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Testimony before the Assembly Committee on Housing and Real Estate

Assembly Bill 267

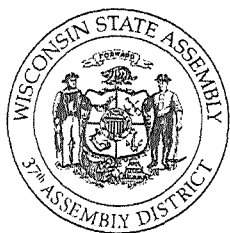
May 18, 2023

Thank you, Chair Brooks, and members of the Assembly Committee on Housing and Real Estate for holding this hearing on Assembly Bill (AB) 267, relating to housing rehabilitation loans awarded by the Wisconsin Housing and Economic Development Authority.

Affordable workforce housing is a critical issue we are facing this session. Wisconsin needs to increase access to affordable workforce housing as we seek to increase our workforce. Several constituents have reached out to my office asking for increased access to affordable workforce housing, including the rehabilitation of older homes. With construction costs rising, it is more affordable to rehabilitate an older home rather than build new. AB 267 funds this alternative approach to solve the availability of affordable workforce housing by promoting the renovation of 40+ year old homes.

AB 267 makes minor changes to State Statute, including changing the requirement of a qualifying home built more than 40 years ago, rather than prior to 1980. This allows homes built after 1980 to be eligible for this program, as they meet the age threshold, without further changes to Statute.

Thank you for your kind attention and support of this Bill. I am happy to answer any questions you may have.



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May 18, 2023

Assembly Committee on Housing and Real Estate

Testimony from Rep. William Penterman in favor of AB 267

Chairman Brooks and members of the Assembly Committee on Housing and Real Estate:

Thank you for the opportunity to testify in favor of Assembly Bill 267, relating to housing rehabilitation loans awarded by the Wisconsin Housing and Economic Development Authority.

Wisconsin is in the midst of a growing workforce housing shortage. According to a 2019 report from the Wisconsin Realtors Association titled *Falling Behind: Addressing Wisconsin's Workforce Housing Shortage*, since 2012, Wisconsin has created 75% fewer lots and 55% fewer new homes than pre-recession averages. This scarcity has been further compounded by a series of other factors. The National Association of Home Builders estimates that excessive and outdated regulations add an average \$93,870 to the final price of a home - or increase the total by approximately 23.8 percent. Rents and payments are also growing faster than incomes, and the cost of construction materials is increasing. As a result, Wisconsin's median age for first-time home buyers has risen to 33 years old. The state is also running a migration deficit with individuals aged 20-24 and has a lower homeownership rate for households ages 25-34 and 35-44 than all neighboring states, except Illinois.

2021 Act 221 was the first step aimed to address this issue. It created a low-interest loan program for the rehabilitation of Wisconsin's aging housing stock through the Wisconsin Housing and Economic Development Authority (WHEDA). Covered uses under the law included improvements to the home that allow for it to remain in a decent, safe and sanitary condition, such as structural repairs, the removal of lead paint, the updating of certain equipment, and the replacement of insulation or siding.

Building on 2021 Act 221, AB 267 will allocate funds to WHEDA to ensure qualified applicants are given their approved loans. Various changes and tweaks to the list of qualifications to current law will ensure that only a well-qualified applicant will be able to receive and repay the loan. The loans will top of at \$50,000 and not exceed a loan term of 15 years.

Thank you again for your time and consideration of AB 267. I hope you will join Senator Stroebel and me in supporting this legislation.

Potential amendments to Housing Package

Potential amendments to AB 264, AB 265, AB 267, AB 268/ SB 293, SB 295, SB 297, SB 298

1. Establishment of Revolving Loan Program: (a) The authority shall establish and administer a residential housing infrastructure revolving loan program for the purpose of awarding loans under this section.

(b) The authority shall establish policies and procedures to administer this program. The policies and procedures established under this subsection shall, to the extent practicable, incorporate the authority's policies and procedures for establishing credit underwriting guidelines, subordinate loan interest rates and terms, loan repayment requirements, compliance requirements for continued affordability of workforce and senior housing intended to be intended to be owner-occupied and all other items required to operate under the program.

(c) These policies and procedures, and any amendments thereto, will be adopted by the members of the authority.

2. Loan terms: WHEDA may charge an interest rate as low as zero percent, up to market rate, dependent upon underwriting criteria, etc.

Potential amendments to Ab 264/ SB 293

1. WHEDA sale compliance: Include a widget on the WHEDA website stating allowable sale price, which is defined as "a price that exceed the price charged by the developer to the initial owner-occupier, adjusted annually by the average compounded annual percentage increase in the sale price of all residential counting in which the housing is located, as determined by the authority."

Potential amendments to AB 265/ SB 294

1. Historic tax credits and TIF/TID Districts: Properties located in a TIF or TID or that have received state or federal historic rehabilitation tax credits are ineligible to participate in the program.

To: Assembly Committee on Housing and Real Estate
**From: Elmer Moore Jr., CEO and Executive Director, Wisconsin Housing
and Economic Development Authority**
Date: May 18, 2023
RE: Workforce Housing Package

Chairman Brooks, Vice Chair Penterman, and members of the Assembly Committee on Housing and Real Estate.

I am Elmer Moore, Jr., CEO and Executive Director of WHEDA, the Wisconsin Housing and Economic Development Authority. I am here today to share information on the Workforce Housing Package and Assembly Bill 39 (AB39), legislation aimed at addressing challenges Wisconsin faces in providing affordable housing.

Wisconsin needs more than 120,000 rental units to meet the needs of its residents. Nearly 170,000 residents pay more than half their income on rent or mortgage payments. That number should be no more than 30 percent of a household's income. Without access to decent, stable, and affordable housing our Wisconsin workforce struggles to afford necessities such as quality food, childcare, and transportation.

Various factors contribute to the insufficient supply of housing: scarcity of land, restrictive land-use controls, insufficient infrastructure, expensive building materials, cumbersome permitting processes, and NIMBYism. The severity of these barriers varies from place to place, but taken as a whole, they almost always hamper the production of housing.

I thank Representative Brooks, Senator Quinn, and the many authors of the Workforce Housing package for spearheading efforts to address our housing crisis and for including us in the discussion of how WHEDA can be an instrument for these bills.

We also appreciate the proposed creation of new loan products, expansion of the Housing Rehabilitation Loan program in Assembly Bill 267 (AB267) and the expansion of the State Housing Tax Credit (HTC) program in AB39. We are confident that WHEDA can administer these proposed programs, should each proposal receive appropriate investment from the state.

Assembly Bill 264 (AB264), the Residential Housing Infrastructure Revolving Loan Program, is an opportunity to spur development by offering 0% interest loans to finance infrastructure for affordable housing projects. To be eligible for the funding, the municipality must voluntarily revise zoning ordinances and other regulations that impact development time and costs. WHEDA has heard anecdotally that this is an area of great need and opportunity.



