

Response to Questions on the FY 2010 County's Line of Business & Schools Program Review Processes Fall 2008

Request By: Supervisor Bulova

Question: Please provide additional information on the Rent Relief Program.

Response: The Rent Relief Program was established by the Board of Supervisors in the 1970s to provide rent relief for eligible older and/or disabled adults with low incomes. To be eligible for Rent Relief the applicant must be a Fairfax County resident, must have paid rent for resident housing within the County during the grant year, be at least 65 years of age or permanently and totally disabled and applicant's gross income may not exceed \$22,000 per year and the net assets may not exceed \$75,000 per year. Eligible individuals may receive one payment a year up to a maximum rent payment of \$575. This is not an emergency relief program; it is similar in nature to the County's tax relief program. Persons may apply and receive assistance if all of the above mentioned conditions are met regardless of the existence of an emergency. The Department of Tax Administration determines eligibility and administers the program; however, expenditures are charged to the Department of Family Services budget.

As the following table shows, 607 applications were received in FY 2008 and 517 individuals were approved. Of those receiving the grant, 54 percent were adults with disabilities and 46 percent were older adults. While applications impacting FY 2009 are not due until December 31, to date, applications are up nearly 9 percent over FY 2008.

Rental Grants

	Tax Year 2007 (FY2008)
Applicants	607
Applicants Approved	517
Average Age	68
Average Annual Income	\$6,170
Adults with Disabilities	54%
Older Adults	46%
Relief Granted	\$261,175

The portion of the Fairfax County Code that details the Rent Relief Program follows.

ARTICLE 15. Rent Relief for the Low-Income Elderly and the Disabled.

Section 4-15-1. Definitions.

(a) For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

- (1) *Affidavit* shall mean the rental grant affidavit.
- (2) *Applicant* shall mean the person who applies for rent relief.
- (3) *County* shall mean Fairfax County, Virginia.
- (4) *County Board* shall mean the Fairfax County Board of Supervisors.
- (5) *County Executive* shall mean the County Executive of Fairfax County, Virginia, or any of his duly authorized deputies or agents.
- (6) *Dwelling* shall mean the full-time residence of the person or persons seeking a grant.
- (7) *Grant* shall mean a financial assistance payment made to any person meeting the requirements of this Article.
- (8) *Grant year* shall mean the calendar year for which a grant is sought.
- (9) *Rent* shall mean the monetary consideration paid for occupation of the dwelling unit, and shall include the monetary stipend paid to a cooperative housing association by its residents.
- (10) *Tenant* shall mean the one who resides in a dwelling, for the privilege of which rent is paid. (4-17-72; 12-18-72; 1961 Code, § 25-106.)

Section 4-15-2. Grants authorized; persons qualified.

Grants in varying amounts according to the terms of this Article are provided for qualified tenants who are residents of the County and who are not less than sixty-five (65) years of age or permanently and totally disabled as provided in Section 4-15-6(b) and (c). Persons qualifying for grants are deemed to bear an extraordinary burden in rent costs in relation to their income and net worth and are in need of public relief. Such persons thus qualify for general relief as provided in *Code of Virginia*, Section 63.1-106. (4-17-72; 12-18-72; 1961 Code, § 25-017; 15-77-4.)

Section 4-15-3. Administration of grants; rules and regulations.

The grants shall be administered by the County Executive according to the provisions of this Article. The County Executive is hereby authorized and empowered to prescribe, adopt, promulgate and enforce rules and regulations in conformance with the provisions of this Article including, but not limited to, the requiring of answers under oath, and requiring the production of rent receipts or cancelled checks to determine the validity of grant claims. The County Executive may also require the production of certified tax returns and appraisal reports to establish income or financial worth. (4-17-72; 12-18-72; 1961 Code, § 25-108.)

Section 4-15-4. Applicants to meet certain requirements.

