

(H. B. 3960)

**(No. 181-2012)**

(Approved August 16, 2012)

## **AN ACT**

To amend subsection (e) of Section 4 of Act No. 66 of August 17, 1989, as amended, known as the “Puerto Rico Public Housing Administration Organic Act,” in order to define the term of appointment of the Administrator; and for other purposes.

### **STATEMENT OF MOTIVES**

The Puerto Rico Public Housing Administration (hereinafter the “Administration”) was created by Act No. 66 of August 17, 1989, as amended. At present, the Administration is an integral part of the Department of Housing, since its purpose is to improve the quality of life of the residents of public housing projects and promote community activities and the personal and family development of its residents.

In order to comply with its programmatic goals and public policy, the Administration depends mostly on federal funds provided under grants program of the United States Housing and Urban Development Department (HUD). Thus, the Administration has developed methods to comply with the different federal programs more efficiently. For instance, Regulation No. 6391 of January 31, 2002, Regulation for the Selection, Admission, and Continuing Occupancy in Public Housing Projects. This regulation is promulgated consistently with the provisions of HUD published in the manual “The Public Housing Occupancy Handbook” No. 7465.1, revised, under the “Housing and Community Development Amendments” of 1981 and “The Housing and Urban Recovery Act of 1983.”

Another example is Regulations No. 6405 of March 12, 2002, Public Housing Administration Acquisitions Handbook, which establishes the acquisitions procedures of the Public Housing Administration funded wholly or partly with federal grants.

Likewise, through an amendment to the Organic Act of the Public Housing Administration, every public housing regular or special maintenance, modernization, and administration activities, as well as all housing projects for lease to low-income persons developed with funds from the Government of the United States of America under the Public Housing Program, and projects developed with financing guaranteed by said federal entities, were transferred to the Administration. As it can be noted, the HUD and the Public Housing Administration work together for the implementation and maintenance of programs funded with federal grants for the benefit of our jurisdiction.

According to the Puerto Rico Public Housing Administration Organic Act, the appointment of the Administrator is the responsibility of its Board of Directors. This Board, in turn, is composed, among others, of the Secretary of Housing, the Secretary of the Department of the Family, the Secretary of the Department of Labor and Human Resources, and the Executive Director of the Housing Financing Authority, which usually hold office for a four (4)-year term. This has the effect of limiting the appointment of the Administrator for the same term.

Most of the federal programs in which the Administration participates are established for an extensive period which exceeds the actual term of appointment of the Administrator. Very often, not only does the program extend for more than four (4) years, but also the Administration must commit to maintain and extend the results achieved with said funds for a term greater than the term of duration of the program in order to meet HUD's requirements to receive federal funds. Since the Administrator is the person in charge of meeting the requirements established in

the federal programs to guarantee the services to be provided to the people, the need to extend his appointment has arisen. This measure is directed to ensuring the effective implementation and extended and continuous compliance with federal programs.

On the other hand, in March 2011, the President's Task Force on Puerto Rico's Status issued a Report that included comments and suggestions about Puerto Rico's current situation. Said Report points out, on page 40, on Capacity Building and Use of Federal Funds, that a significant amount of federal funds available to the Island are not being spent in a timely fashion, in part, because transitions in political leadership often result in significant turnover among agency staff, including among professionals who understand program requirements and are responsible for implementing them effectively.

For all of the foregoing, this Act is introduced to amend the Puerto Rico Public Housing Administration Organic Act to establish that the Administrator shall be appointed by the Governor of Puerto Rico, with the advice and consent of the Senate, and that said appointment shall have a duration of seven (7) years. This shall ensure faithful compliance by the Public Housing Administration with the requirements set forth by HUD for federal grant programs.

***BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:***

Section 1.— Subsection (e) of Section 4 of Act No. 66 of August 17, 1989, as amended, is hereby amended to read as follows:

“Section 4.- Governing Board; Administrator

...

(a) ...

(b) ...

(c) ...

(d) ...

(e) Administrator.- The Administration shall be directed by an Administrator appointed by the Governor, with the advice and consent of the Senate, and shall hold office for a term of seven (7) years. The Administrator shall be a person of extensive training and professional experience in the areas of management and public administration, must have shown a genuine interest in the study and application of social sciences, and must be committed to the attainment of the purposes of this Act.

...

(f) ...

...”

Section 2.- This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 181-2012 (H. B. 3960)** of the **7<sup>th</sup> Regular Session** of the **16<sup>th</sup> Legislative Assembly of Puerto Rico**:

**AN ACT** to amend subsection (e) of Section 4 of Act No. 66 of August 17, 1989, as amended, known as the "Puerto Rico Public Housing Administration Organic Act," in order to define the term of appointment of the Administrator; and for other purposes.

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, on this 10<sup>th</sup> day of June, 2016.

Juan Luis Martínez Martínez  
Director