contract if the annual funding exceeds the \$500,000 threshold.</p>	<p>This requirement is a mandate of the US – Office of Business Management (OMB).</p>	<p>This requirement commences at the time of permanent loan closing, at the time of the 501c3 inception, or at the time the receipt of federal funds exceeds the \$500,000 threshold. A submission of this report may be required by other Departments of MaineHousing due to funding streams.</p>	<p>2010– 56 2011 – 58 2012 – 58 2013 – 59 2014– 55</p> <p>*Anticipated: numbers could change due to new loans or existing loans being paid off.</p>	<p>MaineHousing has established a method by which A-133s can be electronically submitted for review. This reduces the consumption of paper.</p>

Report	Entities Required to Submit Report	Frequency of Reporting	Statutory Authority	Implementation of Statutory Authority	Number of Filings Received Annually	Actions to Reduce Redundancy
<p><b>Property Operating Budget</b></p>	<p>MaineHousing financed properties, usually with 20 or more units – MaineHousing reserves the right to require these submissions if necessary.</p>	<p>Annually – Due 30 or 60 days prior to the commencement of the property’s fiscal year. Compliance with this reporting requirement is coterminous with the loan discharge.</p>	<p>This reporting requirement is driven by the funding source used to develop the property. In the case of tax-exempt bonds, the official statement provides assurance that MaineHousing will monitor the fiscal viability of the property.</p>	<p>This reporting requirement commences at the time of permanent loan closing.</p>	<p>2010– 218 2011 – 224 2012– 227 2013– 229 2014 – 234</p> <p>*Anticipated: numbers could change due to new loans or existing loans being paid off.</p>	<p>MaineHousing has established a method by which Operation Budgets can be electronically submitted for review. This reduces the consumption of paper.</p>
<p><b>Owner/Tenant Certifications (MaineHousing financed through Rental Loan Program, New Lease, Supportive Housing and other financing programs).</b></p>	<p>All non-Sec. 8 project-based properties that have residential units.</p>	<p>Annually – Due on the first day of the month represented by the last digit of the property number (e.g. 1 = January, 2 = February, etc.). This reporting requirement remains in place through the Qualified Project Period (QPP) of the property, which may exceed the maturity or discharge of the loan.</p>	<p>This reporting requirement is driven by the funding source used to develop the property. In the case of tax-exempt bonds, the official statement provides assurance that MaineHousing will monitor the fiscal viability of the property. FedHOME funds precipitate the requirements for this reporting as described in the FedHOME Final Rule.</p>	<p>This reporting requirement commences at the time of permanent loan closing and after full or an established percentage of occupancy at the property has been attained.</p>	<p>2010 – 268 2011 – 276 2012 – 289 2013 – 302 2014– 322</p> <p>*Anticipated: numbers could change due to new loans, existing loans being paid off, or properties reaching the end of their compliance periods.</p>	<p>For those properties in this category that have a project-based Sec. 8 Housing Assistance payment Contract, the occupancy information submitted through TRACS (see below) is sufficient to meet the reporting requirement. For LIHTC properties (see below) a single submission for both programs is acceptable if the submission contains the additional bond required information.</p>

