

powers that are not otherwise granted or restricted, is deleted in light of § 12-504 of this article.

Defined terms: "Housing project" § 16-101

"Montgomery Commission" § 16-101

"Person" § 1-101

"Person of eligible income" § 16-101

16-108. PERSON OF ELIGIBLE INCOME.

(A) QUALIFICATIONS.

AN INDIVIDUAL OR FAMILY QUALIFIES AS A PERSON OF ELIGIBLE INCOME IF THE INDIVIDUAL OR FAMILY LACKS ENOUGH INCOME OR ASSETS WITHOUT FINANCIAL ASSISTANCE TO LIVE IN DECENT, SAFE, AND SANITARY HOUSING WITHOUT OVERCROWDING.

(B) DETERMINATION BY COUNTY EXECUTIVE.

(1) THE COUNTY EXECUTIVE, OR THE COUNTY EXECUTIVE'S DESIGNEE, SHALL DETERMINE WHETHER AN INDIVIDUAL OR FAMILY QUALIFIES AS A PERSON OF ELIGIBLE INCOME.

(2) FOR ELDERLY INDIVIDUALS, INDIVIDUALS WITH DISABILITIES, AND OTHER INDIVIDUALS OR FAMILIES WITH SPECIAL NEEDS, THE COUNTY EXECUTIVE OR THE COUNTY EXECUTIVE'S DESIGNEE MAY ADJUST THE REQUIREMENTS FOR QUALIFYING AS A PERSON OF ELIGIBLE INCOME IF THE COUNTY EXECUTIVE OR DESIGNEE CONSIDERS THAT OTHER STANDARDS ARE MORE APPROPRIATE TO ACHIEVE THE PUBLIC PURPOSES STATED IN THIS SUBTITLE.

(3) A DETERMINATION MADE UNDER THIS SUBSECTION IS CONCLUSIVE OF THE MATTERS DETERMINED.

(C) CHANGE TO "PERSON OF ELIGIBLE INCOME" DEFINITION.

(1) THE COUNTY EXECUTIVE MAY CHANGE THE DEFINITION OF "PERSON OF ELIGIBLE INCOME" BY ISSUING A PROPOSED REGULATION.

(2) THE REGULATION SHALL TAKE EFFECT ONLY AFTER A PUBLIC HEARING HELD IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE COUNTY COUNCIL.

REVISOR'S NOTE: This section is new language derived without substantive change from the third through seventh sentences of former Art. 44A, § 2-102(c) and the second sentence of § 2-105(b).

It is revised as a substantive provision rather than as a definition for clarity.

Defined term: "Person of eligible income" § 16-101