

HOME



PROGRAM POLICIES AND PROCEDURES



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A. INTRODUCTION

The HOME program, created under Title II (the Home Investment Partnerships Act) of the National Affordable Housing Act of 1990, represented a historic affirmation of the Federal Government's commitment to providing decent, safe, and affordable housing for all Americans and to alleviating the problems of excessive rent burdens, homelessness, and deteriorating housing stock nationwide.

As a general local government, Columbus Consolidated Government is eligible to receive HOME funds by:

1. Columbus Consolidated Government is the participating jurisdictions in the HOME program and receiving a direct allocation of program funds and,
2. HOME funds are allocated to PJs by formula whereas 40 percent of formula-based funds are divided among the States and the remaining 60 percent are distributed among cities, urban counties, and consortia. The formula incorporates six indicators of a jurisdiction's affordable housing needs:
 - Relative inadequacy of housing supply.
 - Supply of substandard rental housing.
 - Number of low-income families in rental housing units likely to be in need of rehabilitation.
 - Cost of producing housing.
 - Incidence of poverty.
 - Fiscal incapacity to carry out housing activities without Federal assistance.

PJs initially qualify for a formula allocation of \$500,000 (\$335,000 in years when the appropriation for the program dips below \$1.5 billion). This amount represents the minimum direct allocation threshold. To actually receive this allocation for its first year, however, a new jurisdiction must actually amass \$750,000 (\$500,000 when the appropriation is less than \$1.5 billion).

B. DEFINITIONS

- ❑ **Affordable Housing** - is that which has a sales price or rental amount that is within the means of a household that may occupy low-income housing. In the case of dwelling units for sale, housing that is affordable means housing in which mortgage, amortization, taxes, insurance, and condominium or association fees, if any, constitute no more than 30 percent of such gross annual household income for a household of the size which may occupy the unit in question.
- ❑ **Commitment** - refers to the legally binding written agreement [that includes the date of the signature of each person signing the agreement] with a subrecipient, or a contractor, to use a specific amount of HOME funds to produce affordable housing, provide down-payment assistance, or provide tenant-based rental assistance; or has met the requirements to commit to a specific local project.
- ❑ **Community Housing Development Organization [CHDO]** - is a private non-profit entity that is organized and sanctioned under State and local laws and may be sponsored or created by a for profit entity. Must be sanctioned as a 501 (c)(3) or (4) by the Internal Revenue Service. According to federal regulations the board composition of this organization may not consist of more than 1/3 of its members appointed by a for-profit entity and must have at least 1/3 of the board members as representatives of low-income populations.
- ❑ **Consolidated Plan** - is that five year plan that has been submitted to, and approved by, HUD in accordance with 24 CFR §91.
- ❑ **Council** - means the City Council of Columbus, Georgia or a person or entity authorized to act on their behalf.
- ❑ **Contract** - includes any grant or loan agreement.
- ❑ **Contractor** - means the person entering into a contract with the City, including a Subrecipient, a CHDO (as defined below), and a person or organization providing goods or services under a standard commercial construction or procurement contract.
- ❑ **Housing** - includes manufactured housing and manufactured housing lots, permanent housing for disabled homeless persons, transitional housing, single-room occupancy housing, and group homes. Housing also includes elder cottage housing opportunity [ECHO] units that are small, free-standing, barrier-free, energy-efficient, removable, and designed to be installed adjacent to existing single-family dwellings. Housing does not include emergency shelters (including shelters for disaster victims) or facilities such as nursing homes, convalescent homes, hospitals, residential treatment facilities, correctional facilities, halfway houses, housing for students, or dormitories (including farmworker dormitories).
- ❑ **HUD** - means the United States Department of Housing and Urban Development.

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- **Low-Income Families** - means families whose annual incomes do not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD findings that such variations are necessary because prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. An individual does not qualify as a low-income family if the individual is a student who is not eligible to receive Section 8 assistance under 24 CFR §5.612.
- **Matching** - is a permanent contribution to affordable housing that is defined as the amount of **no less than 25 percent** of the total awarded HOME funds provided by participating jurisdictions and is not considered leveraging.
- **Participating Jurisdiction** - is a jurisdiction that has been established and recognized by HUD through 24 CFR §92.105.
- **Program Income** - means gross income received by the participating jurisdiction, State recipient, or a subrecipient directly generated from the use of HOME funds or matching contributions. When program income is generated by housing that is only partially assisted with HOME funds or matching funds, the income shall be prorated to reflect the percentage of HOME funds used. Program income includes, but is not limited to, the following: proceeds from the disposition by sale or long-term lease of real property acquired, rehabilitated, or constructed with HOME funds or matching contributions; gross income from the use or rental of real property, owned by the participating jurisdiction, State recipient, or a subrecipient, that was acquired, rehabilitated, or constructed, with HOME funds or matching contributions, less costs incidental to generation of the income [Program Income does not include gross income from the use, rental, or sale of real property received by the project owner, developer, sponsor, unless the funds are paid by the project owner, developer, or sponsor to the participating jurisdiction, subrecipient or State recipient]; payments of principal and interest on loans made using HOME funds or matching contributions; proceeds from the sale of loans made with HOME funds or matching contributions; proceeds from the sale of obligations secured by loans made with HOME funds or matching contributions; interest earned on program income pending its disposition; and any other interest or return on the investment permitted under 24 CFR §92.205(b) of HOME funds or matching contributions.
- **Project** - means a site or sites together with any building (including a manufactured housing unit) or buildings located on the site(s) that are under common ownership, management, and financing and are to be assisted with HOME funds as a single undertaking under this part. The project includes all the activities associated with the site and building. For tenant-based rental assistance, project means assistance to one or more families.
- **Project Completion** - means that all necessary title transfer requirements and construction work have been performed; the project complies with the requirements of this part [including property standards under 24 CFR §92.251]; the final drawdown of HOME funds has been disbursed for the project; and the project completion information has been entered in to the disbursement and information system [IDIS] established by HUD, except with respect to rental housing project

completion, for the purposes of 24 CFR §92.502(d) of this part, project completion occurs upon completion of construction and before occupancy. For tenant-based rental assistance, project completion means the final drawdown has been disbursed for the project.

- ❑ **Reconstruction** - means the rebuilding on the same lot, of housing standing on the site at the time of project commitment, except that housing that was destroyed may be rebuilt on the same lot if HOME funds are committed within 12 months of the date of destruction. The number of housing units on the lot may not be decreased or increased as part of the reconstruction project, but the number of rooms per unit may be increased or decreased. Reconstruction also includes replacing an existing substandard unit of manufactured housing with a new or standard unit of manufactured housing. Reconstruction is rehabilitation for purposes of this part.
- ❑ **Single Room Occupancy [SRO] housing** - means housing [consisting of single room dwelling units] that is the primary residence of its occupant or occupants. The unit must contain either food preparation or sanitary facilities [and may contain both] if the project consists of new construction, conversion of nonresidential space, or reconstruction. For acquisition and rehabilitation of an existing residential structure or hotel, neither food preparation nor sanitary facilities are required to be in the unit. If the units do not contain sanitary facilities, the building must contain sanitary facilities that are shared by tenants. A project's designation as an SRO cannot be inconsistent with the building's zoning and building code classification.
- ❑ **Subrecipient** - means a public agency or nonprofit organization selected by the participating jurisdiction to administer all or some of the participating jurisdiction's HOME programs to produce affordable housing, provide down-payment assistance. A public agency or nonprofit organization that receives HOME funds solely as a developer or owner of a housing project is not a subrecipient. The participating jurisdiction's selection of a subrecipient is not subject to the procurement procedures and requirements.
- ❑ **Uniform Physical Condition Standards [UPCS]** - means uniform national standards established by HUD pursuant to 24 CFR §5.703 for housing that is decent, safe, sanitary, and in good repair. Standards are established for items to be inspected for each of the following areas: site, building exterior, building systems, dwelling units, and common areas.
- ❑ **Very low-income families** - means low income families whose annual incomes do not exceed 50 percent of the median family income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of HUD findings that such variations are necessary because of prevailing levels of construction costs of fair market rents, or unusually high or low family incomes. An individual does not qualify as a very low-income family if the individual is a student who is not eligible to receive Section assistance under 24 CFR §5.612.

C. GENERAL HOME REQUIREMENTS

Consolidated Planning

Eligible jurisdictions with both the desire and the capacity to participate in the HOME program must meet the following prerequisite:

They must prepare (and HUD must approve) a Consolidated Plan containing specific information on how they will use their HOME allocation. But the Consolidated Plan is much more than an administrative requirement: It is the foundation on which all of a community's affordable housing efforts are built.

The Consolidated Plan, [prepared every 5 years in Columbus] enables the community to view the HUD grant programs as an overall comprehensive vision of housing and community development, and not as a limited tool to address only issues related to HUD grants. The comprehensive vision includes affordable housing, public infrastructure and public services, fair housing, economic and human development, and environmental/historical issues.

The process of plan development includes considerable collaboration with many organizations and agencies within the City, and with many outside private and public agencies and organizations. Equally important in the collaboration process is the involvement of Columbus citizens in the identification of issues and strategies that need inclusion in the Plan. The collaboration is viewed as a "bottom up" approach, where the basic issues and needs are identified by citizens and become a vital baseline of information for the development of the Plan.

The Consolidated Plan serves a vast array of purposes:

- ❑ Serves as the Strategic Plan and First Year Annual Action Plan for HUD's grant programs from which the City receives funding: Community Development Block Grant [CDBG]; and HOME Investment Partnership Act [HOME];
- ❑ Identifies priority housing, community development, and homeless needs;
- ❑ Contains strategies for implementation regarding HUD Programs and other activities to address the identified priority needs;
- ❑ Includes evaluation data in the Annual Action Plan;
- ❑ Includes the current year's Annual Action Plan;
- ❑ Identifies funding sources and amounts of funding, from all sources, for each Annual Action Plan;
- ❑ Contains maps depicting demographic information and the locations of various funded activities;
- ❑ Includes documented evidence that at least two public hearings were held in the development of the Plan and/or in the development of the Annual Action Plan. The public hearings shall be held at different stages of the development process [at least in the identification of needs and for the proposed Plan or proposed Annual Action Plan].

The staff of the Columbus Consolidated Government Community Reinvested Department may rely on the guidance provided in the Consolidated Plan regulations. The regulations are recodified by HUD each year, and the most current version of the Consolidated Plan regulations [24 CFR § 91] can be located on the

Internet at the United States Government Printing Office at:
<https://www.hudexchange.info/resource/2332/24-cfr-part-91-consolidated-plan-revisions-and-updates-final-rule/>.

The document is available in the Portable Document Format [.pdf] and can be downloaded and retained on the Community Reinvestment Department server for printing and use by all staff. This website can also be used to access the Federal Register to obtain other published items, also available in the “.pdf” format. Documents published in the “.pdf” format must be read using the Adobe Acrobat® software which is available at no cost, via a download from the Internet, from www.adobe.com/products/acrobat/readsetp.html.

In May 2012, HUD’s Office of Community Planning and Development (CPD) introduced the eCon Planning Suite, a collection of online tools to help grantees create market-driven, leveraged housing and community development plans. These tools are designed to help grantees with the needs analysis and strategic decision making required for the Consolidated Plan. Grantees scheduled to submit a Consolidated Plan to HUD will use the template for the Consolidated Plan, Year 1 Action Plan and all subsequent Annual Action Plans. The Consolidated Plan provides a number of benefits to grantees, including:

- A uniform, web-based format to help grantees ensure their Consolidated Plan includes all the required elements per the regulations. The template also includes a Quality Check that grantees can use to review the plan for missing information and discrepancies before submitting the final version to HUD.
- With the incorporation of the Consolidated Plan and Annual Action Plan into IDIS Online, all of the key reporting elements of the grants management cycle are integrated into one system. This will help ensure cohesiveness between the goals described in the Consolidated Plan and Action Plan and the outcomes tracked in IDIS and reported in the Consolidated Annual Performance and Evaluation Report (CAPER), making the Consolidated Plan a useful management tool.
- Many of the data tables within the Consolidated Plan Template are pre-populated with the latest housing and economic data. The data is provided to help grantees develop their funding priorities in the Strategic Plan and to save time in searching for and compiling the data.
- The Consolidated Plan Template is integrated with the CPD Maps tool. The maps and data sets available in CPD Maps can help grantees assess market conditions and present the information in a compelling fashion. CPD Maps is publicly available to ensure that community stakeholders will also have access to the same data sets. The Consolidated Plan Template allows grantees to easily insert maps and data tables from CPD Maps throughout the document.