Report	Entities Required to Submit Report	Frequency of Reporting	Statutory Authority	Implementation of Statutory Authority	Number of Filings Received Annually	Actions to Reduce Redundancy
Statements of Continued Use	Supportive Housing properties that do not have FedHome funding and are “usually” beds.	Annually – Due on the first day of the month represented by the last digit of the property number (e.g. 1 = January, 2 = February, etc.). This reporting requirement remains in place through the QPP of the property, which may exceed the maturity or discharge of the loan.	This reporting requirement is driven by the funding source used to develop the property. In the case of tax-exempt bonds, the official statement provides assurance that MaineHousing will monitor the fiscal viability of the property.	This reporting requirement commences at the time of permanent loan closing and after full or an established percentage of occupancy at the property has been attained.	2010 – 171 2011 – 174 2012– 176 2013 – 177 2014 – 178  *Anticipated: numbers could change due to new loans, existing loans being paid off, or properties reaching the end of their compliance periods.	None.
Owner/Tenant Certifications (Low-Income Housing Tax Credit - LITHC)	MaineHousing is the state allocating agency for LIHTC and requires submissions from all properties with LIHTC, regardless of funding source.	Due the first day of May each year. This reporting requirement remains in place through the QPP of the property, which may extend beyond the initial 15 year compliance period if an Extended Use Agreement was executed at closing.	This reporting requirement is mandated by Section 42 of the Internal Revenue Code (IRC).	This reporting requirement commences after permanent loan closing and after the property is placed in service, which may either be the year of the closing or the following year, depending upon the election of the developer.	2010 – 128 2011 – 136 2012– 143 2013 – 153 2014– 165  *Anticipated: numbers could change due to new loans, existing loans being paid off, or properties reaching the end of their compliance periods.	For MaineHousing financed properties which require Owner/Tenant Certifications (see above) a single submission for both programs is acceptable provided that the submission contains the additional bond required information.

Report	Entities Required to Submit Report	Frequency of Reporting	Statutory Authority	Implementation of Statutory Authority	Number of Filings Received Annually	Actions to Reduce Redundancy
<p align="center"><b>Tenant Rental Assistance Certification System (TRACS)</b></p>	<p>All properties that have a project-based, Sec. 8 Housing Assistance Payment (HAP) Contract for which MaineHousing is either the Traditional Contract Administrator (TCA) or the Performance-Based Contract Administrator (PBCA)</p>	<p>Electronic submissions are to be received in the TRACS mailbox no later than the 10<sup>th</sup> of each month. For submissions after the 10<sup>th</sup> of each month, MaineHousing has 20 days in which to process the voucher payment.</p>	<p>This reporting requirement is based on regulations of the Department of Housing and Urban Development (HUD) as found in CFR 24 and as described in HUD Handbook 4350.3, Rev. 1, Change 2 – <i>Occupancy Requirements of Subsidized Multifamily Housing Programs.</i></p>	<p>This reporting requirement commences at the effective date of the Housing Assistance Payment (HAP) Contract and continues through the life of the contract which is not necessarily coterminous with the loan if financed by MaineHousing, HUD, Rural Development or a conventional lender.</p>	<p>2010 – 256 2011– 256 2012 – 257 2013 – 257 2014– 253</p> <p>*Anticipated: numbers could change due to additional assignments from HUD through the PBCA program or if project-based, Sec. 8 properties choose to terminate their contracts (Opt-Out Option 6).</p>	<p align="center">None.</p>

# Legislatively Required Reports

A list of legislatively required reports is below with our recommendations to eliminate certain reports or parts of reports that we feel are no longer necessary.

Report	Recommendation
<p><b>5 §44-A. OUT-OF-STATE TRAVEL REPORT</b></p> <p>All state agencies shall, within 15 days after the end of each quarter, submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report of that quarter's out-of-state travel activity. For the purposes of this section, a state agency is any state department or agency, or any part of a state department or agency that receives an appropriation or an allocation through the state budget process. The report must reflect, for each individual who has been authorized by the agency to travel, the destination, purpose and cost by funding source of each trip.</p>	

