

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 1257

05.0009.0450

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 3-4-86
DATE FOR REVIEW 3-13-86
DATE DUE 3-18-86

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved WITHDRAWN Disapproved _____ Returned to Agency _____

Resubmitted 3/28/86 Due _____
Approved 3/31/86 Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 3-31-86 Revisor approved 3.4.86 disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 2.27.86 Date

N/A Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
? Sufficiency no small biz statement

✓ Affidavit of Mailing Notice or rulemaking
1.3.86 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
1.6.86 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

_____ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

N/A Agency's Findings of Fact

✓ LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness includes statement of no negative effect on small biz

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

Minnesota Housing Finance Agency

Adopted Rules Relating to Elderly Home Sharing Program

Rules as Adopted

4900.1800 SCOPE.

Parts 4900.1800 to 4900.1803 govern the implementation of the elderly home sharing program.

4900.1801 DEFINITIONS.

Subpart 1. **Agency.** "Agency" means the Minnesota Housing Finance Agency.

Subp. 2. **Applicant.** "Applicant" means one or more entities which submit an application to the agency for an elderly home sharing program grant or loan.

Subp. 3. **Application.** "Application" means a submittal requesting a grant or loan of funds to pay the cost of either one or both of the following:

A. developing; or

B. administering

an elderly home sharing program.

Subp. 4. **Elderly home sharing program or program.** "Elderly home sharing program" or "program" means the agency's plan and procedures designed to provide grants or loans to eligible applicants for the development and administration of home sharing programs which match existing low and moderate income elderly homeowners with prospective tenants who will contribute either rent or services to the homeowner.

Subp. 5. **Low and moderate income elderly or elderly.** "Low and moderate income elderly" or "elderly" means persons 55 years of age or older with incomes that do not exceed the greater of 80 percent of the statewide or area median household income as estimated by the United States Department of Housing and Urban Development, and who reside and have an ownership interest in a single family house located in Minnesota.

Subp. 6. **Tenant.** "Tenant" means a person of any age who

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:
DSN/MP

will pay rent and or provide services in exchange for being able to share an elderly homeowner's residence.

4900.1802 ELIGIBILITY.

To be eligible for selection as a recipient of a grant or loan under the program, an applicant must satisfy the following requirements:

A. The applicant must be a nonprofit entity as defined in part 4900.0010, subpart 21.

B. The applicant must provide a comprehensive plan for providing an elderly home sharing program and document his or her ability to establish and maintain that program for a period of time specified by the agency. At a minimum this plan must include:

(1) documentation of a need for this type of service in the proposed geographical area;

(2) a description of the applicant's goals and objectives in meeting the area's need for elderly home sharing;

(3) a detailed description of how the proposed program would be administered, including qualifications of staff;

(4) a detailed budget for the specified period showing all costs and sources of funds to pay them; and

(5) documentation of fiscal responsibility and the ability to establish and maintain a home sharing program.

4900.1803 SELECTION CRITERIA.

The agency will take the following criteria into consideration when determining whether an applicant will receive a grant or loan under the program:

A. The prior experience of the applicant in establishing and maintaining a home sharing or similar program.

B. The extent to which grant or loan funds are combined with other funds from private or public sources to make the program economically feasible.

C. The ability of the applicant to proceed expeditiously with the program.

D. The documented need for the home sharing program

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

in the proposed location.

E. The geographic area to be served, to the end that a reasonable distribution of programs throughout the state can be achieved.

F. The extent of community support for the project.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR - 1 1986
Joan Anderson Growe
Secretary of State
11:14 AM

APPROVED AS TO FORM AND LEGALITY
3/31 1986
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY _____
ASSISTANT ATTORNEY GENERAL

AG copy.

Minnesota Housing Finance Agency

Adopted Rules Relating to Elderly Home Sharing Program

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delete

? should be "and"

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D. The documented need for the home sharing program

in the proposed location.

E. The geographic area to be served, to the end that a reasonable distribution of programs throughout the state can be achieved.