HUD provide up to date guidance to ensure compliance with eCon Planning Suite requirements in the following desk guide: [The eCon Planning Suite: A Desk Guide for Using IDIS to Prepare the Consolidated Plan, Annual Action Plan, and CAPER/PER](#), which is updated periodically on the HUD Exchange.

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The plan preparation process also involves a number of public hearings and community meetings to permit citizens maximum input in the identification of problems and needs, the development of goals/objectives/strategies, and in the creation of each Annual Action Plan which proposes funding actions each year for the use of monies from HUD and other sources.

Columbus Consolidated Plan

The Columbus Consolidated Government Community Reinvestment Department prepares its Consolidated Plan in a manner which complies with its adopted Citizen Participation Plan and which is consistent with the HUD Consolidated Plan requirements published in the Code of Federal Regulations at 24 CFR Part 91. The plan development process involves the preparation of a new Consolidated Plan every 5 years, including extensive consultation with individual citizens, private organizations, and public agencies. The plan preparation process also involves a number of public hearings and community meetings to permit citizens maximum input in the identification of problems and needs, the development of goals/objectives/strategies, and in the creation of each Annual Action Plan which proposes funding each year for the use of monies from HUD and other sources.

The development of the Consolidated Plan is carried out in compliance with the citizen involvement requirements of the Citizen Participation Plan, developed by the Community Reinvestment Department and approved by City Council as a part of the Columbus Consolidated Plan and the local Columbus 2038 Comprehensive Plan.

Citizen Participation Process

The development of the Consolidated Plan is carried out in compliance with the citizen participation requirements outlined in the Citizen Participation Plan as described below:

The Consolidated Plan regulations require U.S. Department of Housing and Urban Development (HUD) local government grantees to adopt a Citizen Participation Plan. This Plan reflects Columbus Consolidated Government's compliance with the HUD requirements for citizen participation in all appropriate HUD grant programs. This Plan contains the required elements listed in the Consolidated Plan regulations at 24 CFR 91.105.

Citizen Participation Requirements

The programs of HUD include required involvement by grantees and subrecipient of citizens. The citizen participation requirements are a part of the HUD regulations governing the preparation of the Consolidated Plan [see 24 CFR Part 91.105]. Each entitlement grantee must meet minimal citizen participation requirements, including the preparation of a Citizen Participation Plan which explains the grantee's methodology for involving citizens in the local program planning and project/activity implementation process.

Columbus Citizen Participation Plan

The Columbus Consolidated Government Community Reinvestment Department prepares/updates its Citizen Participation Plan as a part of its Consolidated Plan, every 5 years. The process for involving citizens

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may change from time-to-time, as described in the Citizen Participation Plan approved by City Council, and as required by HUD for consistency with changes in the citizen participation requirements of 24 CFR Part 91. Columbus Consolidated Government has devised specific actions to encourage increased participation in its housing, homelessness, and community development programs, particularly by persons of low to moderate income. These actions include:

- ❑ Review of all citizen comments and incorporation of such comments into the Consolidated Plan, Annual Action Plan, Consolidated Annual Performance Evaluation Report, and all substantial amendments to these to these plans.
- ❑ Analyze the impact of Consolidated Plan, Annual Action Plan, Consolidated Annual Performance Evaluation Report, and all substantial amendments to these to these plans.
- ❑ Conduct Needs Assessments and appropriate on-site visits to each proposed project before including it in the Proposed Consolidated Plan;

Additionally, Columbus Consolidated Government will continue to provide a forum for open communication with its residents, particularly low to moderate income persons regarding its HUD funded programs. This Citizen Participation Plan offers numerous opportunities for citizens to contribute information, ideas, and opinions about ways to provide decent housing, establish and maintain a suitable living environment, and expand economic opportunities, particularly for low- and moderate-income persons.

Access to Records, Local Meetings and Information

Columbus Consolidated Government will continue to provide reasonable notice for all public hearings. Information and records relating to the housing and community development program activities are made available to the public for review and comment, in accordance with applicable Federal, State, and local laws. These notices of public hearings are publicized in the local newspaper of general circulation (Ledger Enquirer). The advertisements are either "display ads" or "legal ads" which appear in the sections of the newspaper most likely to be read by citizens. Additionally, the City emails all client organizations as a reminder as well.

Copies of all public hearing notices, the City's Consolidated Plan [to include any amendments] and Annual Performance Reports are placed in accessible locations throughout the City to permit public review and comment. Additionally, copies are also maintained at the Community Reinvestment Department which ensures that all meetings, records, documents and related information are made readily accessible to the citizens of Columbus in a form accessible to all citizens including persons with disabilities and limited English proficiency. The documents shall be maintained for not less than 5 years at the Columbus Consolidated Government Community Reinvestment Department.

Amendments to Consolidated Plan and Action Plan

Before City Council will approve an amendment to the current Five-Year Consolidated Plan or Annual Action Plan, Columbus Consolidated Government will document the amount of financial assistance the City expects to receive from HUD and the type of activities the City will undertake (including the number of very low and

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low income persons who will benefit), the plans to minimize the displacement of persons and the assistance to be provided to any persons displaced.

A summary of the proposed Consolidated Plan will be published in the Ledger Enquirer which is the official local newspaper of general circulation, and copies of the Proposed Plan will be made available at libraries, government offices, and other public places. The summary will describe the contents and purpose of the Consolidated Plan and will list locations where copies of the Plan can be reviewed. Substantial Amendments to the Plan will be advertised, and copies of each Amendment will also be made available to the general public. As required by HUD regulations, the City will provide a period of no less than 30 calendar days from the date of public notice to receive comments from local citizens as it relates to each amendment.

Columbus Consolidated Government will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan, and the City's use of HUD CDBG and HOME Program funds during the preceding year. Interested parties should contact the City for such information. Reasonable requests will be satisfied at the time of the request. If more detailed information is desired, such requests will need to be submitted to the City in writing.

Criteria for Consolidated Plan Substantive Amendments

A substantial amendment is defined as any deviation from the Consolidated or Annual Action Plan that results in a significant change regarding the specific Goals, Objectives, Outputs, and Outcomes as referenced in the current Consolidated Plan.

HUD regulations at 24 CFR Part 91.505 require amendments to the Consolidated Plan and Annual Action Plans whenever an entitlement jurisdiction:

- ❑ Makes a change in its allocation priorities or a change in the method of distributing funds;
- ❑ Becomes aware of HUD-imposed regulatory changes guiding planning, reporting, monitoring, and evaluation requirements;
- ❑ Carries out an activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the Action Plan; or Citizen Participation Plan for Columbus Consolidated Government
- ❑ Changes the purpose, scope, location, or beneficiaries of an activity.

Some amendments will be considered substantial while others will be considered to be not substantial. All non-substantial amendments, including those required by HUD regulations, will be considered narrative changes to be completed by the Director for the Columbus Consolidated Government Community Reinvestment Department in consultation with City staff, and will be published in the plans and online within a reasonable time after they are made. A proposed amendment is considered substantial when a proposed action or change that may create a significant community impact. A significant community impact requires public comment and is defined as either:

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- ❑ Any federal grant-funded project or activity that results in a significant environmental impact as that term is defined pursuant to the National Environmental Policy Act (NEPA) (42 U.S.C. 4231 et seq); or
- ❑ Any federal grant-funded project or activity that generates relocation of at least 20 resident households and/or two existing businesses which are subject to the federal Uniform Relocation Act (42 U.S.C. 4601 et seq., 42 U.S.C. 4621 et seq., and 42 U.S.C. 4651 et seq.).
- ❑ Changes in the use of funds from one eligible activity category to another (for example, from new construction to rental, or to any other broad category within HOME funding).
- ❑ Changes in the allocation priorities or a change in the method of distribution of funds.
- ❑ Changes to the original intent and purpose of an activity which is no longer applicable.
- ❑ Changes to the location of an activity changes to the extent that it does not serve the target population as originally described in the Consolidated Plan.
- ❑ Changes to carry out an activity using funds from any program covered by the Consolidated Plan (including program income), not previously described in the Annual Action Plan.

The need to prepare a substantial amendment shall trigger use of the public participation requirements described in the Citizen Participation Plan.

Grant Allocation and Reallocation Policy - Annual Allocation of Funding

The U.S. Department of Housing and Urban Development provides annual grants on a formula basis to Entitlement Communities as a means to support a wide range of community development and housing activities for low- and moderate-income households.

Each year Columbus Consolidated Government carries out a competitive application process which ultimately results in the award of HOME funds to City Departments, Non-Profit Organizations, Public Housing Authorities, and other special purpose organizations [Non-Profit Housing Developers - CHDOs] to carry out eligible HOME activities. The application process occurs as a part of the overall Consolidated Plan and Action Plan development process, and is carried out consistent with the requirements of the Citizen Participation Plan.

Generally, in January of each year through the end of February, the City accepts applications from non-profit organizations and public housing authorities for federal grant funds from the CDBG and HOME Programs. Applications are received for a period of approximately 60 days following the date of advertisement. Any applications which are received after the date/time of submission are not processed, but are returned to the applicant and are not considered for funding.

Application materials are provided to requesting organizations in electronic with the option for hardcopy format. Electronic copies of the application materials can be obtained utilizing the Internet to access and download the application materials from the Neighborly website: [Neighborly Software](#).

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The City holds at least one workshop prior to or during the grant application period to inform applicants about grant programs and applications processes. These workshops are open to new applicants and existing subrecipients. The City lists the application period on its website, sends an email community blast to all non-profits in its email directory, and provides notice in English and Spanish in the Ledger Enquirer.

Applicants are encouraged to meet with Columbus Consolidated Government Community Reinvestment Department staff with draft applications for review and technical assistance prior to the deadline for application submission. At this time, applicants are advised on eligibility questions and any apparent deficiencies in their draft application. Non-profit applicants are also reminded during this technical assistance process of the required additional documents which must be submitted with their application(s).

Typically, applications are due no later than the last week of February for funding in the upcoming fiscal year. The City estimates its annual allocation each year to include in its Annual Action Plan which is submitted to HUD each June or sixty days from the announcement of Federal annual allocations whichever is later. Since HUD might not publish its final allocation before the Annual Action Plan is due, the City estimates its annual allocation at 80% of the prior year's allocation. This estimated allocation allows the City to provide funding levels to inform local organizations that have submitted applications for funding. The City has chosen to estimate its funding at 80% of the previous year's allocation as a safeguard against fluctuating grant allocations.

The grant applications are evaluated by the Applications Rating Committee consisting of Columbus Community Reinvestment Department personnel and Community Development Advisory Council (CDAC). After the Committee rates the proposals, the Columbus Community Reinvestment Department prepares recommendations for City Council to discuss the recommended funding allocations. These recommendations are presented to City Council in May through early June of each year.

The Columbus Community Reinvestment Department then advertises the recommended allocations for 30 days and conducts a public hearing. After the 30-day comment period, the recommendations are submitted to City Council for approval. Once City Council approves the recommendations and submission of the annual action plan, the Community reinvestment Department will submit HUD its Annual action Plan in IDIS.

In the first quarter of the program calendar year, HUD releases grant allocations for the City. Generally, the City receives funding in excess of the 80% used to make the initial funding recommendations. The Applications Rating Committee reconvenes to make final funding recommendations based on the allocation from HUD. Additional funding above the 80% threshold may be awarded to organizations that have submitted applications for the current program year. These recommendations follow the same process of internal review, public notification, and City Council approval as the original funding allocations.

Federal funding, although allocated to the City, is not generally available for drawdown by the City until August or September of the funding year. However, grant recipients may begin incurring reimbursable expenses as of July 1 for the current funding year, provided that a signed agreement has been executed by all parties.

Reallocation of Grant Funds

Any unexpended CDBG or HOME funds that have been identified by the Columbus Community Reinvestment Department will be reprogrammed for use in the subsequent program year through the annual application cycle.

Technical Assistance to Citizens/Agencies

The Columbus Consolidated Government Community Reinvestment Department will continue to provide technical assistance to Columbus residents and agencies, particularly to those of very low and low income who request such assistance in developing project proposals, or who request other information (compliance requirements, program performance, funding information, etc.) outlined in the current AFH or AI, Consolidated Plan and CAPER. Project applications are available and are distributed at no cost to all persons making a request. A “one-on-one” meeting will be arranged for individuals and groups representing such persons when necessary to explain the project eligibility, application and approval process and other implementation requirements. The Columbus Consolidated Government Community Reinvestment Department staff will also meet with various non-profit organizations and individuals to provide other specific technical assistance related to housing, community development and human services programs, as requested. In addition, the Columbus Consolidated Government Community Reinvestment Department will provide an annual technical assistance workshop for CDBG and HOME applicants to answer all questions and provide assistance in application preparation.

