

16.57B Disaster recovery housing assistance program — fund.

1. *Definitions.* As used in [this section](#), unless the context otherwise requires:

a. “*Disaster-affected home*” means a primary residence that is destroyed or damaged due to a natural disaster that occurs on or after June 16, 2021, and the primary residence is located in a county that is the subject of a state of disaster emergency proclamation by the governor that authorizes disaster recovery housing assistance.

b. “*Fund*” means the disaster recovery housing assistance fund.

c. “*Local program administrator*” means any of the following:

(1) The cities of Ames, Cedar Falls, Cedar Rapids, Council Bluffs, Davenport, Des Moines, Dubuque, Iowa City, Waterloo, and West Des Moines.

(2) A council of governments whose territory includes at least one county that is the subject of a state of disaster emergency proclamation by the governor that authorizes disaster recovery housing assistance or the eviction prevention program under [section 16.57C](#) on or after June 16, 2021.

(3) A community action agency as defined in [section 216A.91](#) and whose territory includes at least one county that is the subject of a state of disaster emergency proclamation by the governor that authorizes disaster recovery housing assistance or the eviction prevention program under [section 16.57C](#) on or after June 16, 2021.

(4) A qualified local organization or governmental entity as determined by rules adopted by the authority.

d. “*Program*” means the disaster recovery housing assistance program.

e. “*Replacement housing*” means housing purchased by a homeowner or leased by a renter needed to replace a disaster-affected home that is destroyed or damaged beyond reasonable repair as determined by a local program administrator.

f. “*State of disaster emergency*” means the same as described in [section 29C.6, subsection 1](#).

2. *Fund.*

a. (1) A disaster recovery housing assistance fund is created within the authority. The moneys in the fund shall be used by the authority for the development and operation of a forgivable loan and grant program for homeowners and renters with disaster-affected homes, and for the eviction prevention program pursuant to [section 16.57C](#).

(2) Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys deposited in the fund shall be credited to the fund. Notwithstanding [section 8.33](#), moneys credited to the fund shall not revert at the close of a fiscal year.

b. Moneys transferred by the authority for deposit in the fund, moneys appropriated to the fund, and any other moneys available to and obtained or accepted by the authority for placement in the fund shall be deposited in the fund.

c. The authority shall not use more than five percent of the moneys in the fund on July 1 of a fiscal year for purposes of administrative costs and other program support during the fiscal year.

3. *Program.*

a. The authority shall establish and administer a disaster recovery housing assistance program and shall use moneys in the fund to award forgivable loans to eligible homeowners and grants to eligible renters of disaster-affected homes. Moneys in the fund may be expended following a state of disaster emergency proclamation by the governor pursuant to [section 29C.6](#) that authorizes disaster recovery housing assistance.

b. The authority may enter into an agreement with one or more local program administrators to administer the program.

4. *Registration required.* To be considered for a forgivable loan or grant under the program, a homeowner or renter must register for the disaster case management program established pursuant to [section 29C.20B](#). The disaster case manager may refer the homeowner or renter to the appropriate local program administrator.

5. *Homeowners.*

a. To be eligible for a forgivable loan under the program, all of the following requirements shall apply:

(1) The homeowner's disaster-affected home must have sustained damage greater than the damage that is covered by the homeowner's property and casualty insurance policy insuring the home plus any other state or federal disaster-related financial assistance that the homeowner is eligible to receive.

(2) A local official must either deem the disaster-affected home suitable for rehabilitation or damaged beyond reasonable repair.

(3) The disaster-affected home is not eligible for buyout by the county or city where the disaster-affected home is located, or the disaster-affected home is eligible for a buyout by the county or city where the disaster-affected home is located, but the homeowner is requesting a forgivable loan for the repair or rehabilitation of the homeowner's disaster-affected home in lieu of a buyout.

(4) Assistance under the program must not duplicate benefits provided by any local, state, or federal disaster recovery assistance program.

b. If a homeowner is referred to the authority or to a local program administrator by the disaster case manager of the homeowner, the authority may award a forgivable loan to the eligible homeowner for any of the following purposes:

(1) Repair or rehabilitation of the disaster-affected home.

(2) (a) Down payment assistance on the purchase of replacement housing, and the cost of reasonable repairs to be performed on the replacement housing to render the replacement housing decent, safe, sanitary, and in good repair.

(b) Replacement housing shall not be located in a one-hundred-year floodplain.

(c) For purposes of this subparagraph, "*decent, safe, sanitary, and in good repair*" means the same as described in [24 C.F.R. §5.703](#).

c. The authority shall determine the interest rate for the forgivable loan.

d. If a homeowner who has been awarded a forgivable loan sells a disaster-affected home or replacement housing for which the homeowner received the forgivable loan prior to the end of the loan term, the remaining principal on the forgivable loan shall be due and payable pursuant to rules adopted by the authority.

6. *Renters.*

a. To be eligible for a grant under the program, all of the following requirements shall apply:

(1) A local program administrator either deems the disaster-affected home of the renter suitable for rehabilitation but unsuitable for current short-term habitation, or the disaster-affected home is damaged beyond reasonable repair.

(2) Assistance under the program must not duplicate benefits provided by any local, state, or federal disaster recovery assistance program.

b. If a renter is referred to the authority or to a local program administrator by the disaster case manager of the renter, the authority may award a grant to the eligible renter to provide short-term financial assistance for the payment of rent for replacement housing.

7. *Report.* On or before January 31 of each year, the authority shall submit a report to the general assembly that identifies all of the following for the calendar year immediately preceding the year of the report:

a. The date of each state of disaster emergency proclamation by the governor that authorized disaster recovery housing assistance under [this section](#).

b. The total number of forgivable loans and grants awarded.

c. The total number of forgivable loans, and the amount of each loan awarded for repair or rehabilitation.

d. The total number of forgivable loans, and the amount of each loan, awarded for down payment assistance on the purchase of replacement housing and the cost of reasonable repairs to be performed on the replacement housing to render the replacement housing decent, safe, sanitary, and in good repair.

e. The total number of grants, and the amount of each grant, awarded for rental assistance.

f. The total number of forgivable loans and grants awarded in each county in which at least one homeowner or renter has been awarded a forgivable loan or grant.

g. Each local program administrator involved in the administration of the program.

h. The total amount of forgivable loan principal repaid.

2021 Acts, ch 177, §47, 51

Referred to in §16.57A, 16.57C

NEW section