Report	Recommendation
<p><b>5 §12023. REPORTS TO THE LEGISLATURE</b></p> <p><b>1. Adoption and implementation.</b> By February 1, 2013, a governing body shall submit a report to the Legislature on the adoption and implementation status of written policies and procedures required by section 12022 and describing the measures the governing body intends to use to monitor compliance with those policies and procedures. The report must be submitted to the Executive Director of the Legislative Council in a manner established by the executive director, who shall refer it to the appropriate joint standing committee or committees of the Legislature for review.</p> <p><b>2. Ongoing reports.</b> By February 1, 2014, and annually thereafter, a governing body shall submit a report to the Legislature containing the following information:</p> <ul style="list-style-type: none"> <li>A. A list of all procurements exceeding \$10,000 in the preceding year for which competitive procurement was waived under the policies adopted pursuant to section 12022, subsection 3, including procurements exceeding \$10,000 that were made under contracts previously entered into for which competitive procurement was not required. The list must include the names of the vendors and costs associated with those procurements;</li> <li>B. A list of all persons to which the entity made contributions greater than \$1,000 in the preceding year and the total amount contributed to each; and</li> <li>C. A description of changes made in the preceding year to the written policies and procedures required by section 12022 or to the procedures used by the governing body to monitor compliance with those policies and procedures.</li> </ul> <p>For the purpose of this subsection, "the preceding year" means either the most recent January 1st to December 31st budget cycle or the most recent July 1st to June 30th budget cycle, depending on the fiscal year that the entity uses.</p> <p>Reports to the Legislature required by this subsection must be submitted to the Clerk of the House, the Secretary of the Senate and the Executive Director of the Legislative Council in a manner determined by the Executive Director of the Legislative Council. The Executive Director of the Legislative Council shall refer each report to the appropriate joint standing committee or committees of the Legislature.</p> <p><b>3. Committee review and report.</b> By March 1st of every second regular session, beginning in 2016, a joint standing committee of the Legislature receiving reports pursuant to subsection 2 shall review the reports received within the past 2 calendar years, and gather additional information as necessary from the submitting entities, to assess whether policies and procedures adopted by a governing body in accordance with section 12022, subsections 3 to 5 are consistent with expectations established in those subsections and whether all reported waivers of competitive procurement and reported contributions made are in compliance with the adopted policies and procedures, including proper justification and documentation. The joint standing committee shall report the results of its review, including any areas that should be reviewed in more depth, to the joint legislative committee established to oversee program evaluation and government accountability matters.</p>	

Report	Recommendation
<p><b>10 §363. ALLOCATION OF THE STATE CEILING</b></p> <p><b>11. Annual review.</b> By March 15th of each year, each issuer identified in subsections 4 to 8 shall deliver a report to the Governor, the group of representatives described in subsection 1-A and the joint standing committee of the Legislature having jurisdiction over business and economic development matters. Each report must include, without limitation, a review of what bonds have been issued in the most recent year, how the state ceiling was allocated or carried forward, a demonstration of the benefits to the State of the allocation of the state ceiling to such issuer for the most recent year and a demonstration that allocation of the state ceiling is necessary to fulfill an unmet need for financing by the private sector. In addition, each report must be accompanied by the most recent annual audited financial statements of the issuer and by a letter from an independent accountant addressing the savings attributable to the use of tax-exempt financing and how that savings was passed on to the entities or individuals benefiting from the bond proceeds.</p>	<p>We recommend discontinuing this report.</p> <p>This was requested in 1999 after a particularly contentious Legislative process allocating the bond ceiling. At the time there was more demand than there were bonds. This Legislature wanted a method to determine the legitimacy of the varying claims. Subsequently the amount of bonds available was increased and indexed. As the Committee knows, this process is no longer contentious.</p>