F. The extent of community support for the project.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed
Rules Relating to
Elderly Home Sharing Program
Without a Public Hearing

ORDER ADOPTING RULES

Notice of the Agency's intent to adopt the above-entitled rules without a public hearing was published in the State Register on January 6, 1986 and was sent by United States mail to all persons on the list maintained by the Agency pursuant to Minnesota Statutes Section 14.14 Subdivision 1 on January 3, 1986. After affording interested and affected persons an opportunity to submit comments for 30 days, receiving fewer than twenty-five written requests for a public hearing within the 30 day comment period, reviewing and considering the comments, supplying notice to all persons requesting notice of the date of submission of the proposed rules to the Attorney General for review, and determining the need for and reasonableness of the above-captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Rules of the Minnesota Housing Finance Agency Relating to Elderly Home Sharing Program are adopted this 27th day of February, 1986 pursuant to authority vested in the Agency by Minnesota Statutes 462A.06, Subdivisions 4 and 11.

James J. Solem, Executive Director

STATE OF MINNESOTA

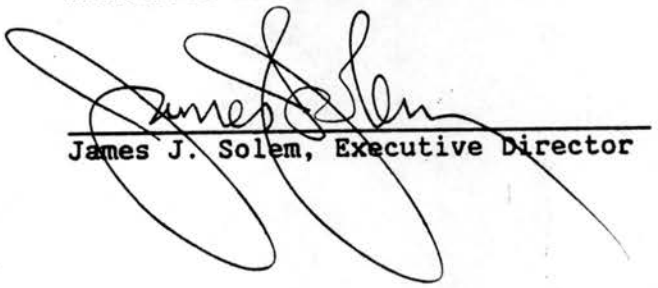
MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to Elderly Home Sharing Program

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

It is ordered this 19th day of December, 1985 that a Notice of Intent to Adopt Rules Without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Housing Finance Agency for that purpose and be published in the State Register.

MINNESOTA HOUSING FINANCE AGENCY



James J. Solem, Executive Director

CERTIFICATE OF AGENCY'S

AUTHORIZING RESOLUTION

I, Robert A. Worthington, do hereby certify that I am Chairman of the Minnesota Housing Finance Agency, an Agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Agency and properly called and held on the 19th day of December, 1985, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that James J. Solem, Executive Director of the Minnesota Housing Finance Agency, be and he hereby is authorized and directed to give public notice for the purpose of promulgating rules of the Minnesota Housing Finance Agency without a public hearing, said rules relating to Elderly Home Sharing Program as well as to perform any and all acts incidental thereto, including the signing of a notice of intent to adopt rules without a public hearing."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 19th day of December, 1985.

Robert A. Worthington

Chairman

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to Elderly Home Sharing Program

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. Sec. 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. Sec. 14.14 et. seq. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Kathleen J. Johnson
Legal Division
Minnesota Housing Finance Agency
Suite 300
400 Sibley Street
St. Paul, Minnesota 55101
Telephone: 612/296-9793

Authority for the adoption of these rules is contained in Minn. Stat. Sec. 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and

whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

Please be advised that Minn. Stat. Ch. 10A.03 requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. Sec. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155 (612) 296-5615.

Dated: January 3, 1986

James J. Solem
Executive Director

Minnesota Housing Finance Agency

Proposed Rules Relating to Elderly Home Sharing Program

Rules as Proposed (all new material)

4900.1800 SCOPE.

Parts 4900.1800 to 4900.1803 govern the implementation of the elderly home sharing program.

4900.1801 DEFINITIONS.

Subpart 1. **Agency.** "Agency" means the Minnesota Housing Finance Agency.

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will pay rent and provide services in exchange for being able to share an elderly homeowner's residence.

4900.1802 ELIGIBILITY.

To be eligible for selection as a recipient of a grant or loan under the program, an applicant must satisfy the following requirements:

A. The applicant must be a nonprofit entity as defined in part 4900.0010, subpart 21.

B. The applicant must provide a comprehensive plan for providing an elderly home sharing program and document his or her ability to establish and maintain that program for a period of time specified by the agency. At a minimum this plan must include:

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A. The prior experience of the applicant in establishing and maintaining a home sharing or similar program.

B. The extent to which grant or loan funds are combined with other funds from private or public sources to make the program economically feasible.

C. The ability of the applicant to proceed expeditiously with the program.

D. The documented need for the home sharing program

in the proposed location.

E. The geographic area to be served, to the end that a reasonable distribution of programs throughout the state can be achieved.