AB264 ensures that affordability is maintained through income limits on renters and homeowners, and reporting requirements on rents that are not to exceed 30% of 100% of the Area Median Income (AMI) for 10 years.

AB264 includes language on both rural and senior housing set-asides and a semi-annual application process. This legislation gives WHEDA the flexibility to operate the loan program while setting strong parameters to measure eligibility, cost reductions, needs of a community, and loan terms.

We do, however, recommend the removal of Page 6, Line 17, which prevents money in the fund from being invested under WHEDA's sound financial practices. We use monies in the fund to cover real and necessary costs administering the program, so freeing WHEDA to invest money may recuperate some of those costs, leaving more of the funds to deploy. We would otherwise be forced to split any appropriations from the state for this fund into multiple FDIC insured accounts to prevent unexpected losses. WHEDA feels the safe and responsible investment of the fund is the most preferable solution. A similar change is recommended for Assembly Bill 265 (AB265) and Assembly Bill 268 (AB268) as well.

Like the Residential Infrastructure Revolving loan program (AB264), the Main Street Housing Rehabilitation Loan Program (AB265) and the Commercial-to-Housing Conversion Loan Program (AB268) contain many of the same conditions for project eligibility. The 10-year affordability periods for rental and homeownership are included as is the 30% rural set-aside in both these bills. Additionally, the political subdivisions that are home to a project must work to reduce the costs for developers and show their efforts to WHEDA using a cost reduction analysis form for loan eligibility.

The fourth piece of legislation, AB267, provides technical improvements to current law. In 2022, the Wisconsin Legislature created a workforce housing rehabilitation loan program administered by WHEDA, under 2021 Wisconsin Act 221 (Act 221). This proposal gained unanimous support in the Senate and nearly unanimous support in the Assembly, and helped bring to light the rehabilitation needs of single-family homeowners across the state living in aging housing stock.

More than 60 percent of single-family structures in Wisconsin were built before 1980. Many require substantial repair, modernization, or energy-efficiency upgrades. While Wisconsin's current housing stock and established neighborhoods provide great value compared to new construction, these homes need investment and rehabilitation to maintain decent, safe, and sanitary conditions for many years to come.

While Act 221 helped highlight this issue, the legislation included no state appropriation and prevented WHEDA from borrowing capital at reasonable rates, due to the lack of an implementable repayment schedule. Under Act 221, the loans would be repaid upon the sale or transfer of title of the home, or when the home is vacated by the owner and the owner's family. This uncertain repayment schedule and other concerns in Act 221 prevented WHEDA from implementing the program.

WHEDA is glad to see renewed interest in addressing issues in the Housing Rehabilitation Loan Program, both through AB267 and in Governor Evers' budget proposal, which is similar. A new technical fix is required in AB267, where the cap on the loan is limited to \$50,000 or "125% of the assessed value of the residence" (Page 3, lines 21-23). WHEDA recommends the correction reflect the "appraised" value, rather than the "assessed" value.

Finally, AB39 expands the State HTC program. We appreciate Representative Armstrong's efforts to increase the amount of credits and effectiveness of the program by raising it from \$42 million to \$100 million. WHEDA first supported Governor Evers' proposal to expand the State HTC program through the 2023-2025 biennial budget to \$100 million, as well.

The State HTC program has been administered by WHEDA since its creation in 2017. It continues to be one of the most effective and efficient tools to address the affordable housing shortage in Wisconsin. In years 2021, 2022, and 2023, WHEDA administered a competitive process awarding \$99.5M in Federal and State HTCs, of which \$21 million came from the State HTC program. Since 2021, the State and Federal HTC programs have supported the development of more than 4000 affordable housing units in communities like Ashland, Ashwaubenon, Green Bay, Eau Claire, Hayward, Sun Prairie, and Barron.

AB39 would expand the existing program under WHEDA's administration from \$42 million to \$100 million without requiring any financial support from the state. WHEDA estimates 13 additional developments would be awarded annually, creating approximately 858 extra units a year. This would be especially impactful in rural areas where the cost to build is higher and more credits are needed per unit developed.

Thank you for the opportunity to provide testimony on AB39, AB264, AB265, AB267, and AB268. On behalf of the entire WHEDA staff, we appreciate the opportunity to support the development of legislation addressing Wisconsin's shortage of affordable housing.

We look forward to continuing to work with you and the authors of these bills to meet our technical needs in these proposed programs. We hope to see appropriate state investment for them to work as intended. I would be happy to answer any questions you may have at this time.

Contacts: Kim Plache, Deputy Director, Kim.plache@wheda.com;
Samantha Linden, Policy Analyst, Samantha.linden@wheda.com





660 John Nolen Drive, Suite 320
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DATE: May 18, 2023

TO: Members of the Assembly Committee on Housing and Real Estate

FROM: Brad Boycks Mike Howe Robert Procter
WBA Executive Director WBA President WBA Outside Legal Council

SUBJECT: Support for Assembly Bills 96, 266, 264, 265, 268, and 267 Relating to Workforce Housing

On behalf of the nearly 4,000 members of the Wisconsin Builders Association (WBA), we ask for your support of:

- **Assembly Bill 96 (AB 96)**, relating to developer financed tax incremental districts
- **Assembly Bill 266 (AB 266)**, relating to judicial review of local governmental decisions related to certain land development, local approval of residential housing development, and amendment of zoning ordinances
- **Assembly Bill 264 (AB 264)**, relating to residential housing infrastructure revolving loan fund and revolving loan program
- **Assembly Bill 265 (AB 265)**, relating to a main street housing rehabilitation revolving loan fund and loan program
- **Assembly Bill 268 (AB 268)**, relating to commercial-to-housing conversion revolving loan fund and loan program
- **Assembly Bill 267 (AB 267)**, relating to housing rehabilitation loans awarded by the Wisconsin Housing and Economic Development Authority

For the past several months, we have been working with Assembly Housing and Real Estate Chair Brooks, Senate Housing, Rural Issues, and Forestry Chair Quinn and Vice-Chair Jagler, the Wisconsin Realtors Association, the Wisconsin League of Municipalities, the Wisconsin Towns Association, and the Wisconsin Counties Association on the policy items contained in AB 266, 264, 265, 268, and 267.

WBA is also supportive of AB 96 which will allow a city or village to create a TID designated as a developer-financed TID. To create a TID as a developer-financed TID, the local legislative body must adopt a resolution making certain findings, and the joint review board must approve the creation of the TID as a developer-financed TID.

AB 266 will help streamline the approval process for residential housing and also assure that only a simple majority is required to rezone land and establishes that only those that have an owner interest in the property that is subject to approval, or will sustain damages and has provided a statement or has testified at a previous public meeting, may seek review of the land use proposal.

