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## TITLE 31

### Welfare

#### Housing and Slum Clearance

#### CHAPTER 43. HOUSING AUTHORITY

##### § 4301. Definitions.

As used in this chapter, unless a different meaning appears from the context:

(1) "Area" or "area of operation" means the county or part of the county in and with respect to which an authority shall be created.

(2) "Authority" or "housing authority" means a corporate body organized in accordance with the provisions of this chapter for the purposes, with the powers and subject to the restrictions set forth in this chapter.

(3) "Bureau" means the State Bureau of Housing.

(4) "Commissioner" means 1 of the members of an authority appointed in accordance with the provisions of this chapter.

(5) "Community facilities" includes lands, buildings and equipment for recreation or social assembly, for educational, health or welfare activities and other necessary utilities primarily for use and benefit of the occupants of housing accommodations to be constructed and operated under this chapter.

(6) "DSHA" means the Delaware State Housing Authority.

(7) "Government" includes the state and federal governments, and any subdivision, agency or instrumentality, corporate or otherwise, of either of them.

(8) "Housing project" or "project" means any work or undertaking:

a. To demolish, clear or remove buildings from any slum area acquired by the authority;

b. To provide decent safe and sanitary urban or rural dwellings, apartments or other living accommodations for persons of low income; such work or undertaking may include buildings, land, equipment facilities, and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, utilities, parks, site preparation, landscaping, administrative, community, health, recreational,

welfare or other purposes; or

c. To accomplish a combination of the foregoing. The term "housing project" or "project" also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith; and the term shall include all other real and personal property and all tangible or intangible assets held or used in connection with the housing project.

(9) "Persons of low income" means persons or families who lack the amount of income which is necessary, as determined by the authority undertaking a project, to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

(10) "Slum" means any area where dwellings predominate which by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to safety, health and morals. (39 Del. Laws, c. 16, § 2; Code 1935, § 5454; 48 Del. Laws, c. 117, §§ 1, 2; 31 Del. C. 1953, § 4301; 52 Del. Laws, c. 126, § 1; 56 Del. Laws, c. 293, § 2; 57 Del. Laws, c. 679, § 5A; 71 Del. Laws, c. 357, § 7.)

#### **§ 4302. Legislative purpose.**

It is as a matter of legislative determination that, in order to promote and protect the health, safety, morals and welfare of the public, it is necessary in the public interest to provide for the creation of public corporate bodies to be known as housing authorities, and to confer upon and vest in such housing authorities all powers necessary or appropriate in order that they may engage in low-rent housing and slum clearance projects, and that the powers herein conferred upon the housing authorities, including the power to acquire property, to remove unsanitary or substandard conditions, to construct and operate housing accommodations and to borrow, expend and repay moneys for the purposes set forth in this chapter are public objects essential to the public interest. (39 Del. Laws, c. 16, § 3; Code 1935, § 5455; 31 Del. C. 1953, § 4302.)

#### **§ 4303. Creation of authority; appointment and removal of commissioners; area of operation.**

Whenever DSHA shall have determined that there is need for a housing authority in any county or in any part of a county of the State, it shall issue to each appointing officer named in this chapter a certificate of such determination, describing the area of operation of the proposed authority, and as soon as possible thereafter an authority shall be created by the appointment of commissioners who shall constitute the authority, all of whom shall be residents of the area in which the authority operates. In the case of a New Castle County housing authority, there shall be 7 commissioners who shall be appointed by the County Executive with the advice and consent of the County Council, no more than a bare majority of the commissioners shall be affiliated with any 1 major political party, 1 member shall serve as chairperson and shall serve at the pleasure of the County Executive, 6 members shall serve for terms of 3 years each; provided, that the terms of the original members shall be established in a manner that 2 shall expire each year, and that 1 member from each council district shall be represented on the commission. In the case of authorities other than a New Castle County housing authority, there shall be 6 commissioners who shall be appointed as follows: 3 by the Governor for initial terms of 6 years, 4 years and 3 years respectively, 3 by the mayor of the most populous incorporated city or town in the area of operation in accordance with the last federal census for initial terms of 5 years, 2 years and 1 year respectively. Not more than 2 appointees of the

Governor or of the mayor at any 1 time shall be from the same political party or subdivision thereof. The terms of the commissioners appointed before July 1, 1959 shall continue until the expiration of the terms thereof, the first occurring appointment to succeed the appointee of the resident judge shall be made by the mayor, the second occurring appointment to succeed the appointee of the resident judge shall be made by the Governor.