F. The extent of community support for the project.

APPROVED IN THE
REVISED STATUTES
OFFICE OF

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD884

Agency: Minnesota Housing Finance Agency

Division:

Agency Contact: Kathy Johnson 296-9793

Minnesota Rules: Parts 4900.1800 to 4900.1803

Title: Proposed Rules Relating to Elderly Home Sharing Program

Type of Rules: Permanent

Incorporations by Reference: None

Steven C. Cross
Revisor of Statutes

David S. Niss
Assistant Revisor
Phone: 297-2948
Date: December 17, 1985

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed
Rules Relating to
Elderly Home Sharing Program
Without a Public Hearing

AFFIDAVIT
OF MAILING

Kathleen J. Johnson, being first duly sworn, deposes and says:

That on the 3rd day of January, 1986, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid to all persons and associations who have requested that their names be placed on file with the Minnesota Housing Finance Agency for the purpose of receiving notice of the proposed adoption of rules by this Agency.

Kathleen J. Johnson

Kathleen J. Johnson

Subscribed and sworn to before
me this 3rd day of January,
1986.

Roseann M. Koran
Notary Public

ROSEANN M. KORAN
NOTARY PUBLIC—MINNESOTA
RAMSEY COUNTY
My Commission Expires Mar. 31, 1986

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

MAILING LIST CERTIFICATE

In the Matter of the Proposed
Rules Relating to
Elderly Home Sharing Program
Without a Public Hearing

I hereby certify that the list of persons, associations and other interested groups who have requested, pursuant to Minnesota Statutes Section 14.14 Subdivision 1, that their names be placed on file with and maintained by the Minnesota Housing Finance Agency for the purpose of receiving notice of the proposed adoption of rules by this Agency is accurate and complete this 3rd day of January, 1986.

Kathleen J. Johnson

PROPOSED RULES

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Housing Finance Agency

Proposed Rules Relating to Elderly Home Sharing Program

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Housing Finance Agency (''agency'') proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. Sec. 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held.

In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. Sec. 14.14 *et. seq.* Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

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Telephone: 612/296-9793

Authority for the adoption of these rules is contained in Minn. Stat. Sec. 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated ''all new material.'' ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

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January 3, 1986

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C. The ability of the applicant to proceed expeditiously with the program.

D. The documented need for the home sharing program in the proposed location.

E. The geographic area to be served, to the end that a reasonable distribution of programs throughout the state can be achieved.

F. The extent of community support for the project.

Housing Finance Agency

Proposed Rules Relating to Shared Housing Program

Rules as Proposed (all new material)

Notice of Intent to Adopt Rules without a Public Hearing

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Authority for the adoption of these rules is contained in Minn. Stat. Sec. 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated ''all new material.'' ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed
Rules Relating to
Elderly Home Sharing Program
Without a Public Hearing

CERTIFICATE OF BOARD'S
RESOLUTION ADOPTING RULES

I, Robert A. Worthington, do hereby certify that I am Chairman of the Minnesota Housing Finance Agency, an agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Agency, duly and properly called and held on the 27th day of February, 1986, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the rules relating to Elderly Home Sharing Program attached hereto as Exhibit A be and they hereby are approved and adopted pursuant to authority vested in us by Minnesota Statutes Section 462A.06, Subdivisions 4 and 11 and that James J. Solem, Executive Director of the Agency, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 27th day of February, 1986.

Chairman

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed
Adoption of Rules of the Minnesota Housing Finance Agency
Governing the Elderly Home
Sharing Program

Statement of Need and Reasonableness

4900.1800

This part describes the scope of parts 4900.1800 to 4900.1803.

4900.1801

This part sets forth definitions for the purposes of parts 4900.1800 to 4900.1803.

Subpart 1. A single word reference to the Minnesota Housing Finance Agency is incorporated for brevity.

Subpart 2. A definition of Applicant is utilized for brevity.

Subpart 3. A definition of Application is also utilized for conciseness of presentation.

Subpart 4. The definition of Elderly Home Sharing Program or Program provides a description of the purpose of the Agency's program and a brief outline of how the program functions and for whom it is intended.

Subpart 5. The definition of Low and Moderate Income Elderly or Elderly is necessary to clarify the meaning of those words when used in the context of the rules. It is reasonable to use age 55 or over to define Elderly, in that this is the age used by AARP (the American Association of Retired Persons) as the threshold age for membership in their association, the largest organization for elderly persons in the country. It is reasonable to use HUD's definition of Low and Moderate Income, since it is widely used and generally considered to be well-founded, and the homeownership requirement found in the regulation is necessary, since it is mandated by statute.

