

## 2999 DEFINITIONS

2999.1 When used in this chapter, the following terms and phrases shall have the meaning ascribed:

**Administrator** - the administrator of the Homestead Program Administration, DHCD.

**Annual Household Income** - includes gross household income from the following:

- (a) Head of household's stable income from primary employment, public assistance and pensions;
- (b) Spouse's earnings and those of other household members if their employment is a definite characteristic of the household's life and likely to continue for a substantial period of time;
- (c) Other income regularly received by the applicant or his or her household from any source; and
- (d) Other net business income.

**Applicant, Single Family** - the person(s) in whose name(s) the homestead being applied for would be titled.

**Applicant, Multi-Family** - a tenant association, cooperative housing association, nonprofit developer or other entity who submits a proposal to homestead a multi-family property made available by the Homestead Preservation Administration.

**Calendar Days** - where a specified number of days ends on a weekend or a holiday, the prescribed period shall end on the next working day following the weekend or holiday.

**Cooperative Housing Association** - an association that is incorporated in accordance with the District of Columbia Cooperative Association Act, approved June 19, 1940 (54 Stat. 480; D.C. Official Code §§ 29-901 *et seq.* (2001), and organized for the purpose owning and operating residential real property in the District of Columbia ("District"), the shareholders or members of which, by reason of their ownership of a stock or membership certificate, a proprietary lease, or other evidence of membership, are entitled to occupy a dwelling unit pursuant to the terms of a proprietary lease or occupancy agreement. A cooperative housing association must be organized for the purpose of providing homeownership opportunities primarily for low or moderate income persons.

**Deferred Payment Loans** - loans which allow the borrower to defer payment of outstanding principal and interest until the property is sold or transferred, or meets other conditions specified in the loan terms.

**DHCD** - the D.C. Department of Housing and Community Development.

**Director** - the Director of the D.C. Department of Housing and Community Development.

**Dwelling Unit** - any room or group of rooms forming a single unit that is used or intended to be used for living, sleeping, and the preparation and eating of meals, and that is located within a building that is wholly or partially used or intended to be used for living and sleeping by human occupants.

**First-Time Home Buyer** - a purchaser who has no ownership interest in his or her principal residence at any time during the five (5) year period ending on the date of his or her application for assistance, but including an applicant who has divorced or separated during the five (5) year period where a formal settlement has been made under which the applicant does not receive an ownership interest in a primary residence which had been jointly owned.

**Homestead** - a residence sold by the District to an eligible purchaser (the homesteader) subject to certain conditions, including that the property be rehabilitated in compliance with the District building and housing codes and be the principal residence of the purchaser for a minimum residency period.

**Homesteader** - an individual or an organization representing individuals who are entitled to occupy a dwelling unit in a building that is included in the Program and who are occupying or will occupy the dwelling unit under an abatement entered into between the Administrator and the individual or organization.

**Low income** - persons or families whose annual household income as determined by the Administrator does not exceed the limits for lower income families established by the Administrator and updated periodically for use in connection with the Tenant Assistance Program established pursuant to title III of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code §§ 42-3503.01 et seq. (2001)).

**Moderate income** - persons or families whose annual household income as determined by the Administrator does not exceed one hundred twenty percent (120%) of the lower income guidelines established pursuant to Section 8 of the United States Housing Act of 1937, approved September 1, 1937 (50 Stat. 891; 42 U.S.C. 1437f), for the Washington Standard Metropolitan Statistical Area ("SMSA"), as the median is determined by the United States Department of Housing and Urban Development and adjusted yearly by historic trends of that median, and as may be further adjusted by an interim census of District incomes by local or regional government agencies.

**Monthly Housing Expense** - the amount expended monthly for payment on mortgage loan, principal, interest, insurance and property taxes (PITI).

**Multi-Family Homestead** - a building as defined in section 4(8) of the Act, with more than

four (4) dwelling units each with direct access to the outside or through a common stairway or hallway.

**Non-Profit Developer** - a corporation that has been approved by the Internal Revenue Service as exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. 501(c)(3)), and that is organized for the purpose of developing housing for low or moderate income persons.

**Program** - the Homestead Housing Preservation Program.

**Single Family Homestead** - a property with from one (1) to four (4) dwelling units, including small multi-family dwellings as defined in section 4(11) of the Act, which is being offered by the Program.

**Tenant Association** - a cooperative housing association that represents a minimum of fifty-one percent (51%) of the households occupying a building and having a right of first refusal under District laws and regulations.

**Transfer** - the exchange of ownership of, or sharehold interest in, a property from a homesteader to another person or party by any means other than outright sale.

SOURCE: Notice of Final Rulemaking published at 34 DCR 4947, 4961-63 (July 31, 1987).