

Chapter 79. Home Repair and Rehabilitation Services Policies and Procedures¹

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79.001 Mission Statement

Travis County, through Travis County Health and Human Services and Veterans Service (“Department”), strives to improve the physical living conditions of its eligible, low-income residents (“Eligible Residents”) by performing home repair and rehabilitation services (“Services”) on qualified homes within Travis County whose condition negatively impacts Eligible Residents’ health and safety (“Qualified Homes”).

79.002 Authority

Travis County, as approved by the Travis County Commissioners Court (“Commissioners Court”), is authorized to provide the Services referenced in this Chapter under Texas Local Government Code, Section 81.027.

79.003 Eligibility Criteria for Applicant

- (a) **Income Guidelines.** In order to receive Services, an applicant (“Applicant”) must have a gross household income from all sources that does not exceed 200% of the Federal Poverty Income Guideline for Travis County, Texas, consistent with Travis County Code Chapter 72, Emergency Assistance Program Policies and Procedures. Alternatively, the Applicant’s household must contain a permanent resident who is receiving Supplemental Security Income (“SSI”), Supplemental Nutrition Assistance Program (“SNAP”) benefits, Veteran’s benefits, or Temporary Assistance to Needy Families (“TANF”).
- (b) **Service Area.** In order to receive Services, an Applicant must reside in either the unincorporated or incorporated areas of Travis County, including the City of Austin. Travis County shall give preference to Applicants residing in the rural portions of Travis County.

¹ Chapter 79 was replaced and retitled by Travis County Commissioners Court on 6/21/2016, Item #9.

- (c) Eligibility Certification. Applicants who are eligible for Services under this Chapter shall receive certification from Travis County (“Eligibility Certification”). An Eligibility Certification is valid for twelve (12) months from the date of receipt. At the end of the twelve (12) month period, the Eligibility Certification is no longer valid.
- (d) Waiver or Adjustment
 - (1) A decision to waive or adjust eligibility criteria (“Decision”) may be made if the Department’s County Executive (“County Executive”) determines that an immediate response is required to the following situations: an event negatively impacting the health and safety of the community, such as a natural disaster; or a life-threatening incident, impacting one or more individuals, such as domestic violence.
 - (2) Department staff must have received written authorization from the County Executive before eligibility criteria may be waived or adjusted.
 - (3) The County Executive may make the Decision at his or her sole discretion or may refer the Decision to the Commissioners Court, as time allows.
 - (4) If the County Executive grants a waiver or adjustment (“Waiver/Adjustment”) to the eligibility criteria, he or she shall provide written notification to Commissioners Court of such Waiver/Adjustment, including the circumstances leading to the granting of the Waiver/Adjustment as soon as practicable.

79.004 Qualification Criteria for Home

- (a) Primary Residence. The home for which Applicant seeks Services (“Subject Home”) under this Chapter must be the Applicant’s primary residence.
- (b) Selection
 - (1) Travis County shall thoroughly evaluate each Subject Home to determine whether the performance of Services is feasible, given the existing condition of the Subject Home.
 - (2) Travis County will not abate lead or asbestos present in a Subject Home, but will use industry-accepted best practices to avoid contact with lead and asbestos present in the Subject Home in providing the Services.
 - (3) Travis County will not provide Services if the presence of mold is suspected to be present in the Subject Home, as determined by Travis County, at its sole discretion.
 - (4) Travis County, at its sole discretion, shall decide which Subject Homes are selected to receive Services, based upon the existing condition of the Subject Home.

- (5) Travis County may refer Applicants or Eligible Residents to other organizations, as needed.
- (c) Flood Plain. A Subject Home that is located inside of the one-hundred year flood plain will only qualify for Services under this Chapter if it meets the permitting requirements described in Travis County Code, Chapter 64 Regulations for Floodplain Management and Guidelines and Procedures for Development Permits.
- (d) Mobile Homes
 - (1) A Subject Home that is a mobile home, owned by an Applicant and located on leased land, may be qualified for repairs to its structure and components, including the sewer and water connections to the mobile home structure.
 - (2) Repairs to the mobile home's sewer and water lines are not allowed unless they are above grade or are easily accessible, as determined by Travis County at its sole discretion.
- (e) Commercial or Rental Property. Subject Homes that are commercial or rental property are not qualified for Services under this Chapter.