(a) Rent relief will be granted to persons subject to the following provisions:

- (1) The applicant has paid rent for resident housing within the County during the grant year and is a resident of the County on December 31 of the grant year.
- (2) The applicant, or spouse if they live together, is sixty-five (65) years of age or older or is permanently and totally disabled as provided in Section 4-15-6(b) and (c) on December 31 of the grant year.
- (3) The gross combined incomes of the applicant during the grant year cannot exceed Twenty-two Thousand Dollars (\$22,000.00). Gross combined income shall include all income from all sources of the applicant and of the applicant's relatives living in the dwelling for which rent relief is claimed; provided the first Seventy-five Hundred Dollars (\$7,500.00) of any income received by an owner who is permanently and totally disabled and that the first Sixty-five Hundred Dollars

(\$6,500.00) of income of each relative, other than the spouse, who is living in the dwelling shall not be included in such total. If the applicant has been a resident of the County for less than the full grant year, the income received for the grant year and the maximum allowable income shall be prorated for the period of actual residence.

(4) The net combined financial worth of the applicant as of December 31 of the grant year cannot exceed Seventy-five Thousand Dollars (\$75,000.00). Net financial worth shall include the value of all assets, including equitable interest, of the applicant and the applicant's spouse who resides in the same household, excluding furnishings. Such furnishings shall include furniture, household appliances and other items typically used in a home.

(5) Deleted. (4-17-72; 12-18-72; 1961 Code, 25-109; 43-74-25; 15-77-4; 33-78-4; 24-80-4; 29-81-4; 17-82-4; 31-86-4; 23-87-4; 50-88-4.)

Section 4-15-5. Requirement for election of method of relief; mobile home.

(a) Deleted.

(b) A qualified low-income elderly applicant or qualified disabled applicant residing in and owning a mobile home as defined in the Zoning Chapter and located on land for which rent is paid may be granted either:

(1) Rent relief on the land upon which the mobile home is situated; or

(2) Personal property tax relief pursuant to Article 16 of this Chapter;

providing, however, that an applicant must elect between these alternative methods of relief at the time of application, on or before May 1 of each year. (4-17-72; 12-18-72; 1961 Code, § 25-109.1; 14-78-4; 31-86-4.)

Section 4-15-6. Claiming of grant.

(a) Annually, but not later than April 1 of the year following the grant year, the person claiming a grant shall file with the County Executive a rental grant affidavit and other such information as required according to procedure set forth by the County Executive except this date may be extended to December 31 if the applicant is applying for rental grant for the first time or if hardship conditions exist which, through no fault of the applicant, prohibits applying by April 1 and if proper application is made along with sworn affidavit that failure to apply was due to reasons beyond the control of the applicant. No extension shall be made beyond December 31 of the year following the year for which the grant is sought.

(b) The affidavit shall set forth in a manner prescribed by the County Executive, the names of the related persons sharing the same dwelling with the applicant, their gross combined income, and the financial worth of the applicant and spouse.

(c) If such person is under sixty-five (65) years of age, such form shall have attached thereto a certification made in accordance with *Code of Virginia*, Section 58.1-3213, that such person is permanently and totally disabled, as defined by *Code of Virginia*, Section 58.1-3217. (4-17-72; 12-18-72; 1961 Code, § 25-110; 1-73-25; 43-74-25; 15-77-4; 15-78-4; 33-78-4; 31-86-4; 17-90-4; 11-91-4; 52-92-4; 10-97-4.)

Section 4-15-7. Amount paid to qualifying applicants.

(a) For a qualifying applicant, the amount of the grant shall be based upon the percent of maximum allowable income paid for rent above thirty percent (30%) for a dwelling in the County during the grant year. The amount of the grant shall be determined by the Board of Supervisors on an annual basis as part of the County's Approved Fiscal Plan.

(b) For a qualifying applicant residing in the County for less than a full grant year, the amount of the grant shall be based upon the percent of maximum allowable income paid for rent above thirty percent (30%) for a dwelling in the County during the grant year, and that amount shall

then be prorated based upon the length of residence in the County during the grant year. (4-17-22; 12-18-72; 1961 Code, § 25-111; 43-74-25; 15-77-4; 40-81-4; 31-86-4.)

Section 4-15-8. False claims; penalty.

Any person or persons falsely claiming a grant shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00) for each offense. (4-17-72; 12-18-72; 1961 Code, § 25-112.)