CITY of ALBUQUERQUE TWENTY SIXTH COUNCIL

COUNCIL BILL NO. F/S O-25-91 ENACTMENT NO. SPONSORED BY: Joaquín Baca and Klarissa J. Peña 1 **ORDINANCE** 2 ESTABLISHING THE "PRESERVING ALBUQUERQUE THROUGH CRITICAL 3 HOUSING" (PATCH) PROGRAM TO PROVIDE STRUCTURAL HOUSING REPAIRS TO INCOME-QUALIFIED HOMEOWNERS AND PRESERVE LONG-4 5 TERM HOUSING STABILITY. 6 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF 7 **ALBUQUERQUE:** 8 SECTION 1. A new Article 27 in Chapter 14 of the Revised Ordinances of 9 Albuquerque, 1994 is adopted as follows: 10 § 14-27-1 SHORT TITLE. This "Preserving Albuquerque Through Critical - Deletion 11 Housing" Program Ordinance shall be known and may be cited as the "PATCH Bracketed/Underscored Material] - New 12 **Program Ordinance.**" 13 § 14-27-2 PURPOSE. The purpose of this ordinance is for the City or its designee to administer a housing rehabilitation program to provide incomequalified homeowners with financial support to make critical health, safety, and structural repairs. The program is designed to preserve long-term homeownership, stabilize neighborhoods, and maximize the public benefit of housing investment. § 14-27-3 DEFINITIONS. AFFORDABILITY PERIOD. A recorded agreement that runs with the land and includes restrictions on use of the property. The length of the affordability period depends on the amount of the investment in the property, as outlined 23 below: 24 INVESTMENT AMOUNT AFFORDABILITY PERIOD 25 **Less than \$15,000** 5 years 26 \$15,000 - \$40,000 10 years

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- 1 Director of the Health, Housing, and Homelessness Department may 2 approve additional funding on a case-by-case basis. (B) Plumbing, such as repairs or replacement of failing pipes, fixtures, or 3 4 water supply systems to ensure safe and sanitary water access and 5 drainage. (C) Electrical Systems, such as Fixing or upgrading unsafe wiring, outdated 6 7 panels, or overloaded circuits that pose a fire or safety hazard. 8 (D) HVAC, such as Installation or repair of heating, ventilation, or cooling systems needed for year-round livability and protection from extreme 9 10 weather. 11 (E) Roofing, such as replacement or structural repair of roofs that are 12 leaking, collapsing, or otherwise compromised, including related water 13 damage. 14 (F) Foundation, such as structural repairs to address cracked, sinking, or 15 unstable foundations that may threaten the overall safety of the home. 16 (G)Sewer and water connections, such as replacement or repair of 17 deteriorating or failing service lines to ensure reliable water access and 18 prevent backups or environmental hazards. 19 Work that is primarily cosmetic, including but not limited to landscaping, 20 flooring, or paint, is generally not eligible. However, exceptions may be made 21 when such improvements are necessary to restore safe, functional, and 22 dignified living conditions, even if not explicitly required by housing code. 23 Repairs should utilize energy efficient materials, equipment, and 24 components, whenever possible. 25 § 14-27-6 FINANCIAL ASSISTANCE STRUCTURE. 26 (A) Municipal Lien Forgiveness 27 (1) The City may forgive existing municipal liens if the property owner 28 reinvests an equivalent amount into PATCH-eligible repairs. 29 (B) Repair Funding Structure 30
 - (1) All PATCH-funded repairs shall be issued as a 0% interest, deferred payment loan.
 - (2) The loan shall be secured by a recorded lien and subject to an affordability requirement.

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projects;

| (3) The loan shall be fully forgiven if the homeowner complies with the |
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| affordability requirement for the full Affordability Period as defined in this |
| Ordinance. For the purposes of this Ordinance and the PATCH Program, the |
| affordability requirement shall be considered fulfilled if the homeowner |
| maintains the property as their primary residence for the entirety of the |
| Affordability Period. |
| (4) If the property is sold or transferred before the end of the loan term |
| (excluding exempt family transfers), the property owner shall be required to |
| repay to the City a prorated portion of the assistance received, based on the |
| amount of time remaining in the affordability term. The funds shall be directed |
| into a dedicated revolving fund to support future PATCH program activities. |
| (5) Transfer of ownership to an immediate family member (defined as |
| spouse, child, stepchild, sibling, grandchild or parent) shall not trigger loan |
| repayment, provided the new owner agrees in writing to assume all loan |
| obligations, including continued occupancy requirements. |
| (6) If the property owner passes away during the loan period, repayment shall |
| not be required so long as the property is transferred to an immediate family |
| member who agrees in writing to maintain the property as their primary |
| residence for the remainder of the original term. If no immediate family |
| member assumes ownership and occupancy, repayment by the seller shall be |
| due upon sale or transfer of the property. |
| § 14-27-7 ANNUAL REPORTING |
| (A) Program Activity Summary |
| (1) Total number of households assisted during the reporting period; |
| (2) Breakdown of repairs by type (e.g., roofing, electrical, plumbing); |
| (3) Average amount of assistance provided per household. |
| (B) Financial Overview |
| (1) Total program funds disbursed; |
| (2) Total funds recovered through early repayments; |
| (3) Balance of the revolving fund. |
| (C) Geographic and Equity Analysis |

(1) Map and data showing the geographic distribution of funded

underserved or at risk of displacement. § 14-27-8 FUNDING. The PATCH Program is contingent upon the availability of local, state, and federal funding. The City may prioritize and actively pursue a variety of funding sources to support the implementation and sustainability of the program at the local, state, and federal level. SECTION 2. SEVERABILITY. If any section, paragraph, sentence, clause, word or phrase of this Ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid. SECTION 3. COMPILATION. SECTION 1 of this Ordinance is to be compiled as a new Article 27 in Chapter 14 of the Revised Ordinances of Albuquerque. New Mexico, 1994, titled "PATCH Program Ordinance." SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect January 1, Bracketed/Strikethrough Material] - Deletion 2026 after publication by title and general summary. Bracketed/Underscored Material] - New

(2) Analysis of how the program is reaching populations historically