AB 264, AB 265, and AB 268 all create zero interest loans to create more workforce, single family homes, workforce multifamily housing, and senior housing, and requires municipalities to show changes that they have implemented to reduce the cost of housing in the projects being considered for a zero-interest loan from WHEDA. Those cost saving items include “voluntarily revising zoning ordinances, subdivision regulations, or other land development regulations to increase development density, expedite approvals, reduce impact, water connection, and inspection fees, or reduce parking, building, or other development costs with respect to the development of residential housing supported by the project.”

WBA believes that passage of AB 264 will be beneficial to spur the additional development and construction of single-family workforce homes. When we have surveyed our membership over the past several years asking them what can be done to bring down the cost of workforce housing, we have learned the main costs drivers can be traced to the cost of residential infrastructure and the requirements passed by local units of government (impact fees and minimum lot sizes to name a few).

AB 264 addresses both of these issues by requiring a local unit of government to work with a developer to find ways to make changes on the local level to voluntarily reduce the cost of housing and provide a zero-interest loan at an amount that does not exceed 20 percent of the total cost of the project including land.

AB 268 establishes a zero-interest loan program that can be used for the remodeling or demolition of vacant commercial buildings that can then be used for workforce multifamily housing or senior housing.

Finally, AB 267 is a follow up to 2021 Act 221, which created a loan program for the remodeling of existing workforce homes administered by the Wisconsin Housing and Economic Development Authority (WHEDA). AB 267 makes some changes to the homes that may qualify for these loans in addition to including work done for the remove of asbestos and the repair or replacement of interior walls, ceilings, or floors.

According to our National Association of Home Builders, excessive and outdated regulations add over \$93,000 to the final price of a new home, increasing the total by nearly 24 percent.

Additionally, in a 2019 report titled *Falling Behind: Addressing Wisconsin's Workforce Housing Shortage*, Wisconsin has created 75 percent fewer lots and 55 percent fewer new homes than pre-recession averages, in just the last 11 years. This scarcity has been compounded by a series of other factors, such as lot and other local government restrictions, volatile interest rates, and inflated costs of materials. These bills will go a long way in assisting the many challenges faced in the creation of workforce housing.

WBA members from across the state would ask for your support for **Assembly Bills 96, 266, 264, 265, 268, and 267** to increase the supply of workforce and senior housing throughout Wisconsin.



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To: Assembly Committee on Housing and Real Estate
From: Toni Herkert, Government Affairs Director, League of Wisconsin Municipalities
Date: May 18, 2023
RE: Workforce Affordable Housing Package – AB 96, AB 264, AB 265, AB 266, AB 267,
and AB 268

Chairman Brooks, Vice-Chair Penterman, and Committee Members,

My name is Toni Herkert, and I am the Government Affairs Director with the League of Wisconsin Municipalities. The League represents almost all of the 606 cities in villages, large and small, throughout the state.

Thank you for the opportunity to provide testimony on the important topic of workforce housing and the package of bills before you today. The suite of housing legislation on your agenda is the result of several months of discussion on the housing problems facing every corner of the state. The League appreciates the opportunity to participate in the conversations that led to the creation of these bills. We also want to thank Representative Brooks and Senator Quinn for their leadership and all the authors for introducing this package. Finally, thanks to our partners in this process including the Realtors, Builders, Counties, and Towns for working together to deliver these greatly needed housing solutions. We support the creation of additional workforce, senior, and affordable housing and we support the process that was utilized. The resulting legislation is a step in the right direction and as a state we must act now.

According to a recent report by Forward Analytics, Wisconsin will need approximately 140,000 housing units before 2030 to meet the demand of the under 65 population and that number increases to over 200,000 if the state simultaneously addresses workforce shortages with increased migration into the state for employment.

If there is one thing municipal officials across the state can agree on, besides the need to develop a new way to adequately fund local governments and critical services in Wisconsin, it is that there is a housing crisis in this state. Seemingly every community has a shortage of affordable housing options. Whether in Marinette or Platteville, Columbus or New Richmond, Waukesha or Washburn, the availability and pricing of housing is not meeting the needs of people working in jobs that are vital to the success of Wisconsin communities. It should be a priority in our communities to have housing availability that teachers, nurses, firefighters, police officers, small business owners, and service industry workers can afford.

More communities, particularly small and rural, of which there are many in Wisconsin, have been frustrated with the traditional approach of waiting for the private sector to create

additional housing. A market for new housing does not exist in many Wisconsin communities regardless of the regulatory situation. Many communities could have no zoning or subdivision regulations and still not attract development. Some of these municipalities, as a result, have taken matters into their own hands to increase the availability of housing in their communities. Lancaster, Benton, Shullsburg, Fort Atkinson, and Hillsboro, for example, have acquired land, subdivided it, placed the utilities and infrastructure, and sold lots for single-family homes, duplexes, and apartments on their own to support residents and the business community. These incentives bills will encourage growth in some communities that may not be seeing growth.

While most communities choose not to become their own housing developer, many should review their zoning code and remove outdated and unnecessary zoning regulations and policies that inadvertently restrict the creation of more housing. It is critical to make the process of adapting existing housing stock and building more varied housing, including apartments, easier.

The League decided that municipalities needed a road map or tool kit for making zoning code adjustments that could remove such barriers. In 2021, the League partnered with the Congress for the New Urbanism (CNU) and a broad group of Wisconsin organizations (Wisconsin Realtors Association, Wisconsin Builders Association, AARP-Wisconsin, Wisconsin Housing and Economic Development Authority (WHEDA), National Association of Industrial and Office Parks (NAIOP-Wisconsin), and the American Planning Association-Wisconsin, to develop a Wisconsin centric guide to aid communities in making small zoning code changes designed to make it easier to create workforce and missing middle housing within a community. The guide, *Enabling Better Places: A User's Guide to Neighborhood Affordability* is posted on the League's website.

Examples of zoning code changes recommended in the guide include the following:

- Allow multi-unit housing as permitted uses in single-family zoning districts which have historically included two-family and multifamily.
- Realign lot widths and areas to match historic patterns favoring narrower lots.
- Reduce setbacks to historic distances to allow greater use of existing lots.
- Allow accessory dwellings for all single-family zoning districts.
- Permit residential uses within downtown and Main Street zoning districts.
- Permit residential uses, including multi-family, in commercial districts.
- Reduce or eliminate parking minimums.
- Assess and streamline the subdivision and workforce housing application process, including standards that direct development outcomes and establish a time limit on municipal response, such as 90 days.

Any of these modifications will put a community in a better position for decreasing development costs and increasing the housing supply over time. However, municipal regulations are not the sole or **even the primary** reason that we have a housing shortage in Wisconsin. Contributing factors include the lack of construction workers, increased costs of labor and materials, climbing interest rates and seniors staying in their homes longer. All these



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factors create a perfect storm and equate to a drastic need for housing in the state and nationwide.