Forthwith upon the appointment of the original commissioners, the appointing officers shall execute and file or cause to be filed in the office of the Secretary of State a certificate or certificates stating that such appointments have been duly made and setting forth the name and term of office of each commissioner. Such certificate or certificates shall be conclusive evidence of the due and proper creation of the authority. Each appointing officer shall execute and file or cause to be filed in the office of the Secretary of State a certificate with respect to each appointment of a successor commissioner stating the fact of such appointment and setting forth the name of the successor commissioner and the successor commissioner's term of office. The respective appointing officers shall appoint successors to commissioners appointed by them or by their respective predecessors in office. In the case of an authority other than a New Castle County housing authority, each successor commissioner shall be appointed to hold office in the case of a vacancy for the unexpired term, or, in the case of expiration, for a term of 6 years or until a successor shall have been appointed and qualified. In the case of a New Castle County housing authority, each successor commissioner shall be appointed to hold office in the case of a vacancy for the unexpired term, or, in the case of expiration of a term, for a term of 3 years from the date of expiration of such term or until a successor shall have been appointed and qualified.

In the case of an authority other than a New Castle County housing authority, the Governor and the mayor by unanimous vote may remove a commissioner of the authority for official misconduct, neglect of duty or incompetence, but only after the commissioner shall have been given a copy of the charges against the commissioner and an opportunity to be heard in person or by counsel in the commissioner's own defense; pending the determination of the charges against the commissioner, the Governor and the mayor by unanimous vote may suspend the commissioner from office. A copy of the charges and the result of the hearing shall be forwarded to DSHA.

In the case of a New Castle County housing authority, the County Executive, with the advice and consent of County Council, may remove a commissioner of the authority for official misconduct, neglect of duty or incompetence, but only after the commissioner shall have been given a copy of the charges against the commissioner and an opportunity to be heard in person or by counsel in the commissioner's own defense; pending the determination of the charges against the commissioner, the County Executive with the advice and consent of County Council by unanimous vote may suspend the commissioner from office. A copy of the charges and the result of the hearing shall be forwarded to the Department. (39 Del. Laws, c. 16, § 4; Code 1935, § 5456; 48 Del. Laws, c. 339, § 1; 31 Del. C. 1953, § 4303; 52 Del. Laws, c. 126, §§ 2-4; 56 Del. Laws, c. 293, § 2; 57 Del. Laws, c. 679, § 5B; 58 Del. Laws, c. 161, § 2; 70 Del. Laws, c. 186, § 1.)

#### **§ 4304. Wilmington Housing Authority.**

The Wilmington Housing Authority shall consist of 9 commissioners, 7 of whom shall be appointed by the Mayor of the City of Wilmington, 1 of whom shall be appointed by the Governor and 1 of whom shall be appointed by the County Executive of New Castle County. Each commissioner shall serve for a term of 3 years unless replaced before 3 years by an interim commissioner. No more than 5 commissioners or interim commissioners shall be of the same political party.

Notwithstanding any provisions of this chapter to the contrary, a Wilmington Housing Authority commissioner or interim commissioner shall serve at the pleasure of the person who appointed him or her, and may be removed, with or without cause, by the appointing person. In the event of death, disability, resignation, or removal of a commissioner or interim commissioner before the expiration of his or her term, the appointing person may appoint an interim commissioner to complete the term. (31 Del. C. 1953, § 4303A; 58 Del. Laws, c. 139; 59 Del. Laws, c. 323, § 1; 64 Del. Laws, c. 390, § 1; 72 Del. Laws, c. 9, § 1.)

#### **§ 4305. Interest of authority member or employee in projects.**

No member or employee of an authority shall acquire any interest, direct or indirect, in a project or in any property then or thereafter included or planned to be included in a project, nor retain any interest direct or indirect in any property acquired subsequently to the member's or employee's appointment or employment which is later included or to the member's or employee's knowledge planned to be included in a project, nor shall the member or employee have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any project. If any member or employee of an authority owns or controls an interest, direct or indirect, in any property included in any project, which was acquired prior to the member's or employee's appointment or employment, the member or employee shall disclose such interest and the date of acquisition thereof in writing to the authority, and such disclosure shall be entered upon the minutes of the authority. (39 Del. Laws, c. 16, § 5; Code 1935, § 5457; 31 Del. C. 1953, § 4304; 70 Del. Laws, c. 186, § 1.)