Report	Recommendation
<p><b>30-A §4722. MAINE STATE HOUSING AUTHORITY ESTABLISHED; POWERS, DUTIES AND RESTRICTIONS</b></p> <p><b>1. Powers and duties.</b> In addition to the powers granted by section 4741, the Maine State Housing Authority shall have the powers and duties to:</p> <p>W. Pursuant to the purpose of the Act to provide housing assistance to persons of low income and in accordance with rules adopted under the Maine Administrative Procedure Act, operate programs to provide energy conservation and fuel assistance on behalf of persons of low income in connection with single-family or multi-unit residential housing and accept, obtain, distribute and administer federal and state funds, including block grants, for energy conservation and fuel assistance for the purpose of operating those programs.</p> <p>(1) The Maine State Housing Authority shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on June 30, 1992 and annually thereafter on the low-income energy assistance program. The report must include, but is not limited to, program revenue and expenditures, number of individuals served and types of services provided;</p> <p>Y. Expand access to housing for young professionals and young families. The Maine State Housing Authority shall develop recommendations to create or modify programs with the goal of expanding access to housing for young professionals and young families. The Maine State Housing Authority shall specifically consider strategies to assist renters and first-time home buyers who are under 35 years of age and explore options for linking assistance levels to student loan obligations. The Maine State Housing Authority shall collaborate with the Maine Community College System, career and technical education programs and community action programs to encourage the development of affordable housing in high-cost housing areas of the State.</p> <p>(1) The Maine State Housing Authority shall report its findings and recommendations regarding expanded access to housing for young professionals and young families to the Maine Development Foundation and to the joint standing committee of the Legislature having jurisdiction over housing matters no later than January 15, 2005;</p> <p>DD. Certify affordable housing projects for the purpose of the income tax credit increase under Title 36, section 5219-BB, subsection 3; administer and enforce the affordability requirements set forth in this paragraph; and perform other functions described in this paragraph and necessary to the powers and duties described in this paragraph.</p> <p>(4) Annually by every August 1st until and including August 1, 2023, the Maine State Housing Authority shall review the report issued pursuant to Title 27, section 511, subsection 5, paragraph A to determine the percentage of the total aggregate square feet of completed projects that constitutes new affordable housing, rehabilitated and developed using:</p> <p>(a) Either of the income tax credits under Title 36, section 5219-BB, subsection 2; and</p> <p>(b) The income tax credit increase under Title 36, section 5219-BB, subsection 3. If the total aggregate square feet of new affordable housing does not equal or exceed 30% of the total aggregate square feet of rehabilitated and developed completed projects eligible for a credit under Title 36, section 5219-BB, the Maine State Housing Authority and Maine Historic Preservation Commission shall notify the State Tax Assessor of this fact.</p>	<p>W. (1) We recommend discontinuing this report.</p> <p>This report has been required for 23 years. In times of high fuel prices, the federal LIHEAP program had a higher profile. The information in the reports is available upon request should the need arise. The AFA Committee may want to weigh in on this, but we think this could be eliminated without harm.</p>

Report	Recommendation
<p><b>30-A §4753. COORDINATION OF RESOURCES AND PROGRAMS</b></p> <p><b>2. Assessment of housing stock.</b> The Maine State Housing Authority in conjunction with municipalities and the Department of Economic and Community Development shall conduct a comprehensive assessment of the availability and quality of information on the supply, prices, condition and age of the State's housing. The assessment must include data collected by towns, the State, the Federal Government and other relevant sources.</p> <p>The Maine State Housing Authority shall report its findings to the Governor and the Legislature biennially, beginning March 1, 1991, on the adequacy of data collection and shall recommend ways to improve the type and quality of data collected as well as any other recommendations needed to ensure that the State has an accurate statistical understanding of the supply, prices and condition of the State's housing.</p>	<p>We recommend discontinuing this report.</p> <p>This report has been required for 24 years. We honor it in the breach. We do an annual affordability index for rental and ownership housing which has a similar purpose. The data always has been adequate – mostly consensus and other data bases – although the sources have changed over time.</p>
<p><b>30-A §4754-A. FIRST OPTION TO PURCHASE SURPLUS LANDS</b></p> <p>All state agencies shall offer the Maine State Housing Authority the opportunity to purchase or otherwise acquire any land and improvements on the land or any structures determined to be surplus before the property may be offered for sale or transfer to any other state agency, community or other buyer or transferee. Notice of availability must be provided in writing to the Director of the Maine State Housing Authority. [1989, c. 914, §5 (NEW).]</p> <p><b>1. Notification of interest.</b> The Maine State Housing Authority shall advise the owner agency in writing of its interest in purchasing or otherwise acquiring the surplus land and any improvements on the land or surplus structures or of its decision not to purchase or otherwise acquire any such surplus property within 30 days of receipt of the notification by the Director of the Maine State Housing Authority.</p> <p><b>2. Purchase price.</b> If the Maine State Housing Authority offers to purchase the property, the purchase price must be determined as follows.</p> <ul style="list-style-type: none"> <li>A. The current market value must be determined by an independent appraiser or by agreement between the Maine State Housing Authority and the owner agency. The Maine State Housing Authority and the owner agency then shall negotiate the ultimate purchase price in good faith in order to achieve the respective goals and mandates of the Maine State Housing Authority and the owner agency.</li> <li>B. The purchase price may not exceed the current market value of the property as determined in paragraph A.</li> <li>C. If title to the land or improvements carries a requirement that the property be sold at fair market value, then this requirement prevails over the terms of this subsection.</li> </ul> <p><b>3. Report.</b> The Maine State Housing Authority shall report to the joint standing committee of the Legislature having jurisdiction over housing and economic development matters 90 days after the 2nd anniversary of the effective date of this section on state surplus land purchased under this section together with any recommendations for improvements.</p>	