The League not only produced the zoning guidebook, but we also have been focusing on providing workshops and trainings on housing and innovative ideas for municipalities to adopt in their communities. In addition, we have been an active participant at the table during the conversations on most of the housing bills before you today.

The League supports AB 264 which provides for a residential housing infrastructure revolving loan fund and program, AB 265 relating to a main street housing rehabilitation revolving loan fund and program, and AB 268 addressing commercial to housing conversions. All these bills require communities to lower the cost of housing through zoning ordinance modifications related to proposed projects or more comprehensively throughout the city or village. Modifications can include increasing density, reducing setbacks or lot sizes, lowering impact fees, minimizing parking requirements or others. Items our members should recognize from our zoning guidebook.

While not dependent on modifications to municipal zoning or regulatory modifications, the League also supports the following proposals before you today:

- AB 96 which allows developer financed tax incremental districts to be exempted from the 12 percent rule. Under current law the equalized value of taxable property of a new TID plus the value increment of all existing TIDs in a city or village may not exceed 12 percent of the total equalized value of taxable property in the city or village. The exemption in AB 96 would be positive for municipalities and another tool in the toolbox to remedy our housing shortage. The bill is voluntary, so no requirements are placed on cities or villages.
- AB 267 which makes modifications to the housing rehabilitation loan fund and program created in 2021 Act 221 also introduced by Representative Penterman and Senator Stroebel which the League supported.

Finally, while the League supports the goal of incentivizing and creating additional workforce, senior, and affordable housing in Wisconsin and values the partnership in crafting the legislation in this package, we are taking a neutral position on AB 266. Assembly Bill 266, which the League has titled the Truth in Zoning bill, has three main provisions:

AB 266 provides a requirement that political subdivisions must approve an application for a permit or administrative approval required to proceed with a residential housing development if the application is complete at the time of submission and the development meets the political subdivision's existing requirements that must be satisfied to obtain the permit. The bill retains

municipality's legislative control over zoning while requiring administrative approval if a project meets all requirements in place at the time of application. In addition, Assembly Bill 266 eases the process for rezoning by requiring a simple majority vote of the governing body to amend a political subdivision's zoning ordinance.

The bill also modifies the process for certiorari review of certain decisions of political subdivisions relating to zoning and residential land use by modifying the following provisions:

- Narrowing the persons who may seek review of these decisions to those that 1) submitted the application for approval; 2) have an ownership interest in the real property that is the subject of the application for an approval; 3) sustain actual damages or will imminently sustain actual damages that are personal to the person and distinct from damages that impact the public generally; or 4) are certain governmental actors.
- Requiring that the certiorari action be filed within 30 days of the final decision of the political subdivision.
- Specifying that a court's decision is based on the record provided by the political subdivision and may only affirm or reverse the decision or remand for further proceedings.
- Identifying deadlines for various steps in the review process to expedite the court's review.

Because our membership is very diverse from Big Falls with a population of 57 to the City of Milwaukee, we do not have consensus on this bill. When the League lacks consensus we stay neutral on a provision. But I guarantee that we will work diligently to inform and educate our members on the provisions in this bill. It does not represent a monumental shift in current practice and the local governing body retains the ability to set standards and permitted uses in local ordinances. It does drive home the point that once permitted uses are established communities must approve the associated administrative permits when all requirements are met.

As you have heard today, the workforce and affordable housing shortage in Wisconsin is a significant concern and one that the League has been willing and remains committed to tackle by working with our members and the Legislature on measures that can be successful and sustainable within our communities today and for years to come. Housing is not just a developer, realtor, business, workforce, financing, or municipal issue, it is a State of Wisconsin issue, and we are here today to help problem solve.

The League would like to thank Chairman Brooks and committee members for your leadership on this critical issue and your time and patience today. Thank you for your consideration. I would be happy to take questions now or you can contact me at your convenience at therkert@lwm-info.org.



To: Members, Assembly Committee on Housing and Real Estate
From: Tom Larson, Executive Vice President
Date: May 18, 2023
RE: SB 297/AB 267 – Workforce Housing Rehabilitation Loan Program

The Wisconsin REALTORS® Association (WRA) supports SB 297/AB 267, legislation modifying Wisconsin Housing and Economic Development Authority's (WHEDA) loan program for the rehabilitation of residential properties. Reinvesting in older housing stock pays off in the long run.

Background -- Wisconsin employers are having difficulty recruiting workers to fill thousands of job openings due to a historic shortage of affordable housing options for workers. With statewide housing inventory levels at historic lows, median home prices continuing to rise, and apartment rent increases outpacing wage growth, Wisconsin has a major workforce housing shortage problem. Unless this workforce housing problem is fixed, Wisconsin will be unable to keep and attract the skilled workers necessary for our economy to thrive.

A recent study titled, "Falling Behind: Addressing Wisconsin's Workforce Housing Shortage," authorized by Professor Kurt Paulsen, UW-Madison, indicates reinvestment in Wisconsin's older housing stock is needed. "Reinvesting in older housing stock and older neighborhoods pays off in the long run. Property values are stabilized, housing is made more efficient and sustainable, and communities are renewed."

Wisconsin's existing housing stock is old and costly to own and repair

- Wisconsin's median age of its owner-occupied housing is 45 years. National average is 39 years.
- Over 64% of Wisconsin's single-family structures were built before 1980.
- Much of the older housing stock is in poor condition and in need of repair or updates to be more energy efficient.
- The current older housing stock is often occupied by seniors who are on fixed incomes and incapable of making necessary repairs.
- First-time homebuyers or buyers interested in older housing stock are overwhelmed by the financial burden of the repairs needed in these properties, typically making them out-of-reach financially.

This legislation -- SB 297/AB 267 modifies WHEDA's housing rehab loan program in the following manner:

- Changing the date of construction for eligible homes from before 1980 to at least 40 years prior to submitting the loan application
- Specifying that the loan period cannot exceed 15 years
- Capping the loan amount at \$50,000 or 125% of the assessed value of the home
- Specifying that the following repairs are eligible for a loan
 - only internal plumbing systems (not external)

- Removal of asbestos, lead paint or other environmental contamination
- Repair or replacement of interior walls, ceilings, or flooring

Wisconsin needs to invest in its older housing stock to build communities and create housing for Wisconsin's current and future workforce.

The WRA respectfully requests your support for SB 297/AB 267.



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on AB 266 and AB 267

May 18, 2023

Thank you Chairman Brooks and members of the Assembly Committee on Housing and Real Estate for scheduling today's public hearing on a series of proposals aimed at addressing the problem that you explored in great detail during your first meeting roughly two months ago: Wisconsin's housing shortage. My testimony covers two proposals that I authored alongside Representative Krug and Representative Penterman as part of this initiative.

