

A G R E E M E N T

WHEREAS, the County of York is participating in the Federal Community Development Block Grant Program, administered by the U. S. Department of Housing and Urban Development hereafter designated as "HUD" under the Housing and Community Development Act of 1974, amended 1977, and

WHEREAS, the Housing Authority of the City of York is an agency designated by the U. S. Department of Housing and Urban Development to administer housing programs for low and middle income residents, and

WHEREAS, the Housing Authority of the City of York has a long demonstrated history of competence and expertise in the administration of a wide variety of HUD programs, and

WHEREAS, the Housing Authority of the City of York is staffed to administer the various federal and state housing assistance programs, and

WHEREAS, the County Commissioners have approved a Housing Assistance Plan which describes the housing assistance needs of lower income families in the County and establishes goals for housing assistance to meet these needs, and

WHEREAS, the County of York is fully responsible for implementation of the housing assistance plan in an expeditious manner, and

WHEREAS, there is a need for a housing authority to function in York County, and

WHEREAS, the County of York is desirous of establishing a "section 8" Housing Assistance Payments Program and other housing subsidy programs in the County, and

WHEREAS, the Pennsylvania Housing Authorities Law (1937 P.L. 955, No. 265, as amended by 1943 P.L. 658, No. 290) authorizes a housing authority to exercise its powers within the boundaries of any county not included in the area in which such housing authority is then authorized to function after the governing body of such county adopts a resolution so authorizing the housing authority to function in such county, and

WHEREAS, the County of York does not want to duplicate staff, agencies and costs to administer a housing assistance program in the County, and

WHEREAS, the County of York has passed a resolution empowering the Housing Authority of the City of York to operate in York County for the purpose of carrying out the various federal and state housing assistance programs, and

WHEREAS, the County of York and the Housing Authority of the City of York have passed resolutions authorizing the drafting of a cooperation agreement subject to specific approval by the County Commissioners and the Board of Directors of the Housing Authority of the City of York.

IT IS HEREBY AGREED AS FOLLOWS:

1.

The Housing Authority of the City of York shall be the designated agency of the County of York to apply for, implement and carry out all HUD low and middle income housing programs that a county housing authority would be authorized to administer under federal statutes and regulations. The designation of authority delegates all programs under the Community Block Grant Program as well as any other HUD housing program now in existence

or any program that is developed which could be administered by a county housing authority.

2.

In accord with this designation of authority; the Housing Authority of the City of York shall have full and complete authority to make application to any federal and state agency including HUD for grants, permits, approval or any other thing necessary or important in the development of middle and low income housing in the County of York. The Housing Authority of the City of York shall have the authority to make application, administer programs, employ staff, receive funds, disburse funds, or perform any function that is in accord with state and federal regulations governing the function of county housing authorities.

3.

All administrative fees pursuant to programs developed, administered or applied for in the County of York shall be the sole and exclusive property of the Housing Authority of the City of York so long as these fees, subsidies, or payments are property received by a county housing authority under existing law and regulations.

4.

The Housing Authority of the City of York during the term of this Agreement shall make all program decisions, including but not limited to the programs to be applied for, the site location of the various projects and the tenant selection, so long as these decisions conform to state and federal statutes and regulations as well as local ordinances.

5.

Nothing in this Agreement, however, shall be construed to waive any right of the County of York or any municipality located in the County of York to exercise authority and control granted to it as a county or municipality in any state or federal statute or regulation.

6.

Either party of this Agreement may terminate the Agreement by giving thirty (30) days' written notice to the other party.

7.

In the event of termination all administrative fees and payments previously earned and collected by the Housing Authority shall be the sole and exclusive property of the Housing Authority, and no part thereof shall be refunded to the County of York. In addition, any administrative fees or payments earned yet outstanding shall be exclusive property of the Housing authority at the time they are paid. In order to insure payment, the County of York shall use its best efforts to collect such payments if previously earned by the Housing Authority.

8.

In the event the County of York terminates this Agreement, and if the termination causes financial hardship to the Authority because of costs and expenses for incomplete projects where administrative fees have not been collected or earned, or if the fees collected or earned do not bear a reasonable relationship to actual costs incurred by the Authority, reasonable compensation for expenses up to the date of the termination shall be paid by the County of York.

IN WITNESS, WHEREOF, the parties have hereto executed  
this Agreement the day and year indicated.

Witness

COUNTY OF YORK

Frank W. Hach

Carroll N. Lippo

Deputy Clerk

W.C. Mc Lincy

Witness:

HOUSING AUTHORITY OF  
THE CITY OF YORK

David Schumann

Janet K. Schaefer

George E. Chler

Deputy Clerk

DATE: December 20, 1978