Subpart 6. The definition of tenant is necessary to clarify the meaning of the word in the context of these rules and the Program, and is reasonable for the purposes of this Program.

4900.1802

This part specifies the Agency requirements for eligibility for a Program loan or grant. These requirements are necessary to ensure that the recipients will be able to utilize the funds properly and carry out the purposes of the Program.

Item A specifies that applicants must be nonprofit entities. This is reasonable because a program of this type requires a great deal of volunteer work in order to keep the fees at a low enough level to be affordable by Low and Moderate Income Elderly.

Item B requires applicants to provide a written comprehensive plan for providing an Elderly Home Sharing Program, as well as documentation of their ability to establish and maintain such a program. The specific requirements in subitems 1 through 5 describe the exact information to be submitted. This is reasonable to enable Agency staff to properly evaluate each submittal, based upon complete data submitted according to specified criteria.

Subitem (1) requires a documentation of need, which is reasonable to ensure that programs are funded only in areas of the greatest need.

Subitem (2) requires a description of the applicant's goals and objectives, which is necessary to enable Agency staff to evaluate the validity and attainability of the stated goals.

Subitem (3) requires a description of how the program will be administered, including qualifications of the staff. This is reasonable since Agency staff must have this information to accurately evaluate the probabilities for success of the intended program.

Subitem (4) requires a detailed budget for the proposed program, which is necessary and reasonable to allow Agency staff to evaluate the financial feasibility of the application.

Subitem (5) requires documentation of fiscal responsibility and the applicant's ability to establish and maintain a home sharing program. It is reasonable and necessary to verify fiscal responsibility before awarding a grant or a loan to an applicant, to minimize the necessity for termination of failing programs and the reprocessing of applications.

This part sets forth the criteria which the Agency will consider when determining which applicants will receive a grant or loan under the Program. This is reasonable so that applicants know on what basis their proposals will be evaluated, and necessary so that Agency staff can evaluate all proposals on the same basis.

Item A provides a criteria which will favor those applicants who have had prior experience in establishing and maintaining a similar program, which will assist in ensuring the success of new programs.

Item B provides a criteria which will favor those applicants who have access to other funds to combine with the Agency's grant or loan, thereby making the program more feasible and affordable by lower income elderly.

Item C establishes a criteria which favors those applicants who can demonstrate their ability to proceed expeditiously with the program, thereby ensuring timely utilization of the grant or loan funds.

Item D establishes a criteria which will favor those proposals which are to be located in the areas of the state where the need for such programs is the greatest, thereby maximizing the benefits of the Program.

Item E establishes a criteria which favor those proposals which will result in a reasonable geographic distribution of programs throughout the state, and is necessary to demonstrate whether such programs are viable in both rural and urban areas.

Item F encourages selection of proposals which have strong community support, thereby improving their chances for success.

The Agency is cognizant of the provisions of Section 14.115 of Minnesota Statutes, entitled Small Business Considerations in Rulemaking. To the extent that the Elderly Home Sharing loan or grant funds directly benefit the elderly low and moderate income owners in homes which are the subject of the Agency's Program, the statute is inapplicable. To the extent that the funds inure to the benefit of small businesses, the proposed rules do not establish any compliance or reporting requirements, or design or operational standards, and the effect of the Agency's Program in making the loan or grant funds available is to make continuingly affordable, decent, safe, and sanitary housing for low and moderate income elderly homeowners and, as a consequence, the proposed regulations have no negative effect on small businesses.

MINNESOTA
HOUSING
FINANCE
AGENCY

February 11, 1986

Ms. Shirley Vatndal
Share-A-Home Coordinator
Lutheran Social Service of Minnesota
131 E. Liberty Street
Box 3144
Mankato, Minnesota 56001

RE: Elderly Home Sharing Program

Dear Ms. Vatndal:

Thank you for your letter of January 28, 1986 supporting our Proposed Rules Relating to the Elderly Home Sharing Program.

I understand that Murray Casserly of the Minnesota Housing Finance Agency also received a copy of this letter. Mr. Casserly informed me that the materials you requested will be sent to you when they are available.

Again, thank you for your support. If I can be of any further assistance, please let me know.