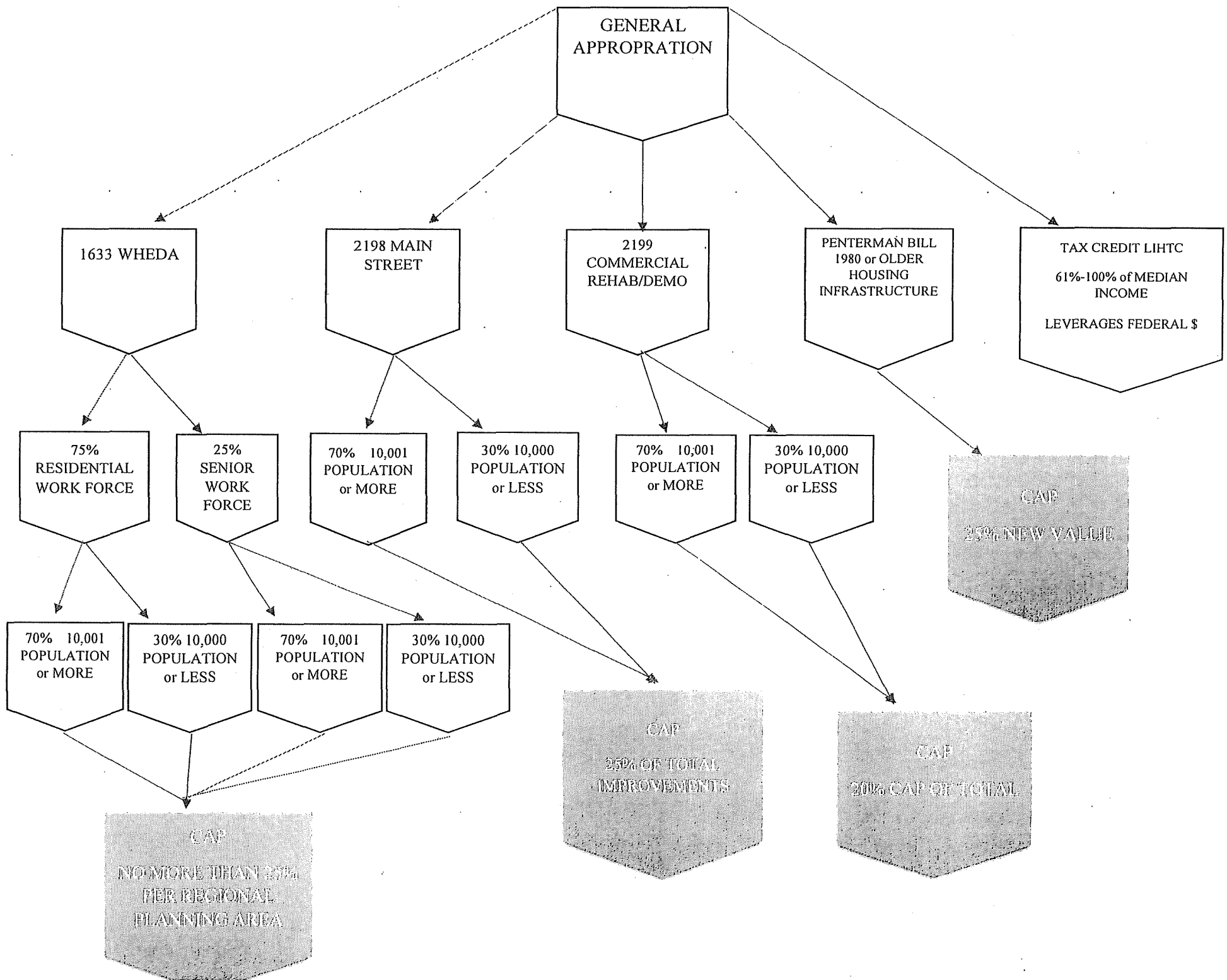
Before delving into the details of each bill, it bears mentioning that municipalities allocate a significant amount of time and resources toward the development of comprehensive plans to guide future development. All too often, these plans are ignored in the face of objections to a proposed development that seeks to construct the type of housing specified in the plan. This only serves to further constrain the supply of housing that is needed to meet demand, which in turn places upward pressure on prices and ultimately makes homeownership less attainable for more Wisconsinites.

The first proposal, AB 266, aims to provide more certainty and predictability in the development approval process. Put simply, the bill would help prevent a proposed development that complies with a local government's regulations from being unnecessarily delayed or stopped altogether on obstructionist grounds. To that end, the bill establishes an expedited judicial review process that would allow a developer to appeal to circuit court a local government's denial of a proposed residential housing development that meets all of the local government's requirements and would authorize a judge to approve the project. Next, the bill would prevent frivolous lawsuits by limiting who has standing to file legal challenges to development proposals that have been approved by a local government. Finally, the bill streamlines the process for local governments to enact zoning amendments by establishing that a zoning change only requires a simple majority vote, with certain limited exceptions.

The second proposal, AB 267, is effectively a trailer bill to 2021 Act 221, which created the statutory framework for a single-family housing rehabilitation loan program to be administered by WHEDA. Under the program, individuals who own and occupy older homes and have an annual household income of no more than 120% of the area median income would be able to apply to WHEDA for a low or no-interest loan to cover structural improvements or the removal of lead paint. In addition to making various programmatic changes, AB 267 would create the necessary appropriation language in anticipation of funding for the program being provided through the 2023-25 state budget.

Wisconsin's older housing stock is often lost in the discussion surrounding the shortage of affordable housing in Wisconsin and the "missing middle," which refers to the lack of housing that currently exists between rented apartments and large single-family homes. Consequently, policymakers can often be left with the impression that the only surefire pathway toward addressing Wisconsin's housing shortage is through incentivizing and subsidizing the construction of new, single-family homes. However, roughly 60 percent of Wisconsin's single-family housing was built before 1980, and much of our state's older housing stock is located in close proximity to our largest communities that feature the highest number of jobs. With the necessary reinvestment and rehabilitation, these homes have the potential to provide both great value and an ideal location for first-time homebuyers and working- and middle-class families. This is exactly what AB 267 would help to facilitate.