Report	Recommendation
<p><b>30-A §4863. MAINE ENERGY, HOUSING AND ECONOMIC RECOVERY FUND</b></p> <p><b>Reporting.</b> Not later than March 1, 2011 and March 1st of each year thereafter, the director of the authority shall report to the joint standing committee of the Legislature having jurisdiction over affordable housing matters on the status of the fund. The report must include, but is not limited to, the amount of revenue bonds issued under this subchapter, the type, location and cost of projects receiving bond proceeds, the number of housing units created by each project, the number of direct construction jobs created or maintained by each project, the amount of direct construction wages paid in creating or maintaining those jobs and the total amount of building materials purchased in the development of each project.</p>	<p>Given the nature of this program, there may be years in which there is no new activity to report. We propose amending this to allow us to skip reporting if there is no activity to report.</p>
<p><b>30-A §4910. ANNUAL REPORT</b></p> <p>The director of the Maine State Housing Authority shall prepare and submit to the Governor and the bank superintendent annually a complete report and a complete financial report duly audited and certified by the Office of the State Auditor or a qualified public accountant to be distributed in the same way as state departmental reports.</p>	
<p><b>30-A §4934-A. HOUSING MORTGAGE INSURANCE FUND</b></p> <p><b>4. Maintenance of fund.</b> To ensure the maintenance of the fund at an amount equal to the required minimum insurance reserve, there shall be annually appropriated and paid for deposit in the fund the sum, if any, that is certified by the Director of the Maine State Housing Authority, or the director's designee, to the Governor as necessary to restore any such fund to an amount equal to its required minimum insurance reserve. The director, or the director's designee, shall annually, by December 1st, make and deliver to the Governor a certificate stating the sum, if any, required to restore the fund to an amount equal to its required minimum insurance reserve, and the sum so certified shall be appropriated and paid during the current state fiscal year.</p>	
<p><b>30-A §4951. STATE-OWNED LAND FOR CONSTRUCTION OF HOUSING</b></p> <p><b>1. Study of the inventory of state-owned land.</b> The Maine State Housing Authority, following completion of the inventory of state-owned land pursuant to Title 5, section 1742, subsection 23, shall determine sites that will be suitable for the construction of affordable housing to meet the needs of the State, particularly housing for low-income and middle-income households.</p> <p><b>2. Develop plan.</b> The authority shall develop a plan by which the purposes in subsection 1 can be met.</p> <p><b>3. Report to Legislature.</b> The authority shall report the results of its study and the plan, including any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over economic development by January 6, 1989.</p>	
<p><b>30-A §4952. SURPLUS LAND IN TRUST</b></p> <p><b>4. Report to Legislature.</b> The Maine State Housing Authority shall report to the joint standing committee of the Legislature having jurisdiction over housing matters by the 3rd Wednesday in January of each First Regular Session with respect to the implementation and impact of this section.</p>	<p>We recommend discontinuing this report.</p> <p>This section is 26 years old. There has been no activity for over 20 years.</p>