Public Hearings

Columbus Consolidated Government will conduct at least two Public Hearings each year to obtain citizens’ views and to respond to accepted applications and comments for the annual or five-year funding plans. Public Hearings will be held before the submission of the Consolidated Plan, Annual Action Plan, AFH and/or AI and CAPER. Public Hearings will take place at different stages of the consolidated planning process and together address:

- ❑ Housing and community development needs;
- ❑ Proposed use of program funds, and
- ❑ Program performance during the past year

At least one Public Hearing will be held in the summer during the Consolidated Annual Performance and Evaluation Report process, to solicit feedback on the City’s housing and community development needs and to review program performance during the past year.

Columbus Consolidated Government will also hold at least one Public Hearing will be held in the spring (usually in April) to solicit comments on the draft Consolidated Plan and/or Annual Action plans, which include the proposed use of CDBG and HOME funds. The information provided to the public during or before the Public Hearing will include:

- ❑ The amount of assistance the local government expects to receive (including grant funds and program income);
- ❑ The range of activities that may be undertaken;
- ❑ The estimated amount of funding that will benefit persons of low and moderate incomes

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- The City's plan to minimize displacement of persons and to assist any person displaced, specifying the types and levels of assistance the City will make available (or require others to make available) to persons displaced, even if no displacement is expected to occur.

Additionally, Columbus Consolidated Government will hold at least one Public Hearing before the proposed AFH is published for comment to obtain the views of the community on AFH-related data and affirmatively furthering fair housing in the jurisdiction's housing and community development programs.

This information will be presented during Public Hearings and is contained in the text of the Consolidated Plans and Annual Action Plans under review.

Columbus Consolidated Government will hold Public Hearings for the purpose of reviewing amendments or changes to Columbus Consolidated Government's Consolidated Plan or Action Plan. Public Hearings will be held at convenient times and locations to permit broad participation from the community. Reasonable accommodations will be granted by Columbus Consolidated Government for persons that request such assistance. The City will also provide translation services for clients with limited English proficiency (LEP) upon request.

Public Hearing Notice

Information about the time, location, and subject of each Public Hearing will be provided to citizens at least two weeks in advance by publication newspapers (i.e. Ledger Enquirer), via email distribution and the Columbus Consolidated Government Community Reinvestment Department website.

Every effort will be made to ensure that Public Hearings are inclusive. Public Hearings will be held at convenient times and locations and in places where people most affected by proposed activities can attend. The City will utilize facilities that are accessible to persons with disabilities. If notice is given at least seven days before a Public Hearings date, the City will provide appropriate materials, equipment, and interpreting services to facilitate the participation of non-English speaking people and people with visual and/or hearing impairments. Interpreters will be provided at public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Public Hearing Process

The date and time for the public hearing will be properly advertised and documented and will include a list of attendees as well as any public comments received. Written minutes of the public hearing shall be made available for review during normal business hours.

Columbus Community Reinvestment Department staff will ensure that all meeting materials including sign in sheet, meeting agenda, handouts, and any documents for review are available at the start of the meeting. On the day of the Public Hearing, attendees will be allowed to enter the meeting facility prior to the publicized start time. Once the meeting has been called to order, the meeting will follow a standard agenda as follows:

- a. Call to Order;
- b. Introductions;

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- c. Purpose of the meeting;
- d. Review of handouts and/or planning documents;
- e. Question/Answer Session;
- f. Additional Public Comment;
- g. Adjournment

Citizen Comments

Columbus Consolidated Government will receive comments from citizens on its proposed AFH or AI, Consolidated Plan and/or Annual Action Plan and their amendments for a period not less than 30 days and not less than 15 days for the Annual Performance Report (CAPER) prior to submission of the Plan(s) to HUD. All comments or views of citizens received in writing or orally at Public Hearings will be considered in preparing the final Plan(s)/reports. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore shall be attached to the final Plan(s). Oral comments outside of the Public Review Meeting will not be considered, unless they are also provided directly to staff via email, letter, or other legible written form. The final version of the AFH or AI, CAPER, Consolidated Plan and/or Annual Action Plan as submitted to HUD will be posted on the City's webpage.

Non-Discrimination Policy/Complaint Review Process

Columbus Consolidated Government shall accept written complaints and provide a substantive written response to any written citizen complaint within a reasonable period of time, not to exceed thirty (30) working days, when the complaint concerns the AFH or AI, Consolidated Plan, Annual Action Plan, amendments thereto, and performance reports. Columbus Consolidated Government provides equal opportunity for services without regard to race, color, sex, age, national origin, religion, political affiliation, presence of handicap or disability, or familial status. Complaint, comments and questions should be directed to:

Robert Scott, Director
Community Reinvestment Department
420 10th Street
Columbus, Georgia 31901

The complaint must contain the following information:

- (1) Name and address of the person(s) filing the complaint;
- (2) A description of the act or acts considered to be in violation;
- (3) Other available pertinent information which will assist in the review and resolution of the complaint.

Such complaints should be filed within thirty (30) days of the alleged discriminatory act. A written response as to the disposition of the complaint will be issued by the Director no later than fifteen (15) working days following receipt of the complaint. A person who is dissatisfied with the response to complaint, or if the response is delayed more than fifteen (15) working days, may appeal in writing to:

HOME Program Policies and Procedures

Pamela Hodge, Deputy City Manager
Office of the City Manager
420 10th Street
Columbus, Georgia 31901

A written response on the disposition of the complaint will be issued by the Deputy City Manager not later than thirty (30) working days following the receipt of the complaint. If the complainant is dissatisfied with the response of the Deputy City Manager, he/she may submit the complaint, in writing, to:

United States Department of Housing and Urban Development
Office of Community Planning and Development
Five Points Plaza
40 Marietta Street, N. W., 15th Floor
Atlanta, GA 30303-9812

No person shall intimidate, threaten, coerce, or discriminate against any person because he/she has made a complaint, testified, assisted, or participated in any matter in an investigation, proceeding, or hearing related to a complaint.

The identity of complainants shall be kept confidential, except to the extent necessary to carry out or conduct investigations, hearings, or judicial proceedings in any matter in an investigation, proceeding, or hearing related to a complaint.

Provisions for Limited-English Proficiency and Hearing Impaired Residents

Columbus Consolidated Government will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits.

The City's LEP policy was established to ensure meaningful communication with persons that experience LEP and their authorized representatives. This policy also provides for communication of information contained in vital documents, including but not limited to, waivers of rights and consent forms.

All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served. Language assistance will be provided through use of competent bilingual staff, interpreters, contracts or formal arrangements with organizations providing interpretation or translation services, or technology and telephonic interpretation services.

The Columbus Consolidated Government Community Reinvestment Department staff will retain copies of this policy and will be trained in effective communication techniques, including the effective use of an interpreter.

The Consolidated Government Community Reinvestment Department will conduct annual reviews of the language access needs of our service population, as well as update and monitor the implementation of this policy and these procedures, as necessary.

Implementation Procedures for Limited English Proficiency Residents

1. Identifying LEP Persons and their Language

The Columbus Consolidated Government Community Reinvestment Program will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or "I speak cards") or posters to determine the language. In addition, when records are kept of past interactions with individuals or their family members, the language used to communicate with the LEP person will be included as part of the record.

2. Obtaining a Qualified Interpreter

The Columbus Consolidated Government Community Reinvestment Program will be responsible for:

- (a) Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual contacts.
- (b) Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;
- (c) Obtaining an outside interpreter if a bilingual staff is not available or does not speak the needed language.

The Columbus Consolidated Government Community Reinvestment Program will allow LEP persons to refer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children (e.g. persons under the age of 18) will not be used to interpret, in order to ensure confidentiality of information and accurate communication.

3. Providing Written Translations

- (a) When translation of vital documents is needed, the Columbus Consolidated Government Community Reinvestment Program will submit documents for translation into frequently encountered languages. Original documents being submitted for translation will be in final, approved form.
- (b) The Columbus Consolidated Government Community Reinvestment Program set benchmarks for translation of vital documents into additional languages over time.

4. Monitoring Language Needs and Implementation

On an annual basis, the Columbus Consolidated Government Community Reinvestment Program will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, the Columbus Consolidated Government Community Reinvestment Program will annually assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, and feedback from the public and community organizations.

5. Provisions for Limited-English Proficiency and Hearing Impaired/Speech Disability

LEP or hearing impaired residents can contact Columbus Consolidated Government Community Reinvestment Program by calling [TDD/TTY] (706) 225-4613 or; or via the Georgia Relay Center [TDD/TTY 7-1-1 or 1-800-255-0056] at least five (5) working days prior to the public hearing date. The Georgia Relay Center is operated, free to users, by Hamilton Relay.

Persons who have a speech disability can utilize a service called Speech-to-Speech (STS) Relay through the Georgia Relay Service, operated free of cost to users by Hamilton Relay. Speech-to-Speech service enables a speech-disabled person to use the Georgia Relay Service with his/her own voice synthesizer, rather than using a TDD/TTY device. Callers using the STS service can call either [7-1-1 or 1-888-202-4082] to use the service.

Persons with who are deaf, hard of hearing or speech disabled may also use a relay service over the internet at www.hamiltonrelay.com to connect to a specially trained Communications Assistant. This service may also be accessed by calling hipvrs.com from a D-Link videophone to access video relay service, where a certified American Sign Language (ASL) interpreter will relay your signed conversation to the hearing party.

Affirmative Marketing Strategy

In accordance with the regulations of the HOME Program, Section 92.351, and in furtherance of Columbus Consolidated Government's commitment to non-discrimination and equal opportunity in housing, Columbus Consolidated Government has adopted affirmative marketing procedures and requirements for HOME-assisted housing containing five (5) or more housing units (they do not apply to families with housing assistance with tenant based rental assistance provided with HOME funds). These affirmative marketing steps consist of actions to provide information and otherwise eligible persons from all racial, ethnic and gender groups in the housing market area to housing units purchased, constructed, or rehabilitated under the HOME Program. Columbus Consolidated Government will periodically assess the affirmative marketing program to determine the success of affirmative marketing actions and any necessary corrective actions. The assessment will occur at least annually as the City evaluates its housing programs, as a part of the preparation of the Consolidated Annual Performance and Evaluation Report [CAPER].

These affirmative marketing requirements and procedures include:

1. Informing the public, potential homeowners, tenants, Subrecipients/CHDOs /owners about Federal Fair Housing Laws and Affirmative Policies. Columbus Consolidated Government and its

HOME Program Policies and Procedures

Subrecipients/CHDOs/owners will inform the general public by: placing news releases in various local newspapers in each jurisdiction; providing informational flyers about the HOME Program; mailing letters; and making verbal presentations to potential homeowners, tenants, and owners of rental properties, and agencies. An equal housing logo or phrase will be used in all informational materials.

2. All Subrecipients/CHDOs/owners participating under the HOME Program must adhere to the following requirements and practices in order to carry out Columbus Consolidated Government's affirmation marketing procedures and requirements:
 - a) Subrecipients/CHDOs/owners will be provided/or will obtain a list of potential tenants from the appropriate Section 8 waiting list, which was formulated under the standards of fair housing, equal opportunity and non-discrimination. Subrecipients/CHDOs/owners must utilize this list whenever marketing their units:
 - b) Subrecipients/CHDOs/owners must advertise through the various media (newspaper, radio or television) to inform potential renters of the availability of units:
 - c) Through written and verbal communication, Subrecipients/CHDOs/owners must contact and inform human and social service agencies that assist lower income families and individuals about housing availability;
 - d) Subrecipients/CHDOs/owners must advertise utilizing equal opportunity and non-discrimination standards (logo);
 - e) Subrecipients/CHDO/owners must, to the extent feasible without holding units off the market, make information about upcoming vacancies known to the general public; and
 - f) Subrecipients/CHDOs/owners selected for HOME Program participation must execute an Agreement assuring compliance with Program requirements which will be applicable for the duration of the affordability time period.
3. In order to inform as well as solicit applications from persons in the housing market who are not likely to apply for units without special outreach (members of minority groups, the elderly, and persons with disabilities), Columbus Consolidated Government has designated specific tasks that property owners, in conjunction with the Subrecipients/CHDOs/owners must undertake in order to meet this objective. Subrecipients/CHDOs/owners must do the following:
 - a) Provide written and verbal information on the units to groups and organizations serving minorities, the elderly and persons with disabilities;
 - b) Advertise in news media which are widely read by racial/ethnic minority persons and persons with disabilities;
 - c) Make presentations at functions attended by minority persons, and provide written and verbal communication to leaders within the minority communities; and
 - d) Begin their special outreach activities immediately upon learning that a vacancy will

occur.