Thank you again for your consideration of AB 266 and AB 267.



features homes sold during the second quar- mike@gma.com

Home Affordability Report

	LOWEST THIRD		MIDDLE THIRD		HIGHEST THIRD	
	Sales Price	Monthly Payment	Sales Price	Monthly Payment	Sales Price	Monthly Payment
Bayside	\$355,000	\$2,539	\$450,000	\$3,246	\$550,000	\$4,024
Belgium	\$242,500	\$1,589	\$285,750	\$1,883	\$425,000	\$2,746
Brookfield	\$344,900	\$2,277	\$464,500	\$3,068	\$700,000	\$4,665
Brown Deer	\$208,000	\$1,472	\$269,900	\$1,880	\$336,000	\$2,447
Cedarburg	\$361,750	\$2,339	\$476,000	\$3,107	\$682,000	\$4,439
Cudahy	\$191,500	\$1,372	\$248,000	\$1,738	\$296,050	\$2,059
Delafield	\$405,500	\$2,624	\$725,000	\$4,632	\$1,200,000	\$7,624
Eagle	\$310,000	\$1,999	\$450,000	\$2,864	\$595,000	\$3,813
Elm Grove	\$460,000	\$3,077	\$570,000	\$3,884	\$745,000	\$5,006
Fox Point	\$380,000	\$2,698	\$460,750	\$3,342	\$762,500	\$5,395
Franklin	\$330,500	\$2,283	\$439,500	\$3,019	\$625,000	\$4,321
Genesee	\$375,000	\$2,376	\$473,500	\$3,081	\$685,000	\$4,074
Germantown	\$347,500	\$2,295	\$445,500	\$2,972	\$612,500	\$4,057
Glendale	\$218,000	\$1,559	\$280,000	\$2,006	\$423,250	\$2,988
Grafton	\$320,500	\$2,071	\$425,000	\$2,709	\$552,000	\$3,710
Greendale	\$256,000	\$1,814	\$320,000	\$2,255	\$415,000	\$2,923
Greenfield	\$223,000	\$1,569	\$280,000	\$1,965	\$375,000	\$2,611
Hales Corners	\$270,000	\$1,844	\$341,015	\$2,377	\$447,500	\$3,107
Hartford	\$244,750	\$1,580	\$370,000	\$2,360	\$412,500	\$2,718
Hartland	\$350,000	\$2,216	\$490,000	\$3,104	\$872,161	\$5,630
Jackson	\$265,000	\$1,766	\$385,000	\$2,535	\$435,000	\$2,921
Lisbon	\$365,000	\$2,384	\$548,000	\$3,459	\$677,450	\$4,326
Menomonee Falls	\$283,438	\$1,860	\$370,000	\$2,408	\$578,042	\$3,789
Mequon	\$405,000	\$2,645	\$565,000	\$3,695	\$928,700	\$6,141
Merton	\$324,900	\$2,035	\$536,500	\$3,364	\$726,700	\$4,660
Milwaukee	\$100,000	\$700	\$192,000	\$1,361	\$280,000	\$1,992
Mukwonago	\$312,500	\$1,997	\$432,500	\$2,753	\$604,900	\$3,930
Muskego	\$350,000	\$2,260	\$442,500	\$2,855	\$625,000	\$4,030
New Berlin	\$325,000	\$2,116	\$400,000	\$2,623	\$580,000	\$3,798
Oak Creek	\$299,500	\$2,095	\$358,950	\$2,523	\$462,000	\$3,215
Oconomowoc	\$350,000	\$2,261	\$498,936	\$3,264	\$687,500	\$4,541
Ottawa	\$316,000	\$2,003	\$500,000	\$3,183	\$704,750	\$4,439
Pewaukee	\$368,566	\$2,344	\$495,050	\$3,277	\$765,000	\$5,000
Port Washington	\$263,000	\$1,734	\$335,000	\$2,212	\$450,000	\$2,960
Richfield	\$355,000	\$2,299	\$586,000	\$3,718	\$682,950	\$4,440
Shorewood	\$400,000	\$2,889	\$547,500	\$3,928	\$772,500	\$5,722
Slinger	\$381,000	\$2,307	\$515,000	\$3,299	\$544,950	\$3,573
South Milwaukee	\$212,000	\$1,476	\$266,550	\$1,840	\$336,500	\$2,357
Sussex	\$350,000	\$2,217	\$488,950	\$3,140	\$615,000	\$3,999
Vernon	\$361,000	\$2,314	\$440,000	\$2,907	\$580,000	\$3,703
Waukesha	\$250,750	\$1,700	\$360,000	\$2,418	\$500,000	\$2,396
Wauwatosa	\$260,000	\$1,798	\$357,500	\$2,465	\$475,500	\$3,273
West Allis	\$171,000	\$1,218	\$220,000	\$1,543	\$264,000	\$1,846
West Bend	\$246,000	\$1,638	\$301,000	\$2,010	\$439,250	\$2,964
Whitefish Bay	\$415,000	\$2,820	\$580,000	\$3,960	\$960,000	\$6,563

Estimated Maximum Family Income Limits at 100% of HUD Estimated 2022 County Median Income

FAMILY SIZE	ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE
COUNTY :									
Brown	63,200	72,200	81,200	90,200	97,500	104,700	111,900	119,100	126,300
Calumet	67,000	76,600	86,200	95,700	103,400	111,100	118,700	126,400	134,000
Chippewa	62,700	71,600	80,600	89,500	96,700	103,900	111,000	118,200	125,300
Columbia	64,800	74,000	83,300	92,500	99,900	107,300	114,700	122,100	129,500
Dane	80,800	92,300	103,800	115,300	124,600	133,800	143,000	152,200	161,500
Dodge	57,100	65,200	73,400	81,500	88,100	94,600	101,100	107,600	114,100
Door	57,700	65,900	74,100	82,300	88,900	95,500	102,100	108,700	115,300
Douglas	59,800	68,300	76,800	85,300	92,200	99,000	105,800	112,600	119,500
Dunn	57,500	65,700	73,900	82,100	88,700	95,300	101,900	108,400	115,000
Eau Claire	62,700	71,600	80,600	89,500	96,700	103,900	111,000	118,200	125,300
Fond du Lac	59,000	67,400	75,800	84,200	91,000	97,700	104,500	111,200	117,900
Grant	56,300	64,300	72,300	80,300	86,800	93,200	99,600	106,000	112,500
Green	62,200	71,100	80,000	88,800	96,000	103,100	110,200	117,300	124,400
Green Lake	56,300	64,300	72,300	80,300	86,800	93,200	99,600	106,000	112,500
Iowa	63,400	72,400	81,500	90,500	97,800	105,000	112,300	119,500	126,700
Jefferson	61,700	70,500	79,300	88,100	95,200	102,200	109,300	116,300	123,400
Kenosha	62,700	71,600	80,600	89,500	96,700	103,900	111,000	118,200	125,300
Kewaunee	63,200	72,200	81,200	90,200	97,500	104,700	111,900	119,100	126,300
La Crosse	63,100	72,100	81,100	90,100	97,400	104,600	111,800	119,000	126,200
Lincoln	57,100	65,200	73,400	81,500	88,100	94,600	101,100	107,600	114,100
Manitowoc	56,500	64,600	72,700	80,700	87,200	93,700	100,100	106,600	113,000
Marathon	61,400	70,100	78,900	87,600	94,700	101,700	108,700	115,700	122,700
Milwaukee	66,100	75,600	85,000	94,400	102,000	109,600	117,100	124,700	132,200
Monroe	57,100	65,200	73,400	81,500	88,100	94,600	101,100	107,600	114,100
Oconto	56,300	64,300	72,300	80,300	86,800	93,200	99,600	106,000	112,500
Oneida	56,700	64,800	72,900	81,000	87,500	94,000	100,500	107,000	113,400
Outagamie	67,000	76,600	86,200	95,700	103,400	111,100	118,700	126,400	134,000
Ozaukee	66,100	75,600	85,000	94,400	102,000	109,600	117,100	124,700	132,200
Pepin	57,000	65,100	73,200	81,300	87,900	94,400	100,900	107,400	113,900
Pierce	82,200	93,900	105,600	117,300	126,700	136,100	145,500	154,900	164,300
Polk	56,300	64,300	72,300	80,300	86,800	93,200	99,600	106,000	112,500
Portage	63,000	72,000	81,000	89,900	97,100	104,300	111,500	118,700	125,900
Racine	60,500	69,100	77,700	86,300	93,300	100,200	107,100	114,000	120,900
Rock	57,100	65,200	73,400	81,500	88,100	94,600	101,100	107,600	114,100
St. Croix	82,200	93,900	105,600	117,300	126,700	136,100	145,500	154,900	164,300
Sauk	57,600	65,800	74,000	82,200	88,800	95,400	102,000	108,600	115,100
Sheboygan	59,300	67,700	76,200	84,700	91,400	98,200	105,000	111,700	118,500
Trempealeau	57,100	65,200	73,400	81,500	88,100	94,600	101,100	107,600	114,100
Walworth	61,600	70,400	79,200	88,000	95,100	102,100	109,200	116,200	123,200
Washington	66,100	75,600	85,000	94,400	102,000	109,600	117,100	124,700	132,200
Waukesha	66,100	75,600	85,000	94,400	102,000	109,600	117,100	124,700	132,200
Waupaca	57,100	65,200	73,400	81,500	88,100	94,600	101,100	107,600	114,100
Winnebago	59,500	68,000	76,500	85,000	91,800	98,600	105,400	112,200	119,000
Wood	56,300	64,300	72,300	80,300	86,800	93,200	99,600	106,000	112,500