79.005 Policies Applicable to All Programs under this Chapter

- (a) Applicant Eligibility and Home Qualification Criteria. In order to receive Services under this Chapter, an Applicant must meet all applicable eligibility criteria described in Section 79.003 of this Chapter, and the Subject Home must meet all applicable qualification criteria described in Section 79.004 of this Chapter.
- (b) Health and Safety Requirement. All Services to Qualified Homes under this Chapter must be related to the health and safety of Eligible Residents. Repairs and rehabilitation that are cosmetic in nature, such as painting, are not allowed except to protect newly installed materials connected to the Services performed under this Chapter.
- (c) Permits. For all Services performed under this Chapter, whether directly by Travis County or by subcontractors, County staff will ensure that all necessary permits and authorizations are secured in a timely fashion, and that all Services meet all applicable requirements of federal, state and local laws, rules, regulations and ordinances.
- (d) Inventory. The Housing Services Manager will conduct a physical inventory and inventory reconciliation in September of each year and will report findings to the Division Director.
- (e) Denial Notice
 - (1) The Department's Housing Services Manager ("Housing Services Manager") reserves the right to issue a denial notice ("Denial Notice") under the following circumstances:

- (A) The Housing Services Manager deems that work conditions at the Qualified Home are unsafe or unsanitary;
 - (B) Eligible Resident vacates or abandons the Qualified Home;
 - (C) Eligible Resident interferes with workers in the performance of their duties;
 - (D) Eligible Resident is uncooperative or unresponsive; or
 - (E) Eligibility Certification is no longer valid.
- (2) All materials connected to the Services performed under this Chapter that have not been installed will be immediately removed from the work site, and a Denial Notice will be issued to the Eligible Resident at the last known address.
 - (3) The Denial Notice is deemed to have been received immediately if delivered in person to Eligible Resident. The Denial Notice is deemed to have been received on the third day following mailing if placed in the United States Mail, postage prepaid, by registered or certified mail with return receipt requested, addressed to Eligible Resident.
- (f) Appeal of Denial Notice
- (1) An Eligible Resident may appeal a Denial Notice issued by the Housing Services Manager to the Department's Division Director ("Division Director") in writing within ten (10) business days (an Appeal") after the receipt of the Denial Notice from the Housing Services Manager.
 - (2) The Appeal must include a statement as to the basis of the Appeal. The Division Director shall issue a written ruling on the Appeal ("Ruling") to the Eligible Resident within ten (10) business days after receipt of the Appeal.
 - (3) If an Eligible Resident is not satisfied with the Ruling issued by the Division Director, he/she may continue the appeal process by providing an Appeal to the County Executive within ten (10) business days after receipt of the Ruling from the Division Director.
 - (4) The County Executive shall issue a Ruling to the Eligible Resident within ten (10) business days after receipt of the Appeal.
 - (5) If an Eligible Resident is not satisfied with the Ruling issued by the County Executive, he/she may continue the appeal process by providing an Appeal to the Commissioners Court within ten (10) business days after receipt of the Ruling from the County Executive.

79.006 General Repair Program

- (a) Program Description

- (1) This program provides labor and materials to repair Qualified Homes, including, but not limited to, repairing holes in exterior walls, holes in floors, and roof leaks (the “General Repair Program”).
- (2) Repairs to correct minor structural damage to the Qualified Home may be allowed, provided that the structural damage caused the need for the General Repair Program.

(b) Program Activities

- (1) Allowable program activities include:
 - (A) General carpentry repairs to correct holes in floors and exterior walls, repair of non-functioning exterior doors and locks, repair of holes in entry porches and repair of entry steps; and
 - (B) Repairs to holes in roof and to patch roof leaks.
- (2) Ineligible repairs specifically prohibited under the General Repair Program include:
 - (A) Flooring repair or replacement, except as required to correct an immediate health or safety threat to the Eligible Resident;
 - (B) Painting, except to protect newly installed materials for the repair or replacement of any item installed under General Repair Program or any program administered by Travis County.