4. Documentation of Affirmative Marketing Activities:

Columbus Consolidated Government, each Subrecipient/CHDO, and all participating property owners shall maintain records in their respective jurisdictions.

a. **Owners**

Owners must keep records describing actions to affirmatively market units assisted under the HOME Program, as well as records to assess the results of these actions. Records to be maintained include:

- (1) copies of advertisements;
- (2) copies of information forwarded to organizations and groups serving lower income and minority families and individuals;
- (3) A log of contacts made to inform the community and potential residents of housing opportunities.
- (4) The racial, ethnic and gender characteristics of potential homeowners, tenants, and rental property owners for the 90 days following acquisition/rehabilitation, as required by 24 CFR Part 92.351; and
- (5) Information from tenants on how they were informed that units were available.

b. **Subrecipients/CHDOs:**

Each Subrecipients/CHDOs must maintain records of its marketing efforts and those of project owners with whom it works:

- (1) Samples of project owner advertisements and copies of all Subrecipient/CHDO advertisements;
- (2) Samples of project owner information, and copies of Subrecipient/CHDO information, forwarded to organizations and groups serving lower income and minority families and individuals;
- (3) A copy of Subrecipient/CHDO and project owner contact logs made to inform the community and potential residents of housing opportunities; and
- (4) The racial, ethnic and gender characteristics of potential homeowners, tenants, and rental property owners for the 90 days following acquisition/rehabilitation, as required by 24 CFR 92.351.
- (5) Columbus Consolidated Government will maintain/monitor records from each Subrecipient/ CHDO/ owner.

All project records shall be made available to Columbus Consolidated Government upon request.

5. Columbus Consolidated Government will evaluate the success of affirmative marketing actions, and take corrective actions where affirmative marketing requirements are not met. The effectiveness of Columbus Consolidated Government's Affirmative Marketing efforts will be assessed as follows:
 - a. Examination of records required of Subrecipients/CHDOs/owners on actions they have taken to affirmatively market the available units and compare these records to the program's requirements. If Columbus Consolidated Government finds that the required actions have been carried out as specified, it will judge the owners to have made good faith efforts to carry out the program requirements;
 - b. Columbus Consolidated Government will assess whether or not tenants from a variety of income levels and minority groups have applied for occupancy and have become tenants in the HOME assisted units. If it finds that this variety is present, or substantial outreach efforts were made and no such diversity is present, it will judge the owner to be in compliance with program requirements. However, if Columbus Consolidated Government finds that a diversity of tenants is not present and the required efforts are insufficient, it will review the Subrecipients/CHDOs/owner's procedures and determine what changes would make the affirmative marketing more effective.

Columbus Consolidated Government will ask Subrecipients/CHDOs/owners, and other pertinent organizations for their analysis and suggestions concerning its affirmative marketing practices.

Columbus Consolidated Government will take corrective actions if it finds that any potential homeowners, tenants, and owners of rental properties fail to carry out the program requirements, or fail to maintain the records on applicants and tenants in accordance with Section 92.351. If, after discussions with the Subrecipients/CHDOs/owner on ways to improve affirmative marketing requirements, Columbus Consolidated Government will consider disqualifying the Subrecipients/CHDOs/owner from future participation in the HOME Program.

Columbus Consolidated Government will carry out the assessment of activities and prepare a written report on the affirmative marketing efforts in time to report results in the Consolidated Annual Performance and Evaluation Report [CAPER] prepared annually. Pertinent information will also be placed in the Annual Action Plans prepared by Columbus Consolidated Government and submitted to HUD.

Anti-Displacement Plan

Columbus Consolidated Government is required to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended (URA), and 24 CFR §92.353. The policies and requirements of these laws are described in HUD Handbook 1375, Tenant Assistance, Relocation and Real Property Acquisition. In addition, Columbus Consolidated Government has amended its “Plan for Minimizing Displacement/Assistance for Displaced Persons” for 2013. The plan is found below.

Columbus Consolidated Government’s policy is to make all reasonable efforts to insure activities undertaken through the use of Entitlement Grant Funds awarded by the United States Department of Housing and Urban Development’s Community Development Block Grant [CDBG] Program and Home Investment Partnerships Act [HOME] Program funds will not cause unnecessary displacement or relocation. In fact, Columbus Consolidated Government’s policy is to provide HUD grant financial assistance to projects which contain **no plans for displacement**. The City will continue to administer its HUD Entitlement Grants Programs in this manner. Careful consideration will be given during the planning phase with regard to avoiding displacement. **Displacement of any nature shall be reserved as a last resort action necessitated only when no other alternative is available.**

If displacement is precipitated by activities which require the acquisition (either in whole or in part) of real property directly by Columbus Consolidated Government, all appropriate benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894; 42 U.S.C. 4601 et. seq.; Pub. L. 91-646), as amended, and referred to as the "Uniform Act", shall be provided to any displaced person(s). Persons displaced by rehabilitation, or "Non-Uniform Act" acquisition, financed (in whole or in part) with HUD Entitlement Grant funds shall be provided relocation assistance in accordance with one of the following: (1) the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as required under Section 570.606(a) and HUD implementing regulation at 24 CFR Part 42; (2) the requirements in Section 570.606(b) governing the Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as amended; (3) the relocation requirements of Section 570.606 (c) governing displacement subject to Section 104(k) of the Act; (4) the relocation requirements of Section 570.606(d) governing optional relocation assistance under Section 105(a)(11) of the Act; and/or, (5) the provisions of 24 CFR Part 92.353 for the HOME Program. Note: Beginning with Program Year [PY] 2009, NSP funds are subject to the URA.

Residential Anti-Displacement and Relocation Assistance Plan

A. Provisions for “One-for-One” Replacement

Columbus Consolidated Government will replace all occupied and vacant low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and as described in 24 CFR Part 570.606(b). Low/moderate income replacement units may include public housing or existing housing receiving Section 8 certificate or voucher assistance.

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All replacement housing will be provided within three years of the commencement of the demolition, or rehabilitation, relating to conversion, and will meet the following requirements:

1. The units will be located within the City;
2. The units will meet all applicable City housing, building, and zoning ordinances;
3. The units will be designed to remain low/moderate income dwelling units for at least 10 years from the date of initial occupancy.

Before obligating or expending HUD Entitlement Grant funds that will directly result in such demolition or conversion, the City will make public and submit to HUD the following information in writing:

1. A description of the proposed assisted activity;
2. Once identified, the general location on a city map, including the approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than low/moderate income dwelling units;
3. A time schedule for commencement and completion of the demolition or conversion;
4. Once identified, the general location on a city map and the approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement units;
5. The City will identify the source of funding at the time of submittal, and will provide the replacement dwelling units within three years of demolition or conversion;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

Consistent with the goals and objectives of activities assisted under this Act, the Columbus Consolidated Government Community Reinvestment Department will take the following actions as a result of HUD Entitlement Grant assisted activities:

1. If a major housing demolition program is ever contemplated, it will be structured so that only vacant, dilapidated units will be inspected and considered for demolition;
2. If the proposed project involves demolition and reconstruction on the actual site, Columbus Consolidated Government will meet its "one-for-one" replacement requirement once the housing units are fully reconstructed. The City may choose to provide temporary relocation assistance for the families involved;

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3. Provide information to keep citizens involved in the process regarding pending zoning and re-zoning actions that threaten the preservation of residential areas.

B. Provisions for Relocation Assistance for Residential Anti-Displacement

Columbus Consolidated Government will provide relocation assistance, as described in 24 CFR 570.606(b)(2) and in 24 CFR 92.353 to each low/moderate household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of HUD Entitlement Grant-assisted activities. Persons that are relocated are entitled to:

1. A choice between actual reasonable moving expenses as described in the Federal regulations, or a fixed expense and dislocation allowance, as described in the Federal regulation;
2. Advisory services as described in 24 CFR Part 42, Subpart C;
3. Reimbursement for reasonable and necessary security deposits and credit checks under Section 104(d). [Not applicable under URA];
4. Replacement housing assistance which may include a Section 8 housing voucher/certificate and referral to an assisted unit; cash rental assistance to reduce the rent and utility costs or lump sum payment equal to the present value of rental assistance installments to be used toward purchasing an interest in a housing cooperative or mutual housing association for a period of up to five years.

II. Section 104(k) Relocation Requirements

Columbus Consolidated Government will provide reasonable relocation assistance to persons (families, individuals, businesses, non-profit organizations, or farms) displaced (moved permanently and involuntarily) as a result of the use of HUD Entitlement Grant assistance to acquire or substantially rehabilitate property. Assistance to displaced persons may include:

- A. A choice of a “fixed-move” payment for both residential and nonresidential persons, or a payment for actual moving and relocation expenses, documented by receipts and/or vouchers from service providers and utility companies. Non-residential persons who elect to take a payment or reimbursement for moving expenses will be entitled to other move related payments unique to non-residential moves. The documents shall be submitted to the Columbus Consolidated Government Community Reinvestment Department prior to the disbursement of payment. For nonresidential persons who elect to take an actual move payment, a reestablishment payment will be made if the non-residential person elects to continue their business operation at another site.
- B. Advisory services necessary to help in relocating;
- C. Financial assistance sufficient to enable the displaced residential person to lease and occupy a suitable, decent, safe and sanitary replacement dwelling where the cost of rent and utilities

does not exceed 30 percent of the household gross income for a period of up to forty-two [42] months.

- D. Under Section 104[d], financial assistance sufficient to enable the displaced **residential** person to lease and occupy a suitable, decent, safe and sanitary replacement dwelling **for a period up to 60 months**. The Community Reinvestment Department has the option of offering you that assistance in cash or under the Section 8 Rental Certificate or Voucher Program. The Community Reinvestment Department will indicate which option it will provide to the displaced person. This assistance is computed by subtracting the Total Tenant Payment [TTP] from the cost of rent and utilities for the new home [or a comparable replacement home, if that cost is lower]. The monthly need, if any, is multiplied by 60 to determine the total amount the displaced person will receive. This amount is directly paid to the displaced person. However, the Community Reinvestment Department may elect to provide assistance in monthly installments, other forms of periodic payments, or in a lump sum.

NOTE: The TTP is the amount a tenant is expected to contribute towards the monthly rent. It is computed at 30% of a family's adjusted monthly income or 10% of the family's monthly gross income or a designated allowance under certain welfare programs.

III. **Optional Relocation Assistance**

At its discretion, Columbus Consolidated Government may provide relocation payments and other relocation assistance for individual families, businesses, non-profit organizations, and farms displaced by projects that do not receive HUD Entitlement Grant funds in any activity of the project and therefore are not subject to the provision of the Uniform Relocation Act, Residential Anti-Displacement and Relocation, or Section 104(k) Relocation Requirements. Person(s) voluntarily electing to participate in this optional relocation assistance program may, but not necessarily, be provided benefits at the City's option, contingent upon the nature and amount of the benefits derived by the person from the assisted activity and the availability of other resources to the person(s). When suitable public housing or governmental rental assistance (Section 8 Housing Certificates or vouchers, etc.) is not available, or appropriate, the following benefits may be provided if it is determined by the City that such benefits are warranted and appropriate:

A. **Temporary Relocation Benefits**

If it is determined by the Columbus Consolidated Government Community Reinvestment Department that the occupant(s) of a dwelling should be relocated temporarily in order to permit rehabilitation or replacement of a dwelling, the Columbus Consolidated Government Community Reinvestment Department may find a decent, safe and sanitary dwelling for their temporary use. Benefits, if provided, will be limited to increases in monthly housing costs incurred by the occupant in an amount equal to the lesser of twelve (12) times the increase, or \$2,000, and reasonable moving and storage expenses. Columbus Consolidated Government may waive the maximum limits or costs for Temporary Relocation benefits, on a case-by-case basis.