Income limits for the counties below are based on the 2022 Median Family Income for the Neometropolitan portions of the state.

Adams, Ashland, Barron, Bayfield, Buffalo, Burnett, Clark, Crawford, Florence, Forest, Iron, Jackson, Juneau, Lafayette, Langlade, Marinette, Marquette, Menominee, Price, Richland, Rusk, Sawyer, Shawano, Taylor, Vernon, Vilas, Washburn, Waushara	56,300	64,300	72,300	80,300	86,800	93,200	99,600	106,000	112,500
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256
 \$1,500
 per mo
 for rent

Estimated Maximum Family Income Limits at 140% of HUD Estimated 2022 County Median Income

FAMILY SIZE	ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE
COUNTY :									
Brown	88,480	101,080	113,680	126,280	136,500	146,580	156,660	166,740	176,820
Calumet	93,800	107,240	120,680	133,980	144,760	155,540	166,180	176,960	187,600
Chippewa	87,780	100,240	112,840	125,300	135,380	145,460	155,400	165,480	175,420
Columbia	90,720	103,600	116,620	129,500	139,860	150,220	160,580	170,940	181,300
Dane	113,120	129,220	145,320	161,420	174,440	187,320	200,200	213,080	226,100
Dodge	79,940	91,280	102,760	114,100	123,340	132,440	141,540	150,640	159,740
Door	80,780	92,260	103,740	115,220	124,460	133,700	142,940	152,180	161,420
Douglas	83,720	95,620	107,520	119,420	129,080	138,600	148,120	157,640	167,300
Dunn	80,500	91,980	103,460	114,940	124,180	133,420	142,660	151,760	161,000
Eau Claire	87,780	100,240	112,840	125,300	135,380	145,460	155,400	165,480	175,420
Fond du Lac	82,600	94,360	106,120	117,880	127,400	136,780	146,300	155,680	165,060
Grant	78,820	90,020	101,220	112,420	121,520	130,480	139,440	148,400	157,500
Green	87,080	99,540	112,000	124,320	134,400	144,340	154,280	164,220	174,160
Green Lake	78,820	90,020	101,220	112,420	121,520	130,480	139,440	148,400	157,500
Iowa	88,760	101,360	114,100	126,700	136,920	147,000	157,220	167,300	177,380
Jefferson	86,380	98,700	111,020	123,340	133,280	143,080	153,020	162,820	172,760
Kenosha	87,780	100,240	112,840	125,300	135,380	145,460	155,400	165,480	175,420
Kewaunee	88,480	101,080	113,680	126,280	136,500	146,580	156,660	166,740	176,820
La Crosse	88,340	100,940	113,540	126,140	136,360	146,440	156,520	166,600	176,680
Lincoln	79,940	91,280	102,760	114,100	123,340	132,440	141,540	150,640	159,740
Manitowoc	79,100	90,440	101,780	112,980	122,080	131,180	140,140	149,240	158,200
Marathon	85,960	98,140	110,460	122,640	132,580	142,380	152,180	161,980	171,780
Milwaukee	92,540	105,840	119,000	132,160	142,800	153,440	163,940	174,580	185,080
Monroe	79,940	91,280	102,760	114,100	123,340	132,440	141,540	150,640	159,740
Oconto	78,820	90,202	101,220	112,420	121,520	130,480	139,440	148,400	157,500
Oneida	79,380	90,720	102,060	113,400	122,500	131,600	140,700	149,800	158,760
Outagamie	93,800	107,240	120,680	133,980	144,760	155,540	166,180	176,960	187,600
Ozaukee	92,540	105,840	119,000	132,160	142,800	153,440	163,940	174,580	185,080
Pepin	79,800	91,140	102,480	113,820	123,060	132,160	141,260	150,360	159,460
Pierce	115,080	131,460	147,840	164,220	177,380	190,540	203,700	216,860	230,020
Polk	78,820	90,020	101,220	112,420	121,520	130,480	139,440	148,400	157,500
Portage	88,200	100,800	113,400	125,860	135,940	146,020	156,100	166,180	176,260
Racine	84,700	96,740	108,780	120,820	130,620	140,280	149,940	159,600	169,260
Rock	79,940	91,280	102,760	114,100	123,340	132,440	141,540	150,640	159,740
St. Croix	115,080	131,460	147,840	164,220	177,380	190,540	203,700	216,860	230,020
Sauk	80,640	92,120	103,600	115,080	124,320	133,560	142,800	152,040	161,140
Sheboygan	83,020	94,780	106,680	118,440	127,960	137,480	147,000	156,380	165,900
Trempealeau	79,940	91,280	102,760	114,100	123,340	132,440	141,540	150,640	159,740
Walworth	86,240	98,560	110,880	123,200	133,140	142,940	152,880	162,680	172,480
Washington	92,540	105,840	119,000	132,160	142,800	153,440	163,940	174,580	185,080
Waukesha	92,540	105,840	119,000	132,160	142,800	153,440	163,940	174,580	185,080
Waupaca	79,940	91,280	102,760	114,100	123,340	132,440	141,540	150,640	159,740
Winnebago	83,300	95,200	107,100	119,000	128,520	138,040	147,560	157,080	166,600
Wood	78,820	90,020	101,220	112,420	121,520	130,480	139,440	148,400	157,500

Income limits for the counties below are based on the 2022 Median Family Income for the Neometropolitan portions of the state.

