

SB 829 Affordable Housing Premium Assistance Program – draft Administrative Rules text

Purpose and Scope

This rule establishes the Affordable Housing Premium Assistance Program required under Section 1 of Senate Bill 829 (2025), administered by the Department of Consumer and Business Services (DCBS). The program provides financial assistance to eligible entities for property or liability insurance premiums paid on qualifying affordable housing and shelter units.

Definitions

- (1) “Premium assistance payment” means a financial reimbursement issued under this program, subject to statutory caps.
- (2) “OHCS” means Oregon Housing and Community Services.

Program Structure

- (1) The allocated General Funds (GF) of \$2.47 million, along with any accrued interest, shall be divided amongst the four eligible entity categories, amounts to be determined:
 - (a) Regulated affordable housing owners and/or operators,
 - (b) Shelter locations,
 - (c) Project Turnkey sites, and
 - (d) Navigation centers.
- (2) There will be a 60-day initial application window to provide eligible parties sufficient time to gather and submit the required documents necessary to complete the application process.
- (3) After the initial application window, the Division will review applications and make payment determinations.
- (4) After the initial round of assistance payments are made, if program funds are still available in one or more eligible entity categories, the Division can:
 - a. Consider applicants placed on a waitlist in a different eligible entity category;
 - b. Open an additional application window for new applicants in the same eligible entity category; or
 - c. Make additional, prorated follow-up payments to previously paid recipients.

Eligibility Criteria

To qualify for premium assistance, an applicant must:

- (1) Be an eligible entity as defined in Chapter 600, Oregon Laws 2025.
- (2) Demonstrate ownership or operational control of eligible property, such as affordable housing dwellings, shelter locations, Project Turnkey sites, and navigation centers.
- (3) Provide documentation of paid property or liability insurance premiums for eligible property.
- (4) Maintain active property and liability insurance coverage for the duration of the assistance period.
- ~~(5) Be registered and in good standing with the Oregon Secretary of State (OSS) or OHCS, if applicable.~~
- ~~(56)~~ Non-profit applicants must provide documentation sufficient to establish their non-profit status.
- ~~(67)~~ Submit any relevant data previously provided to OHCS to assist with eligibility verification.

Prioritization of Payments

In allocating funds, the Department shall ~~prioritize~~ payment to eligible applicants ~~by~~based upon:

- ~~(1) Properties at with the imminent and/or highest risk of default on must-pay debt service obligations closure. (prioritization framework to be determined)~~
- ~~(2) Applicants experiencing severe financial distress, such as:~~
 - ~~a. Loans or mortgages for eligible property that are in arrears or forbearance; or~~
 - ~~b. Insufficient cash flows to meet immediate operating needs and showing negative cash flow trend; or~~
 - ~~c. Increasing month-over-month accounts payable balances and/or accounts payable balances that are past due with an adverse trend in account balance aging; or~~
 - ~~d. Properties foregoing required maintenance expenditures necessary to maintain a property in livable conditions; or~~
 - ~~e. Depleted operating accounts and/or reserve funds accounts; or~~
 - ~~f. Verifiable annual net operating losses.~~
- ~~(3) Applicants providing the highest number of affordable housing units or shelter beds.~~
- ~~(4) Geographic region, with higher priority given to rural areas, communities with limited affordable housing inventory or available shelter beds, or historically underserved communities.~~

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Commented [BF1]: The goal is to preserve the maximum number of affordable housing units with limited funds. Example: Should assistance be provided to relatively few eligible entities under the greatest financial distress? - Or - Should funds be provided to eligible entities having the largest number of housing units/shelter beds that may not be financially distressed (or at least not acutely distressed)?

Payment Structure and Limits

(1) Premium assistance payments shall be capped at the lesser of:

- (a) ~~Five-Forty~~ percent (~~540.0~~ %) of total paid insurance premiums; or
- (b) ~~Twenty-Thirty~~ thousand dollars (~~\$230,000~~) per eligible entity.

(2) The Department may prorate payments if total eligible requests exceed available program funds. However, full payment preference will be given to nonprofit entities and entities operating in communities or geographic regions with limited affordable housing inventory or available shelter beds.-

Application Process

(1) There is an initial application window of 60 calendar days from the program's initial launch date. All applications received during the initial 60-calendar day window will be screened and scored by Department staff. Eligible entities may apply past the 60-calendar day window, but will receive lower payment priority than applications submitted in the first 60 days.

(2) Applications must be submitted electronically or by mail and be received by the Department. To be included in the initial 60-calendar day review window, all application materials must be submitted and received by the Department on or before the 60th day of the initial application window.

(3) Initial premium assistance payments shall commence following the close of the initial application window. If program funds remain available after this date, assistance payments to additional eligible entities will occur monthly on the 15th calendar day of each month.

(4) Each application must include:

- (a) Name of the eligible entity;
- (b) The name(s) of the owner(s), senior leadership, and their job title within the eligible entity;
- (c) Description of the housing or shelter stock (newer vs. older structures; single-family, multi-family, or high-density living spaces);
- (d) Geographic designation (urban, suburban, rural; inland vs coastal; proximity to areas considered to have elevated wildfire risk);
- (e) Documentation of insurance premium payments, to include:
 - I. A legible copy of the insurance policy declaration page for the current and prior year policy coverage periods.

II. Proof of premium payment for the current and prior year policy coverage periods, such as a copy of the payment check or an electronic payment receipt;

(f) Applicant provided narrative Evidence of description of their efforts to maintain, preserve, or increase their-existing affordable housing inventory or number of shelter ~~units~~beds.

(g) Entity classification (for-profit, nonprofit, public);

(1) Nonprofit entities must provide the following documentation:

- I. A copy of the most recent nonprofit corporation annual report filed with the OSS. If an applicant is a public benefit nonprofit, a copy of the annual report to the Oregon Department of Justice – Charitable Activities Division must also be included; and
- II. Proof of listing on the Internal Revenue Service (IRS) Tax-Exempt Organization Search (TEOS) database; or
- III. A copy of the applicant's IRS determination letter.

(2) For profit entities must provide the following documentation:

- I. A copy of the two most recent audited annual financial statements.
- II. A copy of the two most recent Federal tax filings.
- III. A copy of the two most recent Oregon state tax filings.

(h) Under penalty of perjury, provide a legal attestation by the owner, senior partner(s), or duly appointed legal representative of the eligible entity that the contents of the application, to include all supporting documents submitted, are truthful, accurate, and complete.

Program Metrics and Reporting

The Department shall collect and report the following metrics annually to the Oregon Legislature:

- (1) Number of applicants who received premium assistance funds;
- (2) Number of applications submitted, approved, and denied;
- (3) Total number of housing units retained or increased due to assistance;
- (4) Total funds disbursed and average payment per entity;
- (5) Distribution of funds by geographic region and entity type;
- (6) Percentage of existing affordable housing stock preserved;
- (7) Department administrative costs as a percentage of total program expenditures.

Additional metrics may include:

(8) How much did each premium assistance payment offset each applicant's insurance coverage cost(s) for eligible properties;

(9) Did premium assistance funding reduce insurance-related financial distress reported by entities (i.e. how many assistance recipients reduced/lost previously available affordable housing or shelter units);

(10) Number of eligible entities that applied and were approved but did not receive assistance due to program funding;

(11) DCBS to conduct a survey of premium assistance program participants for feedback on program accessibility and program impact on operations.

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