

I Mina'trentai Ocho Na Liheslaturan Guåhan  
BILL STATUS

| BILL NO.    | SPONSOR                              | TITLE                                                                                                                                                                                                                                                                                    | DATE INTRODUCED       | DATE REFERRED | CMTE REFERRED | FISCAL NOTES | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | NOTES |
|-------------|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------|---------------|--------------|---------------------|-----------------------------|-------|
| 370-38 (LS) | Sabina Flores Perez<br>Chris Barnett | AN ACT TO <i>ADD</i> A NEW §5101(h), TO <i>ADD</i> A NEW §5104(w)(7), AND TO <i>ADD</i> A NEW ARTICLE 5 TO ALL OF CHAPTER 5, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A MIXED INCOME COMMUNITY HOUSING DEVELOPMENT PROGRAM AND PROMOTING SUSTAINABLE COMMUNITIES ON GUAM. | 10/12/26<br>3:48 p.m. |               |               |              |                     |                             |       |

***I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN***  
**2026 (SECOND) Regular Session**

**Bill No. 370-38 (LS)**

Introduced by:

Sabina Flores Perez *SFP*  
Chris Barnett *CB*

**AN ACT TO *ADD* A NEW §5101(h), TO *ADD* A NEW §5104(w)(7), AND TO *ADD* A NEW ARTICLE 5 TO ALL OF CHAPTER 5, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A MIXED INCOME COMMUNITY HOUSING DEVELOPMENT PROGRAM AND PROMOTING SUSTAINABLE COMMUNITIES ON GUAM.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that access to safe, affordable, and quality housing is essential to the health, economic security, and stability of the people of Guam. Guam continues to face a severe shortage of affordable housing due to rising land and construction costs, increasing demand, and limited federal housing resources.

*I Liheslatura* further finds local families, particularly moderate-income households that do not qualify for traditional subsidy programs, increasingly struggle to secure housing they can afford.

*I Liheslatura* finds that the federal Low-Income Housing Tax Credit (LIHTC) program, established under Section 42 of the Internal Revenue Code, remains the nation's primary mechanism for encouraging private investment in affordable housing development and rehabilitation.

1        *I Liheslatura* further finds that the Guam Housing and Urban Renewal  
2 Authority (GHURA) administers LIHTC allocations and related housing programs  
3 on Guam. However, federal resources alone remain insufficient to meet the island’s  
4 growing housing needs, particularly for moderate-income and “missing middle”  
5 households whose incomes exceed traditional eligibility thresholds but remain  
6 inadequate to afford market-rate housing.

7        *I Liheslatura* finds that jurisdictions throughout the nation have successfully  
8 implemented housing investment programs that leverage dedicated housing trust  
9 funds, tax credits, and mixed-income development strategies to increase housing  
10 supply, attract private investment, support workforce housing, and stabilize  
11 communities.

12        *I Liheslatura* further finds that North Carolina has facilitated the creation and  
13 preservation of more than 121,000 affordable homes through targeted affordability  
14 priorities and efficient housing financing strategies. Massachusetts has strengthened  
15 long-term affordability through integrated housing trust funds and direct subsidies  
16 with strong oversight and income-targeting requirements.

17        *I Liheslatura* further finds that states such as Pennsylvania and Iowa have also  
18 demonstrated that coordinated public investment, combined with federal LIHTC  
19 resources and private-sector participation, can measurably expand housing supply,  
20 revitalize communities, and generate economic benefits.

21        *I Liheslatura* finds that GHURA identified a need for 9,908 housing units to  
22 meet Guam’s non-military housing demand by 2025 based on the 2019 Guam  
23 Housing Study and Needs Assessment. GHURA further determined that increases  
24 in homelessness in 2024 have intensified the island’s housing shortage and increased  
25 the need for additional housing inventory.

26        *I Liheslatura* finds that mixed-income housing development promotes  
27 sustainable communities by reducing concentrations of poverty, strengthening

1 neighborhood stability, and increasing access to employment opportunities,  
2 educational resources, healthcare, transportation, and commercial services.

3 *I Liheslatura* further finds that research and experience from jurisdictions  
4 across the nation demonstrate that integrating low-income, moderate-income, and  
5 market-rate housing within the same development can improve economic mobility  
6 and community outcomes while supporting long-term housing sustainability.

7 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish the Guam  
8 Mixed-Income Community Housing Development Program, to be administered by  
9 GHURA, in order to expand housing opportunities for low- and moderate-income  
10 households, support mixed-income and mixed-use development, encourage  
11 sustainable and resilient communities, and strengthen Guam’s long-term housing  
12 and economic stability.