B. **Permanent Relocation Benefits**

If it is determined by the Columbus Consolidated Government Community Reinvestment Department that occupants of a dwelling should be permanently relocated, the Columbus Consolidated Government Community Reinvestment Department may assist in the relocation to a decent, safe, and sanitary dwelling unit. Benefits, if provided, will be limited to increases in monthly housing costs incurred by the occupant in an amount equal to the lesser of 24 times the increase, or \$3,600, and reasonable moving and storage expenses.

C. Moving and Storage Expenses

For dwelling occupants temporarily or permanently displaced, fixed benefits for storage and moving may be allowed. Those benefits may include:

1. Utility connection fees up to \$500- only if the fee is the responsibility of the tenant;
2. Storage expenses, not to exceed \$500;
3. Moving costs based on the latest published schedule published in the Federal Register by the United States Department of Transportation, Federal Highway Administration. [See Attachments, under the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended, Fixed Residential Moving Cost Schedule, under 49 CFR Part 24.302;[Moving costs would be allowed per the same schedule for both moves required for temporary relocation.]
4. Insurance for the replacement value of the property in connection with the move, and storage up to \$500; and
5. Columbus Consolidated Government may waiver the limits on costs for temporary moving and storage expense on a case-by-case basis.

IV. Tenant Assistance Policy/Rental Rehabilitation

- A. It is not Columbus Consolidated Government's policy to displace families in rental units. Participating landlords must warrant that the proposed rehabilitation will not cause any tenant to be permanently displaced unless the owner will be able to relocate the tenant displaced in accordance with HUD/ Columbus Consolidated Government relocation criteria. Rental Rehab funds will not be used to rehabilitate any structures, if the rehabilitation will cause displacement of very low income families.
- B. If it becomes necessary for an owner to move a tenant from a unit as a direct result of rehabilitation assisted through rental rehabilitation funds, the owners will assure that the tenant is offered a decent, safe and sanitary dwelling unit at an affordable rate, as described in the applicable regulation. No tenant will be considered displaced if the owner has offered the tenant a decent, safe, sanitary and affordable unit and the temporary relocation does not exceed 12 months. **If the displacement exceeds 12 months, the tenant will be considered "permanently displaced".**
- C. Should displacement become necessary for a lower income family as a result of the rental rehabilitation assistance, the owner will assure that tenants will be provided the necessary financial assistance, information, counseling, and referrals, housing location options,

information regarding Federal Fair Housing rights, and other relocation services as needed, without regard to race, color, religion, sex, age, handicap, or national origin, so as to enable the family to obtain decent, safe and sanitary housing at an affordable rent.

Reporting

A. Background and Overview:

1. HOME Program regulations require Columbus Consolidated Government to submit an Annual Performance Report [APR] to HUD within 90 days of the close of the Program Year. This is in accordance with the Consolidated Plan regulations at 24 CFR §Part 91.
2. The HOME Annual Performance Report (APR) is now included in the Consolidated Annual Performance and Evaluation Report (CAPER).
3. The Performance Report incorporates not only the HOME APR, but also the reporting requirements for the Community Development Block Grant (CDBG).
4. Columbus Consolidated Government is required to utilize HUD's Integrated Disbursement & Information System [IDIS] to comply with current reporting requirements. As part of the mandated reporting requirement, Columbus Consolidated Government must update all current activities in IDIS to include all financial and performance metrics.

B. Submission and Review of the Performance Report:

1. Prior to submitting its Consolidated Annual Performance and Evaluation Report, Columbus Consolidated Government must make the report available to the public for examination and comment for a period of at least 30 days.
2. Performance Reports must be received by The HUD Field Office no later than 90 days after the close of the Consolidated Plan Program Year.
3. HUD will review Columbus Consolidated Government's Performance Reports and determine if they are satisfactory. If a satisfactory report is not submitted, HUD may:
 - ❑ Request additional information
 - ❑ Suspend funding until a satisfactory report is submitted; or
 - ❑ Withdraw and reallocate funding if HUD determines, after notice and opportunity to comment that the report will not become satisfactory.
4. Following submission, Columbus Consolidated Government will provide copies of the report submitted to HUD available for examination by the public, upon request. This will include a summary of comments received as a result of the public participation process.

Conflict of Interest

A. Requirements for PJs and Subrecipients:

1. **Overview:** The HOME Program regulations require that the PJ, and Subrecipients (including CHDOs that are acting as Subrecipients) to comply with two different sets of conflict-of-interest provisions. The first set of provisions comes from 24 CFR §84 and 85. The second, which applies only in cases *not* covered by 24 CFR § 84 and 85, is set forth in the HOME regulations. Both sets of requirements are discussed below.
2. **Activities covered by CFR provisions:** In the procurement of property and services by Columbus Consolidated Government and its subrecipients, the conflict-of-interest provisions at 24 CFR §85.36 and 24 CFR §84.42 apply. These regulations require any participating jurisdiction and Subrecipients to maintain written standards governing the *performance of their* employees engaged in awarding and administering contracts. At a minimum, these standards must:
 - ❑ require that no employee, officer, agent of Columbus Consolidated Government, or any Subrecipient, shall participate in the selection, award or administration of a contract supported by HOME if a *conflict-of-interest, either real or apparent*, would be involved;
 - ❑ require that Columbus Consolidated Government or Subrecipient employees, officers and agents not accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements; and
 - ❑ stipulate provisions for penalties, sanctions or other disciplinary actions for violations of standards.

A conflict would arise when any of the following has a ***financial or other interest*** in a firm selected for award:

- ❑ an employee, agent or officer of Columbus Consolidated Government or Subrecipient;
 - ❑ any member of an employee's, agent's or officer's immediate family;
 - ❑ an employee's, agent's or officer's partner; or
 - ❑ an organization that employs or is about to employ an employee, agent or officer of Columbus Consolidated Government or Subrecipient.
3. **Activities Covered by HOME Regulations:** In cases not covered by 24 CFR §200.318, the HOME regulations in 24 CFR §92.356 governing conflict-of-interest apply. These provisions cover employees, agents, consultants, officers and elected or appointed officials of Columbus Consolidated Government, or Subrecipient. The HOME regulations state that no person covered who exercises or has exercised any functions or responsibilities with respect to HOME activities or who is in a position to participate in decisions or gain inside information:
 - ❑ may obtain a financial interest or benefit from a HOME activity; or

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- ❑ have an interest in any contract, subcontract or agreement for themselves or for persons with business or family ties.

This requirement applies to covered persons during their tenure and for one year after leaving the PJ, or Subrecipient entity.

4. **Exceptions:** Upon written request, exceptions to both sets of provisions may be granted by HUD, on a case-by-case basis only after Columbus Consolidated Government has:
 - ❑ disclosed the full nature of the conflict and submitted proof that the disclosure has been made public, and
 - ❑ provided a legal opinion from Columbus Consolidated Government stating that there would be no violation of state or local law if the exception were granted.

B. Provisions for Nonprofit and For-Profit Owners, Developers and Sponsors:

1. The HOME Final Rule includes a new conflict-of-interest provision applicable to for-profit and nonprofit owners, developers and sponsors of HOME-assisted housing. This provision states that no owner, developer or sponsor of HOME-assisted housing, including their officers, employees, agents, consultants or elected or appointed officials, may occupy a HOME-assisted unit in a development. This provision **does not** apply to:
 - ❑ an individual receiving HOME funds to acquire or rehabilitate his/her principal residence, or
 - ❑ an individual living in a HOME-assisted rental housing development where he/she is a project manager or a maintenance worker in that development.
2. **Exceptions:** Exceptions to this conflict-of-interest provision (governing owners, developer and sponsors of HOME-assisted housing) may be granted by the PJ on a case-by-case basis based on the following factors as set forth in the regulations:
 - ❑ whether the person receiving the benefit is a member of a group or class of low-income persons intended to be the beneficiaries of assisted housing, and the exception will permit him or her to receive generally the same interests or benefits as are being made available or provided to the group as a whole;
 - ❑ whether the person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted housing in question;
 - ❑ whether the tenant protection requirements of CFR 92.253 (prohibited lease terms, termination of tenancy and tenant selection) are being observed;
 - ❑ whether the affirmative marketing requirements are being observed and followed; and
 - ❑ any other factor relevant to Columbus Consolidated Government's determination, including the timing of the requested exception.

Record Keeping

Columbus Consolidated Government asserts the right to, at any given time with written prior notice, perform an on-site inspection of client records on any project receiving HOME funding at any period once the project has been set-up in the Integrated Disbursement Information System [IDIS]. These records are to be readily available during the compliance period or affordability period, whichever is longer in length.

Pursuant to HOME record keeping regulations found in 24 CFR §92.508, subrecipients are required to establish and maintain sufficient records to enable the Columbus Consolidated Government to determine whether the minimum HOME requirements have been met for each project and activity.

The following, while not a comprehensive documentation list, is a minimum standard for the required financial, administrative, and project/case records that must be kept for any client or activity:

1. **Administrative Records** - Files and records that apply to the overall administration of the Subrecipient's HOME activities. They include the following:
 - (a) Personnel files
 - (b) Property management files.
 - ❑ Client Income Verification Documentation;
 - ❑ HUD CPD Income Calculator Determination Sheet;
 - ❑ Environmental Review (completed by the Community Reinvestment Department);
 - ❑ Supporting Documentation for any rent and utility allowance calculations;
 - ❑ Full Project Description for each project assisted with HOME funds;
 - ❑ Sources and uses determination;
 - ❑ Records [for rental project projects only] demonstrating that each rental housing unit meets the minimum and maximum per unit subsidy amount, in accordance with *24 CFR §92.205*;
 - ❑ Records demonstrating that each project meets the property standards of *24 CFR §92.251* and the lead based paint requirements of *24 CFR §92.355*;
 - ❑ Records demonstrating that any pre-award cost charged to the HOME allocation meets the requirements of *24 CFR §92.212*; and
 - ❑ Any records pertaining to the compliance with the requirements of *24 CFR §92.353* regarding displacement, relocation, and real property acquisition, and is to include occupancy lists denoting name and address of all persons occupying the real property, moving in to the property, and completion of the project.
 - (c) General program files: files relating to the Subrecipient's application to the grantee, the Subrecipient Agreement, program policies and guidelines, correspondence with grantee and reports, etc.

(d) Legal files: articles of incorporation, bylaws of the organization, tax status, board minutes, contracts and other agreements.

2. Financial Records - Files and records that apply to the overall financial administration of the Subrecipient's HOME activities. They include the following:

- ❑ Chart of Accounts,
- ❑ Manual on accounting procedures,
- ❑ Accounting journals and ledgers,
- ❑ Source documentation (purchase orders, invoices, canceled checks, etc.),
- ❑ Procurement files, bank account records, financial reports, audit files, etc.

The Subrecipient shall maintain financial records of the expenditure of all HOME funds it receives, such records to be maintained in accordance with **24 CFR 200.302 (3)** and **24 CFR Part 92.508**, as applicable. All records shall be made available, upon City request, for inspection(s) and audit(s) by the City, or by its representatives. If a financial audit(s) determines that the Subrecipient has improperly expended HOME funds, resulting in the disallowance of such expenditures by the City and/or by the U.S. Department of Housing and Urban Development, the City reserves the right to recover from the Subrecipient other non-HOME monies to fund such disallowed HOME expenditures.

3. Project/Case Record - These files document the activities undertaken with respect to specific individual beneficiaries, property owners, and/or properties.

The Subrecipient shall provide, on a monthly basis, sufficient information to the City on services carried out for all persons served and on HOME-eligible persons served by activities receiving HOME assistance under this Agreement. The purpose of the monthly reporting is to enable the City to prepare and submit periodic and annual reports to the U.S. Department of Housing and Urban Development. These Subrecipient-prepared reports shall be submitted in a format provided by the City and at a time no later than the 10th calendar day of each month of each year until all HOME funds for the activity(s) shall be fully expended, plus five (5) years. The five (5) year reporting period should not be confused with the "continued use" provisions of this agreement. The City shall provide reporting forms and technical assistance to the Subrecipient on the procedures to be followed to collect and report these programmatic data.