#### **§ 4306. Organization by commissioners; quorum; employment of assistants.**

As soon as possible after the creation of an authority, the commissioners shall organize for the transaction of business by choosing from among their number a chairperson and vice-chairperson and by adopting bylaws and rules and regulations suitable to the purposes of this chapter. Three commissioners shall constitute a quorum for the purpose of organizing the authority and conducting the business thereof. The commissioners shall, from time to time, select and appoint such officers and employees, including a director to be ex officio secretary, and engineering, architectural and legal assistants, as they may require for the performance of their duties, and shall prescribe the duties and compensation of each officer and employee. (39 Del. Laws, c. 16, § 6; Code 1935, § 5458; 31 Del. C. 1953, § 4305; 70 Del. Laws, c. 186, § 1.)

#### **§ 4307. Compensation and expenses of commissioners.**

No commissioner shall receive any compensation, whether in form of salary, per diem allowances or otherwise, for or in connection with the commissioner's services as such commissioner. Each commissioner shall, however, be entitled to reimbursements, to the extent of appropriations or other funds available therefor, for any necessary expenditures in connection with the performance of the commissioner's general duties or in connection with the construction or operation of any project. The authority may allocate such expenses among its project in such manner as it may consider proper. (39 Del. Laws, c. 16, § 7; Code 1935, § 5459, 31 Del. C. 1953, § 4306; 70 Del. Laws, c. 186, § 1.)

#### **§ 4308. Powers of authority.**

(a) An authority shall constitute a body both corporate and politic, exercising public powers and having all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the following powers in addition to others granted in this chapter:

(1) To investigate into living and housing conditions in its area of operations and into the means and methods of improving such conditions; to determine where unsanitary or substandard housing conditions exist; to study and make recommendations concerning the plans of the area of operations in relation to the problems of clearing, replanning and reconstruction of areas in which unsanitary or substandard conditions exist, and the providing of housing accommodations for persons of low income, and to cooperate with any city, regional or state planning agency;

(2) To prepare, carry out and operate projects; to provide for the construction, reconstruction, improvement, alteration or repair of any project or any part thereof; to take over by purchase, lease, or otherwise any project undertaken by any government; to act as agent for the federal government in connection with the acquisition, construction, operation or management of a project or any part thereof; to arrange with any government within the area of operation for the furnishing, planning, replanning, opening or closing of streets, roads, roadways, alleys, parks or other places or public facilities or for the acquisition by any government or any agency, instrumentality or subdivision thereof, including, specifically, the Federal Emergency Administration of Public Works and the Public Works Emergency Housing Corporation, of property, options or property rights or for the furnishing of property or services in connection with a project;

(3) To lease or rent any of the housing or other accommodations, or any of the lands, buildings, structures or facilities embraced in any project and to establish and revise the rents or charges therefor; to purchase, lease, obtain options upon, acquire by eminent domain or otherwise, sell, exchange, transfer, assign, mortgage or pledge any property, real or personal or any interest therein from any person, firm, corporation or any municipal state, or federal government or any agency, instrumentality or subdivision thereof, including specifically, the Federal Emergency Administration of Public Works and the Public Works Emergency Housing Corporation, by gift, grant, bequest or devise; to own, hold, clear and improve property; in its discretion to insure or provide for the insurance of the property or operations of the authority against such risks as the authority may deem advisable;

(4) To borrow money upon its bonds, notes, debentures or other evidences of indebtedness and to secure the same by mortgage upon property held or to be held by it or by pledge of its revenues, or in any other manner, and in connection with any loan by a government, to agree to limitations upon the exercise of any powers conferred upon the authority by this chapter; to invest any funds held in reserves or sinking funds, or in any funds not required for immediate disbursements in state or federal securities;

(5) To sue and be sued; to have a seal and to alter the same at pleasure; to have perpetual succession; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the authority; to make and from time to time amend and repeal bylaws, rules and regulations not inconsistent with this chapter, and to carry into effect the powers and purposes of the authority;

(6) To enter upon any building or property in order to conduct investigations or to make surveys or soundings; to conduct examinations and investigations and to hear testimony and take proof under oath at public or private hearings on any matter material for its information; to issue subpoenas requiring the attendance of witnesses or the production of books and papers and to issue commissions for the examination of witnesses who are out of the State or unable to attend before the authority, or excused from attendance; and to do all things necessary or convenient to carry out the powers given in this chapter.