Report	Recommendation
<p><b>30-A §4961. ELECTRIC ASSISTANCE PROGRAM</b></p> <p><b>3. Reporting requirements.</b> The authority shall report annually to the commission information to determine the amount of funding necessary for the program, including the amount of electric assistance paid on behalf of each eligible household, the total amount of electric assistance paid on behalf of eligible households, the number of eligible households served and other reasonably necessary information required by the commission in connection with the program.</p>	
<p><b>30-A §4994. HEATING OIL PRICE INCREASES</b></p> <p><b>1. Initial trigger.</b> If home heating oil prices increase more than 40% in any 14-day period during the home heating season, the authority shall immediately:</p> <ul style="list-style-type: none"> <li>A. Estimate funds needed to provide adequate assistance to residents eligible at that time to receive fuel assistance under this subchapter; and</li> <li>B. Notify the Governor, the joint standing committee of the Legislature having jurisdiction over utilities and energy matters, the joint standing committee of the Legislature having jurisdiction over business and economic development matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs of the estimated funding need.</li> </ul> <p><b>2. Higher trigger.</b> If home heating oil prices increase more than 50% in any 14-day period during the home heating season, the authority shall immediately:</p> <ul style="list-style-type: none"> <li>A. Estimate funds needed to provide adequate assistance: <ul style="list-style-type: none"> <li>(1) To residents eligible at that time to receive fuel assistance under this subchapter; and</li> <li>(2) To residents not eligible at that time to receive fuel assistance under this subchapter but who, as a result of the oil price increase, require fuel assistance under this subchapter; and</li> </ul> </li> <li>B. Notify the Governor, the joint standing committee of the Legislature having jurisdiction over utilities and energy matters, the joint standing committee of the Legislature having jurisdiction over business and economic development matters and the joint standing committee of the Legislature having jurisdiction</li> </ul>	

Report	Recommendation
<p><b>30-A §5055. MODELS FOR URBAN HOUSING REVITALIZATION; EVALUATION</b></p> <p>The state authority and the council shall develop models for the revitalization of deteriorating residential areas in urban areas based on the results of the study and monitoring of the demonstration zones as provided in section 5052. The state authority and the council shall review and evaluate the plans and programs applied to the demonstration zones and report their preliminary findings and recommendations to the Governor and the joint standing committee of the Legislature having jurisdiction over housing matters by December 30, 1992 and December 30, 1993, with a final report to be submitted by December 30, 1994. This final report must include:</p> <p><b>1. Strategy.</b> The strategy applied in each zone to revitalize housing and neighborhoods;</p> <p><b>2. Number of buildings and units.</b> The number of buildings and units of affordable housing developed or rehabilitated in each zone;</p> <p><b>3. Causes of blight and deterioration.</b> The major causes of urban blight and deterioration in each zone and the programs applied to these causes; and</p> <p><b>4. Effectiveness of assistance and programs.</b> The effectiveness of the assistance and programs provided in each zone, including, but not limited to, job training and educational programs and law enforcement and crime prevention programs.</p>	
<p><b>36 §4641-N. REVIEW REAL ESTATE TRANSFERS</b></p> <p>The Maine State Housing Authority shall submit a report to the joint standing committee of the Legislature having jurisdiction over taxation by April 1, 1987, and each 2 years thereafter. The report shall cover the 2 prior fiscal years of the authority and shall identify the amount of revenues under this chapter that have been credited to the Housing Opportunities for Maine Fund and the manner in which those funds have been used. The committee shall review that report by May 1st of the year in which it is received.</p>	

# Required Legislative Review of Statutes to Align with Federal Law, Other State Law or Decisions of the Court

MaineHousing has no recommendations, at this time, of amendments necessary to align Maine Housing statutes with federal law, other state law or decisions of the Court. Any identified technical amendments will be submitted for legislative consideration.