A. File Organization and Maintenance

Subrecipient should structure its project/case files and other records to comply with the general **HOME Program standard for record keeping** and that records must be *accurate, complete and orderly*. Records should demonstrate that each activity undertaken meets met all HOME requirements. At a minimum, the following records are needed:

B. Project File Documentation

- (a) The underwriting and subsidy layering guidelines adopted in accordance with § 92.250 that support the participating jurisdiction's Consolidated Plan certification.
- (b) A full description of each project assisted with HOME funds, including the location (address of each unit), form of HOME assistance, and the units or tenants assisted with HOME funds.
- (c) The source and application of funds for each project, including supporting documentation in accordance with 2 CFR 200.302; and records to document the eligibility and permissibility of the project costs, including the documentation of the actual HOME-eligible development costs of each HOME-assisted unit (through allocation of costs, if permissible under § 92.205(d)) where HOME funds are used to assist less than all of the units in a multi-unit project.
- (d) Records demonstrating that each rental housing or homeownership project meets the minimum per-unit subsidy amount of § 92.205(c), the maximum per-unit subsidy amount of § 92.250(a), and the subsidy layering and underwriting evaluation adopted in accordance with § 92.250(b).
- (e) Records (e.g., inspection reports) demonstrating that each project meets the property standards of § 92.251 at project completion. In addition, during the period of affordability, records for rental projects demonstrating compliance with the property standards and financial reviews and actions pursuant to § 92.504(d).
- (f) Records demonstrating that each family is income eligible in accordance with § 92.203.
- (g) Records demonstrating that each tenant-based rental assistance project meets the written tenant selection policies and criteria of § 92.209(c), including any targeting requirements, the rent reasonableness requirements of § 92.209(f), the maximum subsidy provisions of § 92.209(h), property inspection reports, and calculation of the HOME subsidy.
- (h) Records demonstrating that each rental housing project meets the affordability and income targeting requirements of § 92.252 for the required period. Records must be kept for each family assisted.
- (i) Records demonstrating that each multifamily rental housing project involving rehabilitation with refinancing complies with the refinancing guidelines established in accordance with § 92.206(b).
- (j) Records demonstrating that each lease for a tenant receiving tenant-based rental assistance and for an assisted rental housing unit complies with the tenant and participant protections of § 92.253. Records must be kept for each family.
- (k) Records demonstrating that the purchase price or estimated value after rehabilitation for each homeownership housing project does not exceed 95 percent of the median purchase price for the area in accordance with § 92.254(a)(2). The records must demonstrate how the estimated value was determined.

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- (l) Records demonstrating that each homeownership project meets the affordability requirements of § 92.254 for the required period.
- (m) Records demonstrating that any pre-award costs charged to the HOME allocation meet the requirements of § 92.212.
- (n) Records demonstrating that a site and neighborhood standards review was conducted for each project which includes new construction of rental housing assisted under this part to determine that the site meets the requirements of 24 CFR 983.57(e)(2) and (e)(3), in accordance with § 92.202.
- (o) Records (written agreements) demonstrating compliance with the written agreements requirements in § 92.504.

C. Community Housing Development Organizations (CHDOs) Records

- (a) Written agreements committing HOME funds to CHDO projects in accordance with § 92.300(a).
- (b) Records setting forth the efforts made to identify and encourage CHDOs, as required by § 92.300(b).
- (c) The name and qualifications of each CHDO and amount of HOME CHDO set-aside funds committed.
- (d) Records demonstrating that each CHDO complies with the written agreements required by § 92.504.
- (e) Records concerning the use of CHDO set aside funds, including funds used to develop CHDO capacity pursuant to § 92.300(b).
- (f) Records concerning the use of funds for CHDO operating expenses and demonstrating compliance with the requirements of §§ 92.208, 92.300(e) and 92.300(f).
- (g) Records concerning the tenant participation plan required by § 92.303.
- (h) Records concerning project-specific assistance to CHDOs pursuant to § 92.301, including the impediments to repayment, if repayment is waived.

D. Period of Record Retention

All records pertaining to each fiscal year of HOME funds must be retained for the most recent five year period, except as provided below.

- a) For rental housing projects, records may be retained for five years after the project completion date; except that records of individual tenant income verifications, project rents and project inspections must be retained for the most recent five year period, until five years after the affordability period terminates.
- b) For homeownership housing projects, records may be retained for five years after the project completion date, except for documents imposing recapture/resale restrictions which must be retained for five years after the affordability period terminates.

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- c) For tenant-based rental assistance projects, records must be retained for five years after the period of rental assistance terminates.
- d) Written agreements must be retained for five years after the agreement terminates.
- e) Records covering displacements and acquisition must be retained for **five years** after the date by which all persons displaced from the property and all persons whose property is acquired for the project have received the final payment to which they are entitled in accordance with **§ 92.353**.
- f) If any litigation, claim, negotiation, audit, monitoring, inspection or other action has been started before the expiration of the required record retention period records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the required period, whichever is later.

D. HOME PROGRAM REQUIREMENTS

This section addresses all factors of administration and compliance activities in carrying out the HOME Program and addresses both the roles of the PJ (Participating Jurisdiction) and its Subrecipients/contractors in implementing a local HOME Program.

Eligible HOME Activities

States and localities may use their HOME Funds to:

1. Meet development costs, including:

- Acquisition of property.
- Construction of new housing for rent or ownership.
- Moderate or substantial rehabilitation of rental or owner-occupied units.
- Site improvements for HOME-assisted projects.
- Demolition of dilapidated housing to make way for a HOME-assisted development.
- Payment of relocation expenses.
- Other reasonable and necessary expenses related to the development of non-luxury housing.

2. Administer the HOME program through activities that include:

- Program planning and administration (up to 10 percent of the PJ's annual allocation).
- Staff and overhead costs directly related to a HOME-assisted project.
- Operating costs for community housing development (up to 5 percent of the PJ's annual allocation).

3. Provide home purchase or rehabilitation financing assistance to low-income homeowners and new homebuyers through, for example:

- Direct loans.
- Help with down payments or closing costs.
- Loan guarantees or other forms of credit enhancement.

4. Assist low-income renters through tenant-based rental assistance (TBRA):

- Rental assistance or payment of security deposits

Columbus Consolidated Government utilizes HOME funds to increase affordable housing through the following HOME eligible activities:

- New Construction:** HOME funds are used for new construction of both rental and ownership

housing. Any project that includes the addition of dwelling units outside the existing walls of a structure is considered new construction.

- ❑ **Rehabilitation:** This includes the alteration, improvement or modification of an existing structure. It also includes moving an existing structure to a foundation constructed with HOME funds. Rehabilitation may include adding rooms outside the existing walls of a structure, but adding a housing unit is considered new construction.
- ❑ **Reconstruction:** This refers to rebuilding a structure on the same lot where housing is standing at the time of project commitment. HOME funds are used to build a new foundation or repair an existing foundation. Reconstruction also includes replacing a substandard manufactured house with a new manufactured house. During reconstruction, the number of rooms per unit may change, but the number of units may not.
- ❑ **Conversion:** Conversion of an existing structure from another use to affordable residential housing is usually classified as rehabilitation. If conversion involves additional units beyond the walls (envelope) of an existing structure, the entire project will be deemed new construction. Conversion of a structure to commercial use is prohibited.
- ❑ **Site Improvements:** Site improvements must be in connection with improvements to other HOME eligible activities. They include new, on-site improvements (sidewalks, utility connections, sewer and water lines, etc.) where none were previously present. They are essential to the development or repair of existing improvements. Building new, off-site utility connections to an adjacent street is also eligible. Off-site infrastructure is not eligible as a HOME expense, but may be eligible for match credit.
- ❑ **Acquisition of Property:** Acquisition of existing property, [standard or substandard property] in need of rehabilitation is eligible as either a homebuyer program or a rental housing project. After acquisition, rental units must meet HOME rental occupancy, affordability, and lease requirements.
- ❑ **Acquisition of vacant land:** HOME funds are used for acquisition of vacant land only if construction will begin on a HOME project within **12 months of purchase**. **Land banking is prohibited.**
- ❑ **Demolition:** Demolition of an existing structure may be funded through HOME only if construction will begin on the HOME project within 12 months.
- ❑ **Project-related Soft Costs:** These must be reasonable and necessary. Examples of eligible project soft costs include:
 - Finance-related costs;
 - Architectural, engineering and related professional services;

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- Tenant and home buyer counseling [provided the recipient of counseling ultimately becomes the tenant or owner of a HOME-assisted unit]
 - Project audit costs;
 - Affirmative marketing and fair housing services to prospective tenants or owners of an assisted project; and
 - Staff costs directly related to projects.
- **Tenant-Based Rental Assistance:** HOME funds are used to pay a rental subsidy that helps make up the difference between what a renter can afford to pay and the actual rent for a home for residents with special housing needs who need financial assistance to afford rent.

Ineligible HOME Activities

Those activities on which are prohibited under HOME fall into four general categories:

1. Public and assisted housing modernization, operation, and preservation activities for which HUD already provides other dedicated funding:

- Annual Contributions Contracts (ACCs) that fund the development of public and HUD-assisted housing.
- Public housing modernization.
- Preservation of HUD-assisted rental housing under the Low-Income Housing Preservation Acts of 1987 and 1990 (unless the project is being purchased by a nonprofit organization or another entity recognized as a priority purchaser under these statutes).

2. Activities that support the ongoing operation of rental housing:

- Operating subsidies for rental housing.
- Reserve accounts that accumulate capital, either to fund major improvement or replacement of building systems and structures or to fund unanticipated increases in operating costs.
- Tenant subsidies for certain special mandated purposes under Section 8.

3. Matching funds for other Federal programs: HOME Program funds may not be used as the “non-federal” match for other federal programs, except to match McKinney Act funds.

4. Other Prohibited Activities:

Double-Dipping: During the first year after project completion, additional HOME funds can be committed to a project. However, after the first year no additional HOME funds may be provided to a HOME-assisted project during the relevant period of affordability, **except** that:

- ❑ A homebuyer may be assisted with HOME funds to acquire a unit that was previously assisted with HOME funds.

Acquisition of PJ-Owned Property: HOME Program funds cannot be used to reimburse the PJ for property in its inventory or property purchased for another purpose. However, in anticipation of a HOME project, a PJ may use HOME funds to:

- ❑ Acquire property.
- ❑ Reimburse itself for property acquired specifically for a HOME project with other funds.

HOMEOWNERSHIP ACTIVITIES

All HOME funds used for homeownership assistance in Columbus benefits new homebuyers or existing homeowners whose family income does not exceed 80 percent of the area median income and adheres to the following:

- ❑ The assisted housing must be the owner's principal residence.
- ❑ The estimated value of the property—which may be either acquired or newly constructed standard housing or acquired then rehabilitated housing— must not exceed 95 percent of the median area purchase price.
- ❑ For those homeownership activities that have been completed must be occupied by a HOME eligible homebuyer within 9 months from the completion date. As determined through 24 CFR §92.254(a) (3), if this does not occur within 9 months, the property is required to convert to a rental unit.

HOME Property Standards

All HOME-assisted units in Columbus adheres to **all** local codes and standards and conform to the model codes identified in the program rule at 24 CFR §92.251. Columbus Consolidated Government has written standards to guide HOME-assisted acquisition and rehabilitation activities that adhere to the following:

State and local standards: State and local codes and ordinances apply to any HOME-funded project regardless of whether the project involves acquisition, rehabilitation, or new construction.

Housing Quality standards: For **acquisition-only and rental** projects, if there are no state or local codes or standards, the City will enforce Section 8 *Housing Quality' Standards (HQS)*.

ADA Standards: The City does require all projects to be in compliance with ADA codes.

HOME Match Requirement

Columbus Consolidated Government requires each subrecipient to provide matching contributions of 25% of their non-administrative or operating funds that are provided by the HOME Program. These matching contributions shall be provided to the Community Reinvestment Department, as prescribed in 24 CFR 92. §220, and as further described in HUD CPD Notice 97-03. These methods may be used to provide the required matching funds.

An accurate Match Log must be kept by each subrecipient documenting all Match credits and debits. This log shall, at the end of each Federal Fiscal Year (September 30), be balanced and reflect a cumulative total match of no less than 25% of drawn project costs. A copy of a Match Log must be provided to the Columbus Community Reinvestment Department by October 1st of each year.

Eligible sources of a match for HOME funds include:

- Cash.
- Donated construction materials or voluntary labor.
- Value of donated land or real property.
- Value of foregone interest, taxes, fees, or charges levied by public or private entities.
- Investments in on- or off-site improvements.
- Proceeds from bond financing.
- The cost of supportive services provided to families living in HOME units.
- The cost of homebuyer counseling to families purchasing HOME units.

Subrecipients will be notified of this requirement annually through a letter and once the form and amount of match are approved, a letter will be issued to the subrecipients stating that that year's match amounts have been satisfied.