13 **Section 2.** A new §5101(h) to Title 12, Guam Code Annotated is hereby  
14 *added* to read as follows:

15 “(h) The Legislature further declares and finds that the housing needs of the  
16 people of Guam extend beyond those served by existing low-income programs. A  
17 significant and growing segment of the mainstream workforce whose household  
18 incomes exceed eighty percent (80%) but do not exceed one hundred twenty percent  
19 (120%) of Area Median Income cannot afford market-rate housing yet remain  
20 ineligible for existing housing subsidies. It is the policy of Guam, in addition to and  
21 consistent with the policies set forth in Subsections (a) through (g) of this Section,  
22 to create community housing development that encompasses mixed-income  
23 households to sustain affordable housing, facilitate upward mobility, and promote  
24 holistic communities. The Authority shall have the power and duty to plan, finance,  
25 develop, and administer programs that promote such community housing  
26 development.”

**Section 3.** To *add* a new § 5104(w)(7) to Title 12, Guam Code Annotated to read as follows:

“(7) plans for mixed-income or mixed-income-mixed-use community housing development projects, pursuant to Article 5 of this Chapter.”

**Section 4.** A new Article 5 to Chapter 5, Title 12, Guam Code Annotated is hereby *added* to read as follows:

## **“ARTICLE 5**

**GUAM MIXED-INCOME COMMUNITY HOUSING DEVELOPMENT**  
**PROGRAM**

§ 5501.            Title.

§ 5502. Purpose.

§ 5503. Definitions.

§ 5504. Guam Mixed-Income Community Housing Development  
Program.

§ 5505. Guam Mixed-Income Community Housing Development Fund.

§ 5506. Severability.

**§ 5501. Title.**

This Article may be cited as the “The Guam Mixed-Income Community Housing Development Act of 2026.”

**§ 5502. Purpose.**

It is the intent of *I Liheslaturan Guåhan* to strengthen Guam’s housing future by establishing the Guam Mixed-Income Community Housing Development Program (“Program”), to be administered by the Guam Housing and Urban Renewal Authority (GHURA), that complements the federal Low-Income Housing Tax Credit (LIHTC) program and prioritizes financing for affordable housing, including “missing middle” income populations.

1        The Program shall expand housing assistance to individuals and households  
2 that do not currently qualify for existing subsidies but remain in need of affordable  
3 housing support, facilitate upward mobility, and promote sustainable, inclusive  
4 communities through mixed-income housing development.

5        **§ 5503.        Definitions.**

6        As used in this Article:

7        (a) “Area Median Income” or “AMI” means the median family income for  
8 Guam, as determined and published periodically by the United States Department of  
9 Housing and Urban Development (HUD), adjusted for household size.

10       (b) “Authority” means the Guam Housing and Urban Renewal Authority.

11       (c) “Director” means the Executive Director of the Guam Housing and Urban  
12 Renewal Authority.

13       (d) “Fund” means the Guam Mixed-Income Community Housing  
14 Development Fund.

15       (e) “Low-income” means a household with an annual gross income that does  
16 not exceed eighty percent (80%) of Area Median Income (AMI), adjusted for  
17 household size.

18       (f) “Mixed-income” means a residential development that combines housing  
19 units with rents and prices affordable to households across varying income levels,  
20 including both market-rate and subsidized low- to moderate-income housing units.

21       (g) “Mixed-use development” means a development that combines residential  
22 uses with one or more non-residential uses, including commercial, office, civic, or  
23 community facilities, within a single integrated project site planned and financed as  
24 a unified development.

25       (h) “Mixed-income mixed-use community housing development projects”  
26 means projects that combine mixed-income housing with compatible community  
27 development projects to provide direct benefits to low- and moderate-income

1 households through increased accessibility to employment, services, community  
2 resources, and recreation.

3 (i) “Moderate-income” means a household with an annual gross income  
4 greater than eighty percent (80%) of Area Median Income (AMI) but not exceeding  
5 one hundred twenty percent (120%) of Area Median Income (AMI), adjusted for  
6 household size. The income thresholds established herein may be adjusted by  
7 GHURA from time-to-time through an approved board resolution consistent with  
8 recommendations from the Guam Housing Corporation and/or federal agencies,  
9 including, but not limited to, the U.S. Department of Housing and Urban  
10 Development and the U.S. Department of Agriculture.

11 (j) “Guam Qualified Allocation Plan” or “GQAP” means a triennial plan  
12 adopted by GHURA describing how funds pursuant to this Article shall be awarded  
13 and allocated among competing development projects, including scoring criteria for  
14 affordable housing units, maintenance, operation, and other requirements  
15 established by the Authority.

16 **§ 5504. Mixed-Income Community Housing Development Program.**

17 (a) Administration. There is hereby established the Mixed-Income  
18 Community Housing Development Program (the “Program”), to be administered by  
19 the Guam Housing and Urban Renewal Authority (GHURA). The Program shall  
20 provide financial assistance to support the development, rehabilitation, and  
21 preservation of mixed-income or mixed-income-mixed-use community housing  
22 development that directly benefit low to moderate-income households. GHURA  
23 shall develop and adopt a triennial Guam Qualified Allocation Plan (GQAP) to  
24 determine allocation of funds based on needs assessment for low to moderate income  
25 households and how best to leverage available local funds.