Sincerely,

Kathleen J. Johnson
Office Services Supervisor

kjj

cc: Murray Casserly

400 Sibley Street, Suite 300, St. Paul, Minnesota 55101 (612) 296-7608
Equal Opportunity Housing and Equal Opportunity Employment

JAN 1986
RECEIVED
STATE HOUSING
FINANCE AGENCY

SHARE-A-HOME

LUTHERAN SOCIAL SERVICE OF MINNESOTA

131 E. LIBERTY STREET BOX 3144 MANKATO, MINNESOTA 56001

TELEPHONE:
(507) 625-7660

JANUARY 28, 1986

To: Kathleen Johnson, Minnesota Housing and Finance Agency,
From: Shirley Vatndal, Mankato Share-A-Home Coordinator
Re: Elderly Home Sharing Program.

I am writing to express support for the Proposed Rules relating to the Elderly Home Sharing Program, as printed in the State Register of January 6, 1986. The proposed rules reflect priority placed on the elderly clients' needs and the experience of the applicant in successfully meeting those needs.

The Mankato Share-A-Home home-sharing program for the elderly has met the established criteria through its three years of increasing success in making home-sharing arrangements for our area's elderly. Our program, which has tripled in numbers served in the past six months alone, has also gained much support within the community and is active in networking with other community social service agencies. We have an excellent Advisory Board of area professionals and also have support and input groups for our younger adult live-ins.

The program, which is strengthening after its initial time of establishment, now serves fifteen matches and approximately fifty clients. Along with actual matching service, we do information and referral to other needed services. Feedback from clients and community professionals has been very positive.

At this point, we face the end of our Area Agency on Aging grant in June 1986. We have earnestly sought alternate grant funds from public and private sources. We have written a grant proposing the combining of our services with the Adult Day Care Program in town. We've also approached local businesses and organizations for support. Some local agencies are interested in partial support, but they can not fund the entire $24,000.00 budget. We, therefore, ask for your support to enable us to continue services while we work on long-term independent funding.

Please send specific application materials to:

Mankato Share-A-Home Program
% Lutheran Social Service,
131 East Liberty St.,
Mankato, Minnesota 56001

Thank you for your consideration of this matter.

Sincerely,

Shirley A Vatndal

SHIRLEY VATNDAL, SHARE-A-HOME COORDINATOR
enc.





Bill Altnow

Helping hands

Participants in the Share-a-Home program find satisfaction in helping one another be provided for. In photo at left, Tom Mahood exchanges light conversation with Florence Dollman while he hangs up the wash. In photo at right, Dennis Heyens admires the crocheting of Louisa Rollings.

Share-a-Home matches needs of young and old

By JOE TOUGAS
Special to the Free Press

MANKATO — "It's companionship and advocacy for the older person."

That's what the Share-a-Home program, currently in its third year of operation, is all about, according to Director Shirley Vatndal. Funded through Region 9 and administered by Lutheran Social Service of Minnesota, Share-a-Home matches older citizens who need help around the house, or apartment, with younger folks willing to trade services for room and board.

LOUISA ROLLINGS, 90, took in 26-year-old Dennis Heyen in December 1983 under the program. Heyen is a senior in business administration at Mankato State University. He provides a variety of services for Rollings, including cooking, shopping and yardwork.

"I heard of the program in the fall of 1983 through my younger sister," Heyen said. "She was studying at MSU and looking for housing. The program seemed to work out well for her."

And, according to Heyen and Rollings, the program is working out well for them.

"We're a good match," Heyen said. "We've got a lot in common. We're both conservative about politics and managing money. She's neat, I'm neat . . . just basic generalities we share have made it a good match."

Heyen has heard of some personality clashes between others in the program, but said that his particular "good match" has resulted in one of the longest partnerships in Share-a-Home's three-year history.

"In situations like this, both parties have to give and take," he said. "Louisa had to take a stranger into her home and make him feel welcome. And I feel obligated to my responsibilities. Now we're like a family."

Before getting together, both parties in a Share-a-Home match design a special contract that spells out the obligations of each. According to Heyen, the terms vary from person to person.

THE PROGRAM was recommended to Florence Dollman by her daughter last fall. Dollman, 70, said her leg gives her problems and that "it's hard to get around.

"It's nice to have somebody to do my handiwork . . . to mow, and clean up different things around here. I think it [Share-a-Home] is very nice."

Her roomate is 44-year-old Tom Mahood, who is studying computer programming at the Mankato Technical Institute. He's looking at staying on in the Share-a-Home program for another two years.

