

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1761

By: Rader

AS INTRODUCED

An Act relating to the Oklahoma Housing Finance Agency; defining terms; authorizing creation of Rent Guarantee Program; stating purpose of program; establishing qualifications for eligibility for program; authorizing submission or request for certain assistance; imposing limitations on certain assistance; specifying information to be included with certain request; requiring certain report; authorizing certain contract for services; establishing requirements for certain providers; construing provisions; authorizing promulgation of rules for certain purposes; creating the Rent Guarantee Program Fund; stating sources for certain fund; directing expenditures from certain fund; authorizing payment of certain administrative costs; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2905.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Landlord" means an owner of a dwelling unit who has entered into a rental or lease agreement with a tenant;

1 2. "Low-income household" means a household of one or more
2 individuals whose combined incomes are at or below sixty percent
3 (60%) of the area median income and includes, but is not limited to,
4 a household of one or more individuals who are homeless or at risk
5 of becoming homeless; and

6 3. "Tenant" means an individual or a family who has or will be
7 entering into a rental or lease agreement with a landlord.

8 SECTION 2. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 2905.2 of Title 74, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The Oklahoma Housing Finance Agency shall develop and
12 implement a Rent Guarantee Program for the purpose of providing
13 incentives and financial assistance to landlords who rent or lease
14 to low-income households by guaranteeing payments to landlords for
15 unpaid rent and for eviction and property damage costs as described
16 in this section.

17 B. A tenant is eligible to participate in the program if the
18 tenant:

19 1. Resides in a low-income household; or

20 2. Experiences barriers to obtaining housing including, but not
21 limited to:

22 a. poor credit history or ratings,

23 b. a history of criminal background, or

24 c. a history of housing evictions.

1 C. A landlord may submit a request for financial assistance to
2 the Agency in accordance with rules adopted by the Agency.

3 Financial assistance to landlords under the program shall be limited
4 to:

5 1. Unpaid rent and eviction and property damage costs for
6 rental or lease agreements entered into with eligible tenants;

7 2. Unpaid rent and eviction and property damage costs incurred
8 during the first twelve (12) months of any rental or lease
9 agreement;

10 3. A maximum of Two Thousand Dollars (\$2,000.00) per eligible
11 tenant; and

12 4. A maximum of Five Thousand Dollars (\$5,000.00) per landlord.

13 D. 1. Financial assistance shall be contingent on the
14 landlord's submission of a complete and accurate reimbursement
15 request, verification of unpaid rent and eviction or property damage
16 claims by the Agency or the program provider described in subsection
17 E of this section, and cooperation with the collection of data to
18 measure program performance outcomes as described in subsection E of
19 this section.

20 2. Before financial assistance is provided to a landlord under
21 the program, the landlord shall provide to the Agency or the program
22 provider described in subsection E of this section a report
23 containing any information required by rules adopted by the Agency.
24 The report shall include but not be limited to:

- 1 a. information regarding eligible tenants with which the
2 landlord entered into tenancy agreements including,
3 but not limited to, the length of tenancy and reason
4 for termination of tenancy, if applicable, and
5 b. amounts of unpaid rent and eviction and property
6 damage costs not reimbursed to the landlord under the
7 program.

8 E. 1. The Agency may contract with a public or private
9 provider to administer the program within an individual county or
10 region of this state and to distribute financial assistance to
11 eligible landlords as provided in this section. The Agency shall
12 establish criteria for proposals, prepare and publish requests for
13 proposals, receive proposals, and award contracts to eligible
14 providers. Eligible providers shall:

- 15 a. have experience placing persons in low-income
16 households into permanent housing,
17 b. have experience working collaboratively with local
18 landlords and service providers, and
19 c. demonstrate the organizational capacity to administer
20 the program including, but not limited to, the ability
21 to track data and performance measure outcomes and to
22 timely process requests for and payments of financial
23 assistance.

1 2. Program providers shall, in accordance with rules adopted by
2 the Agency:

3 a. provide reports regarding the number of landlords and
4 tenants participating in the program, demographic
5 information related to eligible tenants, identified
6 tenant risk factors, and the number and amount of
7 requests for financial assistance submitted under the
8 program,

9 b. review and verify requests for financial assistance
10 and make payments in accordance with established
11 Agency processes for distributing funds, and

12 c. collect data to measure the following program
13 performance outcomes:

14 (1) increased housing stability as measured by the
15 percentage of total program participants who
16 reside in and maintain permanent housing for a
17 minimum of twelve (12) months, and

18 (2) increased landlord participation as measured by
19 the percentage increase in the number of
20 landlords participating in the program.

21 F. Nothing in this section shall be construed to prohibit a
22 landlord from participating in the housing choice voucher program
23 under 42 U.S.C. 1437f(o).

1 G. The Oklahoma Housing Finance Agency may promulgate rules
2 necessary to implement the provisions of this act.

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 2905.3 of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 A. There is hereby created in the State Treasury a fund for the
7 Oklahoma Housing Finance Agency to be designated the "Rent Guarantee
8 Program Fund". The fund shall be a continuing fund, not subject to
9 fiscal year limitations, and shall consist of:

- 10 1. Amounts donated to the fund;
- 11 2. Amounts appropriated or otherwise transferred to the fund by
12 the Legislature;
- 13 3. Amounts received from state or federal sources;
- 14 4. Income and earnings derived from monies in the fund; and
- 15 5. Other amounts deposited in the fund from any source to carry
16 out the provisions of Section 2 of this act.

17 All monies accruing to the credit of the fund are hereby
18 appropriated and may be budgeted and expended by the Oklahoma
19 Housing Finance Authority for the purpose provided for in this
20 section. Expenditures from the fund shall be made upon warrants
21 issued by the State Treasurer against claims filed as prescribed by
22 law with the Director of the Office of Management and Enterprise
23 Services for approval and payment.

24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

B. The Agency shall not pay financial assistance under the Rent Guarantee Program from any source other than available funds in the Rent Guarantee Program Fund established pursuant to this section.

C. The Agency may use monies in the fund to pay administrative costs associated with the fund and with the implementation and maintenance of the Rent Guarantee Program established under Section 2 of this act.

SECTION 4. This act shall become effective November 1, 2024.

59-2-2893 TEK 1/17/2024 11:01:59 AM