26 (b) Eligibility. Applicants shall be duly licensed to do business on Guam.  
27 All applications shall comply with criteria established in the GHURA’s Guam

1 Qualified Allocation Plan. Applications shall be submitted to and approved by  
2 GHURA Board of Commissioners prior to issuance of any licenses, permits, and  
3 certificates required for development.

4 (c) Selection and Award. The amount of funds allocated to an  
5 approved Mixed-Income or Mixed-Income-Mixed-Use Community Housing  
6 Development Project shall be determined by the Authority in accordance with the  
7 Guam Qualified Allocation Plan (GQAP), which shall include, but not be limited  
8 to the following:

- 9 (1) financial feasibility,
- 10 (2) objectives and priorities for funding,
- 11 (3) rent levels and types of qualifying tenants,
- 12 (4) term of affordability,
- 13 (5) percentage of units serving low-income and moderate-income  
14 households,
- 15 (6) proximity to urban centers, job opportunities, healthcare, and  
16 public transportation hubs,
- 17 (7) walkability and accessibility for tenants with disabilities and the  
18 elderly,
- 19 (8) use of local skilled labor in development and construction,
- 20 (9) incorporation of green, carbon-reducing, sustainable, climate  
21 resilient, and energy efficient designs, and
- 22 (10) prioritization of rehabilitating unsafe and/or underutilized  
23 buildings over new construction.

24 (d) Compliance and Monitoring.

- 25 (1) The Authority is authorized to establish annual compliance  
26 monitoring fees applicable to all development projects during the compliance  
27 period, with a rate based on the amount of low and moderate income units per

1 year, to be adjusted periodically according to the Consumer Price Index (CPI),  
2 and shall be subject to an annual cap.

3 (2) Failure to comply with the GQAP during the compliance period  
4 shall result in fines, promulgated through the Administrative Adjudication  
5 Law located in Chapter 9, Title 5 Guam Code Annotated.

6 (e) Periodic Review and Updates. The Authority shall revise and update  
7 the GQAP, triennially at a minimum, to reflect new and changing priorities, market  
8 conditions, and/or policy objectives.

9 **§ 5505. Mixed-Income Community Housing Development Fund.**

10 (a) There is hereby created a non-lapsing fund to be known as the Mixed-  
11 Income Community Housing Development Fund (“Fund”) which shall be  
12 administered by the Guam Housing and Urban Renewal Authority (GHURA) and  
13 maintained separate from and accounted for separately from other funds of the  
14 Government of Guam. The fund shall not be subject to any transfer authority of I  
15 Maga’lahen/Maga’hågan Guåhan.

16 (b) Appropriations from the General Fund, grants, and monetary donations  
17 shall be deposited in the Fund.

18 (c) The expenditure of these monies shall be limited to fund approved  
19 mixed-income and/or mixed-income-mixed-use community housing development  
20 projects in accordance to the approved Guam Qualified Allocation Plan (GQAP).

21 (1) Qualified costs and contributions shall be limited to actual,  
22 reasonable, and necessary costs documented in accordance with  
23 requirements by the Authority, and shall exclude land costs, reserves,  
24 operating subsidies, and any costs disallowed under Board rules, unless  
25 otherwise authorized by regulation.

1           (2) Qualified Costs shall be associated with qualified development,  
2           rehabilitation, or preservation costs of mixed-income or mixed-income-  
3           mixed use community housing development projects;

4           (3) No project shall receive more total subsidy than is necessary for  
5           financial feasibility and long-term viability, as determined by the Authority.

6           (d) Administrative costs of ten percent (10%) annually to fund personnel  
7           and supplies. Upon Board approval, the Authority is authorized to reserve up to  
8           three-hundred thousand dollars (\$300,000) based on scale of projects and/or procure  
9           contractual services for housing needs assessment.

10          (e) The Director shall submit an annual report to *I Liheslaturan Guåhan* and  
11          the Office of Public Accountability by October 30<sup>th</sup>. The report shall include total  
12          collections, expenditures, and balance of the Fund; list and status of approved  
13          projects and their recipients, amount of housing constructed for low and moderate  
14          income households, and a list of recipients whose projects were suspended or  
15          terminated due to non-compliance with the GQAP.

16          **§5506. Severability.**

17          If any provisions of this Act or its application to any person or circumstance  
18          is found to be invalid or inorganic, such invalidity *shall not* affect other provisions  
19          or applications of this Act that can be given effect without the invalid provision or  
20          application, and to this end the provisions of this Act are severable.”

21          **Section 5. Rules and Regulations.**

22          Pursuant to the Guam Administrative Adjudication Law, GHURA shall  
23          promulgate regulations, fees, and fines for the implementation of this Article, and  
24          shall transmit such regulations, fees and fines to the Speaker of *I Liheslaturan*  
25          *Guåhan* within one (1) year upon enactment.

26          **Section 6. Effective Date.** This Act shall be effective upon enactment.