

**AN ORDINANCE
AMENDING AND REORDAINING SECTIONS 25-58 AND 25-61
OF ARTICLE III OF CHAPTER 25 (SOCIAL SERVICES)
OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED,
RELATING TO RENT RELIEF FOR THE ELDERLY AND DISABLED PERSONS.**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Sections 25-58 and 25-61 of Article III (Rental Relief for the Elderly and Disabled Persons) of Chapter 25 (Social Services), are hereby amended and reordained, as follows:

**CHAPTER 25. SOCIAL SERVICES
ARTICLE III. RENTAL RELIEF FOR THE ELDERLY AND DISABLED PERSONS**

Sec. 25-56. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless another meaning shall clearly appear from the context:

Affidavit means the rental relief grant affidavit.

Dwelling means the full-time residence of the person applying for a grant; provided, however, that the fact that a person who is otherwise qualified for a grant under this article is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care for an extended period of time shall not be construed to mean that the location for which rental relief is claimed ceases to be the dwelling of such person during such period of other residence, so long as the rented premises in question are not occupied by, or leased to, others for consideration.

Grant means the financial assistance payment allowable to a qualifying elderly or permanently and totally disabled person pursuant to the requirements of this article.

Grant year means the calendar year for which a grant is sought.

Permanently and totally disabled, as applied to a person seeking a grant under this article, means a person furnishing the certification or medical affidavits required by section 30-99 of this Code, and who is found by the commissioner of revenue to be unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

Rent means the monetary consideration paid for the right to occupy the dwelling unit.

Tenant means one residing in a dwelling by virtue of a leasehold interest, for which rent is paid.

Sec. 25-57. Purpose of article.

It is hereby declared to be the purpose of this article to provide for the payment of grants to qualified tenants residing in the city who are not less than sixty-five (65) years of age or are permanently and totally disabled and who are otherwise eligible according to the provisions of this article. The city council finds and declares that persons qualifying for such grants are deemed to bear an extraordinary burden in rent costs, and thereby indirectly an extraordinary real estate tax burden, in relation to their income and financial worth. Such persons are deemed thus to qualify for general relief as provided in Code of Virginia, section 63.2-802, which general relief shall be in the form of the grants provided pursuant to this article.

Sec. 25-58. Qualifications for grant.

Grants pursuant to this article shall be made to persons complying with the following provisions:

- (1) The applicant has paid rent for his/her dwelling within the city during the grant year and was a resident of the city on December thirty-first of the grant year;
- (2) The applicant, or his/her spouse if they reside together, is sixty-five (65) years of age or older, or permanently and totally disabled, as of December thirty-first of the grant year;
- (3) The dwelling for which the rental relief grant is sought was occupied as of December thirty-first of the grant year as the sole dwelling place of the applicant;
- (4) The gross combined income during the grant year from all sources of such applicant and all relatives of the applicant living in such dwelling does not exceed the sum of fifty thousand dollars (\$50,000.00); provided that the first seven thousand five hundred dollars (\$7,500.00) of any income, (a) received by the applicant, or the applicant's spouse if they reside together, and classified as permanent disability compensation, or (b) received by any applicant who is at least sixty-five (65) years of age, is permanently and totally disabled, and can show that he or she did receive permanent disability compensation for at least twenty-four (24) consecutive months immediately prior to his or her sixty-fifth birthday, shall be excluded from such total; and provided, that the first eight thousand five hundred dollars (\$8,500.00) of income of each relative other than spouse of such applicant who is living in such dwelling and does not qualify for rent relief shall be excluded from such total. If the applicant has been a resident of the city for less than the full grant year, the gross combined income for such year and the maximum allowable income shall be prorated for the period of actual residency.
- (5) The net combined financial worth of such applicant and relatives of such applicant living in such dwelling as of December thirty-first of the grant year does not exceed one hundred twenty-five thousand dollars (\$125,000.00). Net combined financial worth shall include all assets, including equitable interests.

Sec. 25-59. Claimant's affidavit.

(a) Annually, and not later than May first of the year following the grant year, the person claiming a grant shall file with the commissioner of revenue of the city, a rental relief grant affidavit. The date for filing such an affidavit by an applicant may be extended by the commissioner of the revenue to July first of the year following the grant year for a first-time applicant and to July first of each year following the grant year in a hardship case in which the commissioner of the revenue determines that the applicant was unable to file by May first of the year following the grant year because of illness of the applicant or confinement of the applicant in a nursing home, hospital, or other medical facility or institution; provided, that such rental relief grant affidavit is accompanied by a written statement of one (1) medical doctor licensed to practice medicine in the commonwealth.

(b) The affidavit shall set forth the names of the related persons occupying the dwelling for which rental relief is claimed, and the total combined net worth and gross combined income, as defined in this article, together with the amount of rent paid for such dwelling during the grant year. The form of such affidavit shall be determined by the commissioner of the revenue and approved by the city manager and shall contain such other information as may be necessary adequately to determine compliance with section 25-58. The affidavit of any person less than sixty-five (65) years of age who is claiming an exemption under this article shall be accompanied by certification or medical affidavits meeting the requirements of section 30-99 of this Code.

Sec. 25-60. Inquiries by commissioner of revenue.

The commissioner of revenue may make such inquiry of applicants, requiring answers under oath and the production of certified tax returns, as may be reasonably necessary to determine eligibility for a grant under this article.

Sec. 25-61. Calculation of amount of grant.

(a) For qualifying applicants, the amount of the grant shall be the lesser of fifteen hundred dollars (\$1,500.00), or twenty-five (25) percent of the amount determined by subtracting twenty-four (24) percent of gross combined income, as defined by section 25-58(4), from the lesser of:

- (1) The actual amount of rent paid; or
- (2) ~~Six~~ Twelve thousand dollars ~~(\$6,000.00).~~ (\$12,000.00).

(b) If the applicant was a resident of the city for less than the full grant year, the actual rent paid or maximum rent allowable shall be prorated for the period of actual residency.

Sec. 25-62. Certification of eligibility for and payment of grant.

The commissioner of revenue, after audit and investigation of affidavits submitted under this article, shall certify a list of the persons qualifying for grants and the amounts thereof to the director of finance and the city treasurer who shall pay forthwith to each applicant the amount of the grant for which he or she is eligible as determined pursuant to this article.

Sec. 25-63. False claims.

Any person falsely claiming a grant under this article shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense.

Secs. 25-64—25-85. Reserved.

Approved by Council
October 7, 2019



Kyna Thomas, CMC
Clerk of Council