(b) Any of the investigations or examinations provided for in this chapter may be

conducted by the authority or by a committee appointed by it, consisting of 1 or more commissioners, or by counsel, or by an officer or employee specially authorized by the authority to conduct it. Any commissioner, counsel for the authority, or any person designated by it to conduct an investigation or examination shall have power to administer oaths, take affidavits and issue subpoenas or commissions. Any authority may exercise any or all of the powers herein conferred upon it, either generally or with respect to any specific project or projects, through or by any agent or agents which it may designate. (39 Del. Laws, c. 16, § 8; Code 1935, § 5460; 31 Del. C. 1953, § 4307.)

#### **§ 4309. Agreements with federal government.**

An authority may, in connection with the borrowing of funds, or otherwise, enter into any agreement with the federal government or any agency or subdivision thereof providing for supervision and control of the authority of any project, and containing such covenants, terms and conditions as the authority may deem advisable. (39 Del. Laws, c. 16, § 14; Code 1935, § 5466; 31 Del. C. 1953, § 4308.)

#### **§ 4310. Transfer of property to authority by municipalities.**

Any city, village or incorporated town included in the area of operation of an authority may sell, convey or lease any of its interest in any property or grant easements, licenses or any other rights or privileges therein or with respect thereto to the authority, irrespective of the purposes for which such property or such interest therein may have been acquired. Such city, village or incorporated town is authorized to sell any such property, property rights or interest therein to the authority at private sale without advertisement or competitive bidding, and, in the case of property, property rights or interest therein devoted or dedicated to a public use, the city, village or incorporated town is authorized to make grants to the authority on such terms and under such conditions as it deems advisable. The authority may acquire and accept any such property, property rights or interest therein as it deems necessary or desirable in the development of a project pursuant to this chapter. (39 Del. Laws, c. 16, § 9; Code 1935, § 5461; 42 Del. Laws, c. 162; 31 Del. C. 1953, § 4309.)

#### **§ 4311. Condemnation procedure.**

Whenever the housing authority cannot agree with the owner of any land, building, franchise, easement or other property necessary to be taken or used in the construction, reconstruction or maintenance of any housing project or proposed housing project, which the housing authority constructs, reconstructs or otherwise improves, or proposes to construct, reconstruct or otherwise improve, for the purpose thereof, the housing authority may exercise the power of eminent domain by proceeding in accordance with Chapter 61 of Title 10. (39 Del. Laws, c. 16, § 10; Code 1935, § 5462; 31 Del. C. 1953, § 4310.)

#### **§ 4312. Property as public property.**

All property, both real and personal, acquired, owned, leased, rented or operated by an authority is deemed public property for public use. (39 Del. Laws, c. 16, § 11; Code 1935, § 5463; 31 Del. C. 1953, § 4311.)

#### **§ 4313. Projects subject to zoning regulations.**

All projects of an authority shall be subject to the comprehensive development plan, including the housing component thereof, planning, zoning, sanitary, and building laws, ordinances and regulations applicable to the locality in which the project is to be situated.

(39 Del. Laws, c. 16, § 12; Code 1935, § 5464; 31 Del. C. 1953, § 4312; 58 Del. Laws, c. 161, § 3.)

#### **§ 4314. Issuance of evidences of indebtedness; rights of creditors.**

Subject to the restrictions set forth in this chapter, an authority may incur any indebtedness, issue any obligations and give any security therefor which it deems necessary or advisable in connection with any project undertaken by it under this chapter. Authorization for the issuance of bonds shall be made by resolution of the authority and the bonds shall be signed by any agent whom the authority designates.

The bonds, notes or other evidences of indebtedness executed by an authority shall not be a debt or charge against the State, county, municipality, or any subdivision or agency or instrumentality thereof other than the authority, and no individual liability shall attach for any lawful official act done by any commissioner, but a commissioner shall be liable for the commissioner's own malfeasance. The rights of creditors of an authority shall be solely against such authority as a corporate body and shall be satisfied only out of property held by it in its corporate capacity, and the enforcement of such rights shall be subject to all the provisions of Part III of this title. (39 Del. Laws, c. 16, § 13; Code 1935, § 5465; 31 Del. C. 1953, § 4313; 70 Del. Laws, c. 186, § 1.)