(c) Expenditure Limits

- (1) Expenses for Services under the General Repair Program are limited to an amount not to exceed \$5,000.00 (“General Repair Cap”).
- (2) After the completion of Services under the General Repair Program, a Qualified Home will no longer qualify for any additional Services under the General Repair Program, even if the General Repair Cap has not been met, for a period of ten (10) years (“Exclusion Period”). During the Exclusion Period however, the Subject Home may qualify for the Major System Repair Program, described in Section 79.007 of this Chapter; the Accessibility Program, described in Section 79.008 of this Chapter; and the Septic System Repair Program, described in Section 79.009 of this Chapter.

79.007 Major System Repair Program

- (a) Program Description. This program provides labor and materials through contracted services to repair electrical, plumbing, and mechanical systems and to replace roofs (“Major System Repair Program”).
- (b) Program Activities
 - (1) Repairs to or replacement of electrical, plumbing, and mechanical systems; and
 - (2) Replacement of roofs.

(c) Expenditure Limits

- (1) Expenses for Services under the Major System Repair Program are limited to an amount not to exceed \$8,500.00 ("Major System Repair Cap").
- (2) After the completion of Services under the Major System Repair Program, a Qualified Home will no longer qualify for any additional Services under the Major Systems Repair Program, even if the Major System Repair Cap has not been met, for a period of ten (10) years ("Exclusion Period"). During the Exclusion Period, however, a Qualified Home may qualify for the General Repair Program, described in Section 79.006 of this Chapter; the Accessibility Program, described in Section 79.008 of this Chapter; and the Septic System Repair Program, described in Section 79.009 of this Chapter.

79.008 Accessibility Program

(a) Program Description. This program provides for labor and materials to modify or remove architectural barriers, construct wheel chair ramps, and modify bathrooms and kitchens to facilitate mobility within the dwelling for the physically impaired ("Accessibility Program").

(b) Program Activities

- (1) Construction of access ramps to the main entrance of the Qualified Home;
- (2) Removal or modification of architectural barriers inside the Qualified Home;
- (3) Widening of entrance, bathroom, and bedroom doors to a maximum of 36" in order to provide wheel chair access;
- (4) Installation of grab bars, transfer bench and shower wand in tub area;
- (5) Installation of grab bars and low flow commode for the physically impaired in toilet area;
- (6) Lowering of wall hung lavatory sinks to 32"; and
- (7) Modification to the kitchen sink and cabinet base to facilitate sink operation from a wheel chair.

(c) Conditions

- (1) Rental units are qualified for the Accessibility Program, provided: the Subject Home is the only rental property owned by the landlord ("Landlord"); and the Landlord and tenant ("Tenant"), individually, meet the income guidelines stated in Section 79.003(a) of this Chapter.
- (2) Prior to commencement of work, the Landlord must execute an agreement with Travis County and Tenant to not raise the rent for a period of one (1) year following the completion of the work.

(d) Expenditure Limits

- (1) Expenses for Services under the Accessibility Program are limited to an amount not to exceed \$5,000.00 (“Accessibility Cap”).
- (2) After the completion of Services under the Accessibility Program, a Qualified Home will no longer qualify for any additional Services under the Accessibility Program, even if the Accessibility Cap has not been met, for a period of ten (10) years (“Exclusion Period”). During the Exclusion Period, however, a Qualified Home may qualify for the General Repair Program, described in Section 79.006; the Major System Repair Program, described in Section 79.007 of this Chapter; and the Septic System Repair Program, described in Section 79.009 of this Chapter.

79.009 Septic System Repair Program

(a) Program Description. This program provides for labor and materials to repair or replace existing septic systems to correct deficiencies, as determined by Travis County (“Septic System Repair Program”).

(b) Program Activities. Repair or replacement of existing septic system to meet current Travis County requirements.

(c) Conditions:

- (1) System must be identified by Travis County as noncompliant and an eminent health hazard.
- (2) Mobile homes on leased land are not qualified for this program.

(d) Expenditure Limits

- (1) Expenses for Services performed under the Septic System Repair Program are limited to an amount not to exceed \$25,000 (“Septic Cap”).
- (2) After the completion of Services under the Septic System Repair Program, a Qualified Home will no longer qualify for any additional Services under the Septic System Repair Program, even if the Septic Cap has not been met, for a period of ten (10) years (“Exclusion Period”). During the Exclusion Period, however, a Qualified Home may qualify for the General Repair Program, described in Section 79.006; the Major System Repair Program, described in Section 79.007 of this Chapter; and the Accessibility Program, described in Section 79.008 of this Chapter.