Income Limits

A comprehensive list of HOME Income Limits can be found at the following HUD program web pages:

A. HOME Income Limits:

The HOME income limits are calculated using the same methodology that HUD uses for calculating the income limits for the Section 8 program, in accordance with Section 3(b)(2) of the U.S. Housing Act of 1937, as amended. These limits are based on HUD estimates of median family income, with adjustments based on family size.

Below is an example of the various categories of funding thresholds for the HOME program delineated by household type. Income Limits are updated annually around June and posted in the Federal Register and on the HUD website therefor the table below should be used for informational purposes. The most current income limits can be accessed online at the following website: <https://www.hudexchange.info/programs/home>.

HOME Program Income Limits Example

Family Size	Extremely Low 30%	Very Low Income 50%	Moderate Income 60%	Low Income 80%
1	\$15,750	\$26,200	\$31,440	\$41,900
2	\$18,000	\$29,950	\$35,940	\$47,900
3	\$20,250	\$33,700	\$40,440	\$53,900
4	\$22,450	\$37,400	\$44,880	\$59,850
5	\$24,250	\$40,400	\$48,480	\$64,650
6	\$26,050	\$43,400	\$52,080	\$69,450
7	\$27,850	\$46,400	\$55,680	\$74,250
8	\$29,650	\$49,400	\$59,280	\$79,050

Source: U. S. Department of Housing and Urban Development [HUD]
 *Income of all persons living in the household

B. Home Program Rent Limits:

Per 24 CFR [Part 92.252](#), HUD provides the following maximum HOME rent limits. The maximum HOME rents are the lesser of:

1. The fair market rent for existing housing for comparable units in the area as established by HUD under 24 CFR §888.111; or
2. A rent that does not exceed 30 percent of the adjusted income of a family whose annual income equals 65 percent of the median income for the area, as determined by HUD, with adjustments for number of bedrooms in the unit. The HOME rent limits provided by HUD will include average occupancy per unit and adjusted income assumptions.

The high rent limit is the most rent that can be charged per unit [minus utility adjustment]. No more than 80% of the units can be at this limit. The low rent limit is the most rent that can be charged per unit [minus utility adjustment]. At least 20% of the units must be at this level.

Below is an example of the high and low rent thresholds for the HOME program delineated by bedroom size. Rent Limits are updated annually around June and posted in the Federal Register and on the HUD website therefore the table below should be used for informational purposes. The most current rent limits can be accessed online at the following website: <https://www.hudexchange.info/programs/home>.

Rent Limits Example

# of Bedrooms Limit	High Rent Limit 80% of Units	Low Rent Limit 20 % of Units
0	\$730	\$618
1	\$792	\$663
2	\$899	\$798
3	\$1,138	\$922
4	\$1,250	\$1,029
5	\$1,383	\$1,136
6	\$1,508	\$1,241

C. HOME Per-unit Subsidy Limits

HUD is required to undertake rulemaking to establish new maximum per-unit subsidy limits for the HOME Program because it is no longer updating and publishing limits for the Section 221(d) (3) mortgage insurance program. Until a new rule can be published, HUD published a Notice establishing an interim policy that Field Office staff and participating jurisdictions (PJs) must follow directing PJs to use the Section 234-Condominium Housing basic mortgage limits, for elevator-type projects, as an alternative to the Section 221(d) (3) limits in order to determine the maximum amount of HOME funds a PJ may invest on a per-unit basis in HOME-assisted housing projects. This interim policy remains in effect until the effective date of the new final rule provisions, amending the existing provisions of 24 CFR 92.250(a). **HOME per-unit subsidy limit is set at 240 percent of the Section 234 basic mortgage limit.** Annual Section 234-Condominium Housing basic mortgage limits, for elevator-type projects can be found at:

<https://www.hudexchange.info/resource/2315/home-per-unit-subsidy/>

Columbus Consolidated Government's High Cost Percentage is < 240% for all HOME-assisted projects. Actual funding levels will vary project by project and may be lower based on cost reasonableness and needs of project.

Projects Containing both HOME and Non-Home Units

HOME funds may be used to assist one or more housing units in a multi-unit project that contains other non-Home units. However, the following additional restrictions apply:

- ❑ Only the actual HOME eligible development costs may be supported by the HOME program.
- ❑ Actual Costs can be determined by the following:
 - If the assisted and non-assisted units are not comparable (non-HOME units may contain luxury materials, for example) the actual costs may be determined based on a method of cost allocation.

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- If the assisted and non-assisted units are comparable in terms of size, features and number of bedrooms, the actual cost of the HOME assisted units can be determined by pro-rating the total HOME eligible development costs of the project so that the proportion of the total development costs charged to the HOME program does not exceed the proportion of the HOME-assisted units in the project.

Below is an example of the Basic Statutory Mortgage Limit thresholds for the HOME program delineated by bedroom size. Section 234 Condominium Housing Subsidy Limits are updated annually around June and posted in the Federal Register and on the HUD website therefore the table below should be used for informational purposes. The most current rent limits can be accessed online at the following website: <https://www.hudexchange.info/programs/home>.

1. Minimum Expenditures

The minimum amount of HOME funds that must be invested in any project is \$1,000 times the number of HOME-assisted units in the project. The minimum only relates to HOME funds, not to any other funds that might be used for project costs, including match.

2. Maximum Expenditures

The maximum per-unit HOME subsidy varies by metropolitan area and is based on **Section 234- Condominium Housing basic mortgage limits, for elevator-type projects**. Each year HUD calculates these maximum amounts by area. Project files should be spot-checked to ensure that HOME limits have been accurately calculated and applied.

- ❑ The maximum limit only relates to HOME funds and is applied only to HOME- assisted units within a project.
- ❑ The maximum HOME limits also relate to the total ***HOME dollars invested***, not amounts invested at any one time in a project.

D. HOME Maximum Purchase Price or After – Rehab Value Limits:

Section 215(b) of the National Affordable Housing Act (NAHA) requires that the initial purchase price or after-rehabilitation value of homeownership units assisted with HOME funds not exceed 95 percent of the area median purchase price for single family housing, as determined by HUD. HUD requires 203(b) limits to be set at 125 percent of area median purchase price. Therefore, the City can no longer use the 203(b) limits as the HOME Program homeownership value limits (i.e., initial purchase price or after rehabilitation value).

In Section 92.254(a) (2) (iii) of the Final Rule published on July 24, 2013, HUD established new homeownership value limits for HOME Participating Jurisdictions (PJs). This new Rule was effective August 23, 2013. HUD has issued a Value Limits Spreadsheet annually that contains the current limits for each county in the U.S. HUD will periodically update these limits. The most recent Section 203b limits can be found at: <https://www.hudexchange.info/resource/2312/home-maximum-purchase-price-after-rehab-value/>

Maximum Property Value

Section 215(b) of NAHA requires that the initial purchase price or after-rehabilitation value of homeownership units assisted with HOME funds not exceed 95 percent of the area median purchase price for single family housing, as determined by HUD. Historically, HUD used the FHA Single Family Mortgage Limit (known as the 203(b) limit) as a surrogate for 95 percent of area median purchase price. However, statutory changes require the 203(b) limits to be set at 125 percent of area median purchase price. Consequently, PJs can no longer use the 203(b) limit as the HOME program homeownership value limit (i.e., initial purchase price or after rehabilitation value).

Section 92.254(a) (2) (iii) of the Final Rule published on July 24, 2013, HUD established new homeownership value limits for the HOME Participating Jurisdictions (PJs). These new limits apply to homeownership housing to which HOME funds are committed on or after August 23, 2013, and remain in effect until HUD issues new limits.

Newly Constructed Housing - The new HOME homeownership value limits for newly constructed HOME units is 95 percent of the median purchase price for the area based on Federal Housing Administration (FHA) single family mortgage program data for newly constructed housing. Nationwide, HUD has established a minimum limit or floor based on 95 percent of the U.S. median purchase price for new construction for nonmetropolitan areas. This figure is determined by the U.S. Census Bureau. HUD has used the greater of these two figures as their HOME homeownership value limit for newly constructed housing in each area.

Units in Structure	New Construction Homes Purchase Price Limit
1	\$247,000
2	\$316,000
3	\$383,000
4	\$474,000

Existing Housing - The new HOME homeownership value limits for existing HOME units is 95 percent of the median purchase price for the area based on Federal FHA single family mortgage program data for existing housing and other appropriate data that are available nation-wide for sale of existing housing in standard condition. Nationwide, HUD has established a minimum limit or floor based on 95 percent of the state-wide nonmetropolitan area median purchase price using this data. HUD has used the greater of these two figures as their HOME homeownership value limit for existing housing in each area.

Units in Structure	Existing Homes Purchase Price Limit
1	\$197,000
2	\$252,000
3	\$305,000
4	\$378,000

Resale/Recapture Provision

Columbus Consolidated Government HOME PROGRAM RESALE/RECAPTURE PROVISIONS RESALE/RECAPTURE PROVISIONS

Revised 4/5/2019

Columbus Consolidated Government's Deed to Secure Debts for Subrecipients under the HOME Program will include a "Deed Rider" that includes applicable resale/recapture provisions and will be executed by the Borrower at closing and recorded simultaneously. All Second Priority Real Estate Notes for down payment assistance funded through the HOME program, which also include the following resale/recapture provisions

I. BACKGROUND

Section 215 of the HOME statute establishes specific requirements that all HOME-assisted homebuyer housing must meet in order to qualify as affordable housing. Specifically, all HOME-assisted homebuyer housing must have an initial purchase price that does not exceed 95 percent of the median purchase price for the area, be the principal residence of an owner whose family qualifies as low-income at the time of purchase, and be subject to either resale or recapture provisions. The HOME statute states that resale provisions must limit subsequent purchase of the property to income-eligible families, provide the owner with a fair return on investment, including any improvements, and ensure that the housing will remain affordable to a reasonable range of low-income homebuyers. The HOME statute also specifies that recapture provisions must recapture the HOME investment from available net proceeds in order to assist other HOME-eligible families. The Columbus Consolidated Government HOME Program utilizes the resale/recapture methods for HOME homebuyer programs in accordance with 24 CFR 92.254(a) (5).

The HOME rule at §92.254(a) (5) establishes the resale and recapture requirements HOME PJs must use for all homebuyer activities. These provisions are imposed for the duration of the period of affordability on all HOME-assisted homebuyer projects through a written agreement with the homebuyer, and enforced via lien, deed restrictions, or covenants running with the land. The resale or recapture provisions are triggered by any transfer of title, either voluntary or involuntary, during the established HOME period of affordability.

When undertaking HOME-assisted homebuyer activities, *including projects funded with HOME program income*, the Columbus Consolidated Government HOME Program must establish resale or recapture provisions that comply with HOME statutory and regulatory requirements and set forth the provisions in its Consolidated Plan. HUD must determine that the provisions are appropriate. The written resale/recapture provisions that the City submits in its Annual Action Plan must clearly describe the terms of the resale/recapture provisions, the specific circumstances under which these provisions will be used, and how the City will enforce the provisions.

II. DEFINITIONS

Development Subsidy – a development subsidy is defined as financial assistance provided by the City to offset the difference between the total cost of producing a housing unit and the fair market value of the unit. When provided independently and absent any additional subsidy that could be classified a direct subsidy, development subsidy triggers resale.

Direct Subsidy – a direct subsidy is defined as financial assistance provided by the City that reduces the purchase price for a homebuyer below market value or otherwise subsidizes the homebuyer [i.e. down-payment loan, purchase financing, assistance to CHDO to develop and sell unit below market, or closing cost assistance]. A direct subsidy triggers recapture.

Net Proceeds – the sales price minus superior loan repayment (other than HOME funds) and closing costs.

III. PERIOD OF AFFORDABILITY

The HOME rule at §92.254(a) (4) establishes the period of affordability for all homebuyer housing. How the City calculates the amount of HOME assistance in each unit and therefore the applicable period of affordability varies depending on whether the unit is under resale or recapture provisions.

a. Period of Affordability Under Resale Provisions

Under resale, §92.254(a)(5)(i) of the HOME rule states that the period of affordability is based on the *total* amount of HOME funds invested in the housing. In other words, the total HOME funds expended for the unit determines the applicable affordability period. Any HOME program income used to assist the project is included when determining the period of affordability under a resale provision.

b. Period of Affordability Under Recapture Provisions

For HOME-assisted homebuyer units under the recapture option, the period of affordability is based upon the HOME-funded *Direct Subsidy* provided to the homebuyer that enabled the homebuyer to purchase the unit. Any HOME program income used to provide direct assistance to the homebuyer is included when determining the period of affordability

The following table outlines the required minimum affordability periods.