#### **§ 4315. Supervision of projects by the DSHA.**

Whenever any project of any agency, including public or private organizations or corporations, is financed in whole or in part by this State pursuant to Chapter 40 of this title, the Housing Director of DSHA may:

(1) Order any agency undertaking or operating a project to make, at its expense, such repairs and improvements as will preserve or promote the health and safety of the occupants of buildings and structures owned or operated by such agency;

(2) Order all such agencies to do such acts as may be necessary to comply with the law, the rules and regulations adopted by the Housing Director by the terms of any project approved by the Housing Director, or to refrain from doing any acts in violation thereof;

(3) Examine all such agencies and keep informed as to their general condition, their capitalization and the manner in which their property is constructed, leased, operated or managed;

(4) By the Housing Director's duly authorized agents, enter in or upon and inspect the property, equipment, buildings, plants, offices, apparatus and devices of any such agency, examine all books, contracts, records, documents and papers of any such agency and, by subpoena duces tecum issued by DSHA, compel the production thereof;

(5) In the Housing Director's discretion prescribe uniform methods and forms of keeping accounts, records and books to be observed by such agencies and to prescribe or order accounts in which particular outlays and receipts shall be entered, charged or credited;

(6) Require every such agency to file with DSHA an annual report setting forth such information as the Housing Director may require verified by the oath of a duly authorized representative of the agency. Such report shall be in the form, cover the period and be filed at the time prescribed by the Housing Director. The Housing Director may

further require answers to questions upon which the Housing Director or DSHA may desire information and may also require such agency to file periodic reports in the form covering the period at the time prescribed by the Housing Director;

(7) From time to time make, amend and repeal rules and regulations for carrying into effect this chapter. (31 Del. C. 1953, § 4314; 56 Del. Laws, c. 293, § 3; 57 Del. Laws, c. 679, §§ 5B, 5C; 70 Del. Laws, c. 186, § 1; 71 Del. Laws, c. 357, §§ 9-16.)

#### **§ 4316. Material and labor contracts; bids.**

All materials furnished to and all labor for an authority in excess of the probable cost of \$500, except materials and labor used in the maintenance and operation of housing projects and employees directly under the authority, shall be supplied or done under contract made after competitive bids have been requested and submitted. (39 Del. Laws, c. 16, § 18; Code 1935, § 5470; 31 Del. C. 1953, § 4317.)

#### **§ 4317. Dissolution.**

Whenever an authority desires to discontinue its operations, it shall make application to DSHA for permission to dissolve. Permission to dissolve shall be given only upon the showing, satisfactory to DSHA, that all projects undertaken by the authority have been completed or abandoned with the approval of DSHA, that provision satisfactory to a majority of its creditors, holding a majority in the amount of claims, has been made, and that the continued existence of the authority would not serve the public interest. Notice of such application for permission to dissolve shall be given to all creditors of the authority in such manner as DSHA approves. If the application to dissolve is granted, DSHA shall either (1) designate an agent to take possession of the authority, to dispose of all of its property in the manner authorized herein, and, after paying or making provisions for the debts and liabilities of the authority and the expenses of dissolution, pay the balance remaining, if any, into the General Fund of the State; or (2) DSHA may, after proper provision has been made for paying or meeting the debts and liabilities of an authority and the expenses of dissolution, approve an agreement conveying the property of the authority to the State, provided that no debt or obligation of the authority shall become the debt or obligation of the State by virtue of such conveyance, unless expressly assumed by the State. (39 Del. Laws, c. 16, § 19; Code 1935, § 5471; 31 Del. C. 1953, § 4318; 57 Del. Laws, c. 679, § 5B; 71 Del. Laws, c. 357, § 17.)

#### **§ 4318. Tax exemption; payments in lieu of taxes.**

The property of an authority is declared to be public property used for essential public purposes, and such property and an authority shall be exempt from all taxes and assessments of the city, the county, the State or any political subdivision thereof. In lieu of such taxes an authority may agree to make annual payments to such city or county for improvements, services and facilities furnished by such city or county for the benefit of the housing project, in amounts not to exceed the regular taxes which would be levied on such projects by the aforesaid taxing bodies if the project were not exempt therefrom. Bonds and other obligations of an authority are declared to be issued for an essential public and governmental purpose and to be public instrumentalities, and together with interest thereon and income therefrom, shall be exempt from taxes. (Code 1935, § 5471A; 43 Del. Laws, c. 241, § 1; 31 Del. C. 1953, § 4319; 56 Del. Laws, c. 108, § 1.)