"I enjoy it," he said. "Florence is very pleasant to live with." Mahood said his duties include a "substantial amount of cooking," as well as taking out garbage, mowing the lawn and, in winter, keeping the driveway clear of snow.

Mahood said his living situation is not confining at all, and that "you work around" any strains on a social life. He said he's lived with elderly people before and finds the experience rewarding.

"One always learns from them," he said. "They have a history they want to talk about. For me, it's fun to hear what's happened in their lives. And with such broad perspectives, it's interesting to hear their views on what's happening in the world now."

MAHOOD SAID he's in the program mainly for the companionship, and that little gestures around the house provide a sense of family between Dollman and him.

"For instance, I leave a note religiously for Florence every morning when I leave," he said. "Something like 'Be back for lunch at noon . . . have a good day,' and letting her know where I am. I find that gives a connection, a sense of belonging. And that makes a difference."

According to Vatndal, there are currently six active Share-a-Home matches in the Mankato area, and the program extends throughout Blue Earth County. Applications are encouraged, she said, especially because the summertime exodus of students has created a shortage of applicants.

"Live-in" applications are not limited to students; anyone interested in the program can contact Vatndal through Lutheran Social Service at 625-7660.

SHARE-A-HOME PROGRAM OUTLINE

I. STEPS FOR INVOLVEMENT IN THE PROGRAM - OLDER PERSON

A. Person must be at least 60 years of age or older and have a home with at least one spare bedroom and adequate living facilities to accomodate one other person.

B. Persons contact Lutheran Social Service.

C. Lutheran Social Service will then visit the older person in their home to find out needs, concerns and interests - with an interview lasting about one and one-half hours.

II. STEPS FOR INVOLVEMENT - LIVE-IN

A. Contact Lutheran Social Service

B. Complete application materials.

C. Visit the Lutheran Social Service office for an interview lasting about one hour.

D. Program objectives are explained.

E. Interests, needs and concerns discussed.

F. Lutheran Social Service asks for three references of the potential live-in from either employers, teachers or clergy.

NO PLACEMENTS ARE MADE UNTIL ALL REFERENCES ARE IN.

III. PROGRAM CONTRIBUTIONS

A. A one time registration contribution is requested of both parties

1. Registration - $10.00
2. Suggested Placement contribution - $50.00

B. These payments help to cover the cost of the program, and are negotiable.

IV. MATCHING INDIVIDUALS

A. Materials are assessed.

B. Individuals are matched according to compatable needs, interests and expectations.

C. An informal meeting is arranged,with a staff person present, between the older person and the live-in.

D. Both parties are asked to consider the possible living arrangement for a few days.

over

E. If they decide to go ahead with the arrangement, the specific services and/or financial exchange, as well as definite housing plans are written down.

F. A contract is made with Lutheran Social Service stating the responsibilities and liabilities of everyone involved.

G. Lutheran Social Service checks monthly with the home to make sure all is going well.

H. Support services are made available to the match, as much as possible.

This is designed to assure the best possible match for the most successful living arrangement.

Security, companionship and comfort are a few of the benefits of the Share-A-Home program. This kind of living situation provides a unique opportunity, allowing one person to keep a home and another person to make a home.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to Elderly Home Sharing Program

STATEMENT OF COMPLIANCE WITH THE RULEMAKING PROCEDURES

I, Special Assistant Attorney General, Karl J. Herman do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Dated: 2/28/86

Karl J. Herman
Special Assistant Attorney General

SP-00006-03

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO: JAMES J. SOLEM, Executive Director
Minnesota Housing Finance Agency

DATE: 4/1/86

ATTN: KARL J. HERMAN
Special Assistant Attorney General

FROM: J. MICHAEL MILES
Assistant Attorney General

PHONE: 296-6555

SUBJECT: In the Matter of the Proposed Rules Relating to Elderly Home Sharing Program

The above-referenced rule has been approved as to its legality by the Attorney General on March 31, 1986.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

JMM:pmf

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Administrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

RR1257

MINNESOTA HOUSING FINANCE AGENCY

RECEIVED
MAR 28 1986
ATTORNEY GENL.
ADMINISTRATIVE AGENCIES

March 28, 1986

Ms. Judith Wehrwein
Room 204 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

Re: In the Matter of the Proposed Rules Relating to Elderly Home Sharing Program Without a Public Hearing

Dear Ms. Wehrwein:

The Minnesota Housing Finance Agency ("MHFA") hereby resubmits the above-referenced rule for your review, and hereby resubmits the materials previously forwarded and set forth in MHFA's letter, copy attached, of February 28, 1986, together with the rule as changed by the Revisor correcting the error on line 1 of page 2, which revision was the subject of my previous letter. Please submit this rule to Assistant Attorney General Mike Miles, who is familiar with this matter.

