

**2019 ASSEMBLY BILL 733****HOUSING IMPACT NOTE**

**SUMMARY:** Assembly Bill 733 authorizes a housing authority to acquire, construct and operate mixed-use or mixed-income developments within its area of operation. Under the bill, these developments may not serve persons with incomes exceeding 120 percent of the “median income for the area” unless authorized by HUD. Additionally, AB 733 allows for the addition of commercial space within the construction of mixed-use or mixed-income properties. The bill also increases the threshold amount under which a housing authority that is undertaking a project must obtain bids and award the contract to the lowest qualified and competent bidder. Under existing state statute, the threshold amount is defined as \$25,000. The bill ties the amount to the simplified acquisition threshold amount under 2 CFR 200.88, currently set at \$250,000.

**IMPACTS:** The proposed changes under AB 733 impact the provision of housing in Wisconsin in the following ways:

- 1. Policies, strategies and recommendations of the state housing strategy plan.** The proposal’s effects on the state Consolidated Plan are indeterminate. Wisconsin’s Consolidated Plan calls for the expansion of safe, sanitary, affordable housing for low- and moderate-income homeowners and renters as well as improving the affordable rental housing and homebuyer opportunities for all households, especially those with severe residential cost burdens. Wisconsin’s Consolidated Plan also prioritizes increasing economic opportunity in Wisconsin’s communities, focusing on both workers and businesses.

It could be argued that the AB 733 is consistent with the state Consolidated Plan as it allows housing authorities to provide housing to persons with moderate incomes rather than only to those of low incomes, as currently allowable under law. By providing housing to persons of mixed income, housing authorities may still house those in need of housing and are unable to find affordable housing in the current market. It could also be argued that mixed-use developments may include space for case management services to be provided to tenants, thus increasing the likelihood for successful placement in permanent housing. In addition, increasing the threshold under which housing authorities must obtain a qualified bid, may potentially streamline the process of a construction project, reducing its costs and increasing the likelihood of more projects being completed.

However, it could be also argued that without capping the percentage of moderate income persons served by new housing developments, allowing housing authorities to serve persons of moderate income could result in that segment of the population in need of housing being exclusively served by new developments built by housing authorities. Further, it could be argued that allowing housing authorities to construct space that may be used for commercial purposes may be considered outside of the scope of a housing authority’s purpose under federal and state statute. Additionally, it could be argued that the existing statutory threshold for obtaining bids for projects under ch. 985 may result in a lower cost to construct and by raising the threshold, a project’s costs may escalate.

- 2. The cost of developing, constructing, rehabilitating, improving, maintaining or owning single family or multifamily dwellings.** It could be argued that increasing the threshold under which housing authorities must obtain a qualified bid under AB 733 may potentially streamline the process of a project, reducing its costs and increasing the likelihood of more projects being completed.

However, it could be also argued that the existing statutory threshold for obtaining bids for projects under ch. 985 may result in a lower cost to construct and by raising the threshold, a project's costs may escalate. The potential cost changes due to any changes to the bidding threshold changes under AB 733 are indeterminate at this time.

3. **The purchase price of new homes or the fair market value of existing homes.** The provisions of AB 733 are unlikely to impact the purchase price of new homes or the fair market value of existing homes from either a local or a statewide perspective.
4. **The cost and availability of financing to purchase or develop housing.** The provisions of AB 733 are unlikely to impact the cost and availability of financing to purchase or develop housing from either a local or a statewide perspective.
5. **Housing costs as defined in s. 16.301 (3) (a) and (b).** S. 16.301 (3) (a) defines "housing costs" as any of the following:
  - a. The principal and interest on a mortgage loan that finances the purchase of the housing.
  - b. Closing costs and other costs associated with a mortgage loan.
  - c. Mortgage insurance.
  - d. Property insurance.
  - e. Utility-related costs.
  - f. Property taxes.
  - g. If the housing is owned and occupied by members of a cooperative or an unincorporated cooperative association, fees paid to a person for managing the housing.S. 16.301 (3) (b) defines "rented housing" costs as any of the following:
  - a. Rent.
  - b. Utility-related costs, if not included in the rent.

The provisions of AB 733 are unlikely to impact housing costs as defined in s. 16.301 (3) (a) and (b).

6. **The density, location, setback, size, or height of development on a lot, parcel, land division, or subdivision.** The provisions of AB 733 are unlikely to impact the density, location, setback, size, or height of development on a lot, parcel, land division, or subdivision.

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