#### **§ 4319. Exemption from execution sale.**

All real property of an authority shall be exempt from levy and sale by virtue of an

execution, and no execution or other judicial process shall issue against the same nor shall judgment against an authority be a charge or lien upon its real property. This section shall not apply to or limit the right of bondholders or other obligees of an authority to pursue any remedies for the enforcement of any pledge or lien given to them on its rents, fees or revenues or any mortgage of or agreement to sell a project given as security for any bonds or other obligations of the authority. (Code 1935, § 5471B; 43 Del. Laws, c. 241, § 1; 31 Del. C. 1953, § 4320.)

#### **§ 4320. Form and sale of bonds.**

Bonds, notes and certificates of indebtedness of an authority may be issued in 1 or more series, may bear such date or dates, may mature at such time or times from their respective dates, may bear interest at such rate or rates not in excess of 4% over the discount rate charged by the Federal Reserve Board of Governors to its member banks, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment, at such place or places, may be subject to such terms of redemption, with or without a premium, may be declared or become due before the maturity date thereof, may provide for the replacement of mutilated, destroyed, stolen or lost bonds, may be authenticated in such manner and upon compliance with such conditions, may be payable from such income of the authority upon such terms, may be secured in such manner, may provide for such rights and remedies upon their default, and may contain such other covenants, terms and conditions (including, without being limited to the foregoing) as may be provided by resolution or resolutions of the authority or any trust indenture authorized thereby. Notwithstanding the former tenor thereof, and in the absence of an express recital on the face thereof that the bonds or notes are nonnegotiable, all bonds of an authority shall at all times be and shall be treated as negotiable instruments for all purposes. Such bonds, notes and certificates shall be sold at not less than par at public sale held after notice published once at least 5 days prior to such sale in a newspaper having a general circulation in the city or county and in a financial newspaper published in the City of Wilmington or in the City of New York, New York. Such bonds and other obligations may be sold to the federal government or any agency thereof at private sale at not less than par. (Code 1935, § 5471C; 43 Del. Laws, c. 241, § 1; 31 Del. C. 1953, § 4321; 63 Del. Laws, c. 91, § 1.)

#### **§ 4321. Authority to invest in bonds or other obligations of housing authorities.**

The State and all public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds or other obligations issued by a housing authority established pursuant to this chapter or issued by any public housing authority or agency in the United States, when such bonds or other obligations are secured by a pledge of annual contributions to be paid by the United States government, or any agency thereof, and such bonds and other obligations shall be authorized security for all public deposits and fully negotiable in this State. It is the purpose of this section to authorize any persons, firms corporations, associations, political subdivisions, bodies and officers, public or private, to use any funds owned or controlled by them, including (but not limited to) sinking, insurance, investment, retirement, compensation, pension and trust funds, and funds held on deposit, for the purchase of any such bonds or other obligations and that such bonds or other obligations shall be security for public deposits and negotiable in this State. Nothing contained in this section shall be construed as relieving any person,

firm or corporation from any duty of exercising reasonable care in selecting securities. (44 Del. Laws, c. 186, § 1; 31 Del. C. 1953, § 4322.)

**§ 4322. Additional powers of Department.**

Repealed by 71 Del. Laws, c. 357, § 18, eff. July 2, 1998.

**§ 4323. Inspection of housing projects located within the City of Wilmington.**

(a) Every dwelling, apartment or other living accommodation owned or managed by the Wilmington Housing Authority and located within the City of Wilmington shall be subject to the comprehensive development plan, including the housing component thereof, and the planning, zoning, sanitary and building laws, ordinances and regulations of the City of Wilmington.

(b) No dwelling, apartment or other living accommodation owned or managed by the Wilmington Housing Authority and located within the City of Wilmington shall be given a Certificate of Occupancy after January 1, 2000, until such property has been determined to be in compliance with the applicable codes, ordinances and regulations of the City of Wilmington as determined by the Department of Licensing and Inspection. (72 Del. Laws, c. 406, § 1.)

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