Sincerely,

Karl J. Herman
Special Assistant Attorney General

KJH:skn
Attachment

400 Sibley Street, Suite 300, St. Paul, Minnesota 55101 (612) 296-7608
Equal Opportunity Housing and Equal Opportunity Employment

MINNESOTA HOUSING FINANCE AGENCY

February 28, 1986

Ms. Judith Wehrwein
Room 204 Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155

RE: In the Matter of the Proposed Rules Relating to Elderly Home Sharing Program Without a Public Hearing

Dear Ms. Wehrwein:

Enclosed please find for your review pursuant to Minnesota Statutes Sections 14.21 through 14.28, the adopted rules of the Minnesota Housing Finance Agency.

The following materials are submitted to you for your review pursuant to Minnesota Rules, Part 2000.0400:

Rules as Adopted;

Order Adopting;

Certificate of Board's Resolution Adopting the Rule;

Order of Notice to Adopt Rule Without a Public Hearing;

Certificate of Agency's Authorizing Resolution;

Notice of Intent to Adopt Rule Without a Public Hearing;

Affidavit of Mailing Notice of Intent to Adopt a Rule Without a Public Hearing;

Mailing List Certificate;

Rule as Proposed;

Statement of Need and Reasonableness; and

Certificate of Compliance with Rulemaking Procedures.

The Agency did not publish a Notice of Intent to Solicit Outside Opinion in connection with this rule. No requests for a hearing were received during the 30 day comment period. The Agency did receive a comment during the 30 day comment period, a copy of which is enclosed, and did not receive any

requests from persons desiring notice of the date of submission of the proposed rule to the Attorney General. The Adopted rules are the same as the Proposed rules.

Sincerely,

James J. Solem
Executive Director

JJS/kjj

Encs.

MINNESOTA HOUSING FINANCE AGENCY

RECEIVED
MAR 28 1986
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

March 26, 1986

Ms. Judith Wehrwein
Room 204 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

Re: In the Matter of the Proposed Rules Relating to Elderly Home Sharing Program Without a Public Hearing

Dear Ms. Wehrwein:

Please consider this letter as the Minnesota Housing Finance Agency's ("MHFA's") request to withdraw the above-referenced adopted rule for review by the Attorney General, in accordance with Section 14.26 of Minnesota Statutes, to permit MHFA to obtain a correction from the Revisor on line 1 of page 2 of the rule, to change the word "and" to "or" to comply with the provisions of Subd. 24(2) of Section 462A.05 of Minnesota Statutes (1985).

The Agency will resubmit the rule for review at its earliest opportunity.

Sincerely,

Karl J. Herman
Special Assistant Attorney General

KJH:skn

400 Sibley Street, Suite 300, St. Paul, Minnesota 55101 (612) 296-7608
Equal Opportunity Housing and Equal Opportunity Employment

MINNESOTA HOUSING FINANCE AGENCY

February 28, 1986

Ms. Judith Wehrwein
Room 204 Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155

RE: In the Matter of the Proposed Rules Relating to Elderly Home Sharing Program Without a Public Hearing

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requests from persons desiring notice of the date of submission of the proposed rule to the Attorney General. The Adopted rules are the same as the Proposed rules.

Sincerely,

James J. Solem
Executive Director

JJS/kjj

Encs.

SF-00006-03

STATE OF MINNESOTA

DEPARTMENT REVISOR OF STATUTES

Office Memorandum

TO: Kathy Johnson
Minnesota Housing Finance Agency
Suite 300 - 400 Sibley Street
St. Paul, MN 55101

DATE: March 4, 1986

FROM: David S. Niss
Assistant Revisor

PHONE: 297-2948

SUBJECT: AR0884 Adopted Rules Relating to Elderly Home Sharing Program

The revisor's office has approved your adopted rules.

After the rule is filed with the secretary of state, notify our office, and we will prepare a notice of adoption for submission to the State Register.

If you have any questions, please call.

CRS/
Enclosure
ARO