Adams, Ashland, Barron, Bayfield, Buffalo, Burnett, Clark, Crawford, Florence, Forest, Iron, Jackson, Juneau, Lafayette, Langlade, Marinette, Marquette, Menominee, Price, Richland, Rusk, Sawyer, Shawano, Taylor, Vernon, Vilas, Washburn, Waushara	78,820	90,020	101,220	112,420	121,520	130,480	139,440	148,400	157,500
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Handwritten notes:
 @ 2/26/20
 275,330
 - 15,000
 260,330
 23.83%
 230K @ 6/16/20

REAL ESTATE

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CLOSER LOOK

FINANCING KEY TO TWO APARTMENT PROJECTS

Developers would add 236 units to Walker's Point neighborhood

For two pending affordable housing projects in Walker's Point, the question isn't whether there is demand from people who would rent the apartments, but whether their developers can round up enough money to build them in today's financial environment.

Those projects with a combined 236 units both were awarded affordable housing tax credits by the Wisconsin Housing and Economic Development Authority on May 3. That same morning, the U.S. Federal Reserve approved another interest rate hike, which could further expand the budget gaps both must plug in order to break ground.

Brandon Rule hopes to close his financing in about a year on a \$42 million development with 140 apartments at Freshwater Commons in Walker's Point. The CEO of Rule Enterprises called the housing tax credits the "most important piece" of the financing package, but said he still must plug an expected budget gap of about \$5 million.

Rule said he's exploring Community Development Block Grant funds, state brownfield money to



CONTINUUM

A rendering of the affordable apartments Rule Enterprises plans on East Greenfield Avenue in Milwaukee's Harbor District.



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help cope with environmental contamination on the site, city of Milwaukee funding, and the Affordable Housing Program that is operated by federal home loan banks.

S.R. Mills, CEO of Bear Development, secured credits for a new building with 96 apartments a few blocks north of Rule's project. Mills said he could also seek city of Milwaukee tax incremental financing and money through the federal home loan bank's AHP program.

milwaukee journal sentinel

WEST SUBURBS

An affordable housing project fell through in Wauwatosa. Storage units are taking its place.



Quinn Clark

Milwaukee Journal Sentinel

Published 6:03 a.m. CT March 24, 2023 | Updated 8:52 a.m. CT March 24, 2023

After plans for over 500 apartments in Wauwatosa fell through last year, property at the site, 1300 N. Glenview Place, sat vacant. Now, a storage company will take its place.

While some alderpersons urged the council to wait until a similar project could come back, plans for Hansen Storage Company passed this month with an 8-5 vote.

Along with the hundreds of units planned, the aborted project, named Glenview Place, included 77 affordable apartments. It won the city's approval in 2021 but was dropped last year for financial reasons.

Wauwatosa needs affordable housing, a recent study showed, but spikes in inflation and interest rates on commercial loans have made it increasingly difficult for such plans to come to fruition.

Milwaukee-based Hansen Storage Company plans to offer indoor space for retailers to store merchandise. There are no plans to demolish or alter the existing buildings, said Peter Hansen, president of the company.

Hansen Storage already has a 300,000-square-foot location in Wauwatosa, at 2880 N. 112th St., which offers both indoor and outdoor storage spaces. Hansen told the city's plan commission that the new site, managed by 10 employees, will be much smaller, occupying a portion of one of the existing buildings at the site which are both under 200,000 square feet.

The exact amount of space Hansen Storage will occupy isn't determined yet. Hansen plans to lease out the remainder of the property to other businesses for storage purposes.

Florida's \$711M affordable housing bill becomes law

It aims to incentivize developers of affordable, workforce housing with tax breaks, zoning workarounds



Gov. Ron DeSantis (Getty)

MAR 29, 2023, 1:10 PM

By

[Katherine Kallergis](#)

Save article

Florida Gov. Ron DeSantis signed affordable housing legislation that will pump \$711 million into housing programs and incentivize developers with major tax breaks.

DeSantis signed [Senate Bill 102](#), known as the Live Local Act, on Wednesday, days after the legislation passed in the Florida House of Representatives. In addition to setting aside funds for affordable housing, the law will supersede local governments' zoning, density and height requirements for affordable housing in areas zoned for commercial or mixed-use development. It also strips local municipalities' ability to enact rent control, which was previously only possible during a housing emergency.

Developers of affordable housing and to a certain extent, those with mixed-use projects, will likely take advantage of the new law. Attorney Keith Poliakoff, of Fort Lauderdale-based Government Law Group, previously told *The Real Deal* that the [legislation](#) "takes a lot of the handcuffs off" of [affordable housing](#) developers.

Local governments would be required to allow multifamily or mixed-use residential projects that set aside at least 40 percent of the residential component for affordable housing for a period of at least 30 years. For projects allocating at least 65 percent of the square footage to residential, a county would not be able to restrict the height of a

proposed development below what's currently allowed within one mile of the planned project.

The \$711 million could also help fill funding gaps that have resulted in stalled projects across the state, at a time when the need for affordable housing has reached record highs, attorneys say.

South Florida became one of the least affordable housing markets in the country last year, following large gains in home prices and rents during the pandemic. That was in part fueled by the migration of people from out of state.

The funding breaks down to:

- \$259 million for the state's SAIL (State Apartment Incentive Loan) program, which provides low interest loans to workforce housing projects
- \$252 million for the SHIP (State Housing Initiatives Program), to incentivize local governments to partner with developers preserving or building new housing. Florida Housing and Finance Corporation administers SAIL and SHIP funds.
- \$100 million in non-recurring funds for FHFC to put into a competitive loan program that developers could tap to cover inflation-related cost increases for FHFC-approved multifamily developments that haven't broken ground yet.
- \$100 million for the Florida Hometown Heroes Housing Program. The homeownership assistance program, which was created last year, allows some buyers to finance home purchases with no-interest loans to reduce their down payment and closing costs. The law would codify the program and expand eligibility to more people, according to the Senate's analysis. Those buyers include people in law enforcement, military, first responders and teachers.

The Live Local Act also increases the amount of tax credits available through the Community Contribution Tax Credit Program for affordable housing to \$25 million annually, from \$14.5 million. And it provides up to a \$5,000 sales tax refund for building materials used to construct affordable housing units that were funded by FHFC.

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