

# WEST VIRGINIA CODE: §31-18A-3

## §31-18A-3. Definitions.

As used in this article, unless the context otherwise requires:

- (1) "Residential dwelling" means a single family residence located in the State of West Virginia, which it is determined by the Housing Development Fund can be substantially aided in the conservation of energy by the making of improvements financed with a loan under this article;
- (2) "Eligible owner of a residential dwelling" means:
  - (a) Person or persons of low and moderate income who own and occupy a residential dwelling; or
  - (b) Person or persons of higher income who own and occupy a residential dwelling in such area or areas of this state which are determined by the West Virginia Housing Development Fund, in consultation with the Public Service Commission, by resolution, to be a critical energy shortage area; or
  - (c) Person or persons who own and occupy a residential dwelling and who because of age or disability are found and determined by the West Virginia Housing Development Fund, by resolution, to require assistance in improving the energy efficiency of such dwellings to insure their health, safety and welfare;
- (3) "Housing development fund" means the West Virginia Housing Development Fund created and established by section four, article eighteen, chapter thirty-one of this code;
- (4) "Revolving loan fund" means the West Virginia energy conservation revolving loan fund which is created and established by section six of this article;
- (5) "Person or persons of low and moderate income" means a person or persons, irrespective of race, creed, national origin or sex, determined by the Housing Development Fund to require such assistance as is made available by this article on account of personal or family income not sufficient to afford to implement or install energy conservation materials or equipment designed to improve the energy efficiency of residential dwellings, and in making such determination the Housing Development Fund shall take into account the following: (a) The amount of the total income of such persons and families for housing energy needs; (b) the size of the family; (c) the cost and condition of the residential dwelling; and (d) the eligibility of such persons or families for federal housing energy conservation assistance of any type based upon low or moderate income basis.