If the total HOME investment (resale) or Direct Subsidy (recapture) in the unit is:	The Period of Affordability is:
Under \$15,000	5 years
Between \$15,000 and \$40,000	10 years
Over \$40,000	15 years

IV. RESALE PROVISIONS

The City's Resale Provisions shall ensure that, when a HOME-assisted homebuyer sells or otherwise transfers his or her property, either voluntarily or involuntarily, during the affordability period:

- 1) The property is sold to another low-income homebuyer who will use the property as his or her principal residence;
- 2) The original homebuyer receives a fair return on investment, (i.e., the homebuyer's down-payment plus capital improvements made to the house); and
- 3) The property is sold at a price that is "affordable for a reasonable range of low-income buyers."

a. Applicability

When provided independently and absent any additional subsidy that could be classified a direct subsidy, development subsidy triggers Resale Provisions. The City shall apply the Resale Provisions to projects receiving development subsidies only, with no direct subsidy to the homebuyer. In the event the City provides a development subsidy (i.e. the difference between the total cost of producing the unit and the fair market value of the property) to CHDOs or subrecipients and a direct subsidy is subsequently provided to the homebuyer, only the direct subsidy shall be considered and the Recapture (not Resale) Provisions shall be applied.

b. Effect

The HOME rule at §92.254(a)(3) requires that all HOME-assisted homebuyer housing be acquired by an eligible low-income family, and the housing must be the principal residence of the family throughout the Period of Affordability. Under Resale Provisions, if the housing is transferred, voluntarily or otherwise, during the Period of Affordability, it must be made available for subsequent purchase *only* to a buyer whose household qualifies as low-income, and will use the property as its principal residence.

c. Fair Return on Investment

The City's Resale Provisions shall ensure that, if the property is sold during the period of affordability, the price at resale provides the original HOME-assisted homebuyer a fair return on investment (including the original homebuyer's initial investment and any capital improvement). The value of capital improvements is defined by the City as the actual, documented costs of permanent structural improvements or the restoration of some aspect of a property that either will enhance the property value or will increase the useful life of the property. Capital improvements are generally non-recurring expenses, such as the cost of an addition, a remodel, or a new roof. Repairs and regular maintenance are not capital improvements. To be considered by the City in determining fair return on investment, the actual costs of the capital improvements must be documented with receipts, cancelled checks, or other documents acceptable to the City.

The City shall consider a fair return on investment achieved when the original homebuyer (now the seller) receives from the sale a percentage return on investment based on the change in the *Median Sale Price* for the Columbus-Muscogee County Metropolitan Statistical Area, as published periodically by HUD with the FHA Mortgage Limits (also known as the “203(b) limits”).

$$\text{Fair Return} = (\text{initial investment} + \text{value of improvements}) \times \frac{\text{Median Sale Price}^c}{\text{Median Sale Price}^i}$$

Where *Median Sale Price*^c is the current area median sale price at the time of resale and *Median Sale Price*ⁱ is the initial area median sale price at the time of the homeowner’s original purchase transaction.

For example, in 2009 an eligible homebuyer purchases a house that has received a HOME development subsidy and is subject to Resale Provisions. The homebuyer provides \$5,000 for a down-payment and in 2011 spends \$10,000 to remodel and upgrade the kitchen. In 2012 the homeowner sells the home. In 2009 the median sale price for the area was \$250,000 and in 2012 the figure is \$268,000. In this example, the fair return on investment is \$16,080.

$$\text{Fair Return} = (\$5,000 + \$10,000) \times \frac{\$268,000}{\$250,000}$$

d. Continued Affordability

In addition to ensuring that the HOME-assisted homebuyer receives a fair return on his or her investment, the City’s Resale Provisions shall ensure that the housing under a Resale Provision will remain affordable to a reasonable range of low-income homebuyers. Accordingly, the City shall ensure that the sales price of a home resold under Resale Provisions is within the maximum mortgage capacity of a target population of potential buyers with incomes ranging from 50% to 80% of the Area Median Income (AMI). More specifically, the City defines “affordable to a reasonable range of low-income homebuyers” as a price at which a family at 50 to 80 percent of area median income pays no more than 30 percent of their income for principal, interest, property taxes, and insurance.

In the event the resale price necessary to provide fair return is not affordable to the subsequent low-income homebuyer, the City will provide additional HOME assistance to the new low-income buyer in order to ensure that the price to the buyer is affordable, and the original owner gets a fair return on investment.

e. Presumption of Affordability

In certain neighborhoods, housing can be presumed to provide a fair return to an original homebuyer upon sale, to be available and affordable to a reasonable range of low-income homebuyers, and to serve as the primary residence of a low-income family during the period of affordability. In such cases, the City must complete a market analysis of the neighborhood in which the housing is located, and submit the analysis for HUD review and approval.

The City makes no Presumption of Affordability regarding neighborhoods in its jurisdiction.

f. Imposing Resale Provisions

A clear, detailed written agreement, executed before or at the time of sale, ensures that all parties are aware of the specific HOME requirements applicable to the unit (i.e., period or affordability, principal residency requirement, terms and conditions of either the resale or recapture requirement). The HOME written agreement must be a separate legal document from any loan instrument and must, at a minimum, comply with the requirements at §92.504(c)(5) of the HOME rule. If the City provides HOME funds to a subrecipient or CHDO to develop and sell affordable housing, the City must prepare and execute the agreement with the buyer, or be a party to the agreement along with the entity it funded.

While mortgage and lien documents are used to secure repayment of the HOME subsidy, these documents are not sufficient to enforce the Resale Provisions. Separately recorded deed restrictions will be used to impose the Resale Provisions (§92.254(a)(5)(i)(A)) in HOME-assisted homebuyer projects under the resale option. The purpose of these enforcement mechanisms is to secure and retain the affordable re-use of the property, while providing a fair return to the seller.

g. Foreclosure

In HOME-assisted homebuyer projects, the affordability restrictions imposed by deed restrictions, covenants running with the land, or other similar mechanisms may terminate upon foreclosure, transfer in lieu of foreclosure or assignment of an FHA insured mortgage to HUD. In such cases, the termination of the affordability restrictions does not satisfy the requirement that the property remains qualified as affordable housing under §92.254 for the period of affordability.

Consequently, for HOME-assisted homebuyer housing under a Resale Provision, if the affordability is not preserved by a subsequent purchase at a reasonable price by a low-income homebuyer who will use the property as its principal residence, and who agrees to assume the remainder of the original affordability period, the City shall repay the full amount of the HOME investment.

h. Enforcement

In the event of non-compliance by the homebuyer which includes failure: to maintain property as principal residence, pay taxes, assessments or insurance premiums, failure to comply with any of the enforcement terms, the City will consider this as a breach of covenant and the City may, at its option and without notice, declare the entire indebtedness due.

V. RECAPTURE PROVISIONS

Unlike the resale approach, the City's Recapture Provisions permit the original homebuyer to sell the property to any willing buyer, at any price the market will bear, during the period of affordability while the City is able to recapture all or a portion of the HOME-assistance provided to the original homebuyer.

a. Applicability

Recapture Provisions are the City's preferred mechanism for securing HOME Program investments and are generally applicable to all City homebuyer activities, unless circumstances otherwise require Resale Provisions be used. Specifically, Recapture Provisions are always used in cases involving a Direct Subsidy to a homebuyer. Recapture provisions cannot be used when a project receives only a Development Subsidy and is sold at fair market value, because there is no direct HOME subsidy to recapture from the homebuyer. Instead, Resale Provisions must be used in this case.

b. Effect

If a homeowner chooses to sell during the Period of Affordability, the full amount of the HOME Program Direct Subsidy (specifically excluding the amount of any Development Subsidy) shall be recaptured and repaid to the City provided that net proceeds are sufficient. Recaptured funds shall be returned to the City HOME Trust Fund to be reinvested in other affordable housing for low to moderate income persons. If net proceeds are insufficient to repay the total HOME investment due, only a pro-rata share of the net proceeds, as set forth in the formulas below, will be recaptured. In the event that net proceeds are zero (as is usually the case with foreclosure), the recapture provision still applies, but there are no funds to recapture.

c. Imposing Recapture Provisions

A clear, detailed written agreement, executed before or at the time of sale, ensures that all parties are aware of the specific HOME requirements applicable to the unit (i.e., period or affordability, principal residency requirement, terms and conditions of either the resale or recapture requirement). The HOME written agreement must be a separate legal document from any loan instrument and must, at a minimum, comply with the requirements at §92.504(c)(5) of the HOME rule. If the City provides HOME funds to a subrecipient or CHDO to develop and sell affordable housing, the City must prepare and execute the agreement with the buyer, or be a party to the agreement along with the entity it funded.

The written agreement between the homebuyer and the City, as well as mortgage and lien documents are all used to impose the Recapture Provisions in HOME-assisted homebuyer projects under the recapture option. The purpose of these enforcement mechanisms is to ensure that the City recaptures the Direct Subsidy to the HOME-assisted homebuyer if the HOME-assisted property is transferred. Unlike the resale option, deed restrictions, covenants running with the land, or other similar mechanisms are not required by the HOME rule to be used in homebuyer projects under the recapture option.

As provided in §92.254 (a)(5)(ii)(A), there are several options that the City may use that are acceptable to HUD to recapture funds and no option may capture more than the net proceeds, if any. The option that the City has elected to use, in the event that the net proceeds are not sufficient to recapture the entire Direct HOME Subsidy amount, is the *Shared net proceeds option*:

Shared net proceeds - If the net proceeds are insufficient to recapture the full HOME investment, only a pro-rata share of the net proceeds, as set forth in the formulas below, will be recaptured.

Formula will include the sales price minus loan repayment (other than HOME funds) and closing costs. The net proceeds may be divided proportionally as set forth in the following mathematical formulas:

$$\frac{\text{HOME Investment}}{\text{HOME Investment} + \text{homeowner investment}} \times \text{Net Proceeds} = \text{HOME Amount to be recaptured}$$

$$\frac{\text{Homeowner Investment}}{\text{HOME Investment} + \text{homeowner investment}} \times \text{Net Proceeds} = \text{Amount to homeowner}$$

d. Foreclosure

Homebuyer housing with a Recapture Provision is not subject to the affordability requirements after the City has recaptured the HOME funds in accordance with its written agreement. If the ownership of the housing is conveyed pursuant to a foreclosure or other involuntary sale, the City shall attempt to recoup any net proceeds that may be available through the foreclosure sale. The City is subject to the limitation that when there are no net proceeds or net proceeds are insufficient to repay the HOME investment due, the City may only recapture the actual net proceeds, if any. Upon distribution of proceeds, all obligations for continued affordability are satisfied.

e. Enforcement

In the event of non-compliance by the homebuyer which includes failure: to maintain property as principal residence, pay taxes, assessments or insurance premiums, the City will consider this as a breach of covenant and the City may, at its option and without notice, declare the entire indebtedness due.

VI. REFINANCING POLICY

Columbus Consolidated Government shall carefully review all requests for subordination on a case-by-case basis in order to protect its interests and the interests of the homebuyer. The conditions under which the PJ will agree to subordinate to new debt are as follows:

- 1) The refinancing must be necessary to reduce the owner's overall housing costs, or
- 2) The refinancing must otherwise make the housing more affordable, AND
- 3) Refinancing for the purpose of taking out equity is not permitted.

Upon receipt of a subordination request from a lender or homebuyer, the PJ will review the terms of the refinancing to determine whether the above criteria are met. The PJ may require additional documentation from the homeowner or lender in order to make its determination. Once complete information is received, a subordination decision is made within 15 business days.

VII. MONITORING RESALE & RECAPTURE PROVISIONS

For HOME-assisted homebuyer projects, the PJ shall require its CHDOs and subrecipients, through written CHDO or Subrecipient agreements, to perform ongoing monitoring of the principal residency requirement during the period of affordability. Confirmation that the buyer is using the property as his or her principal residence may be accomplished by verifying that the buyer's name appears on utility company records or insurance company records for the home. In addition, postcard or letters mailed with "do not forward" instructions may demonstrate whether the buyer is receiving mail at the home.

Failure to comply with the resale or recapture requirements means that:

- 1) the original HOME-assisted homebuyer no longer occupies the unit as his or her principal residence (i.e., unit is rented or vacant), or
- 2) The home was sold during the period of affordability and the applicable resale or recapture provisions were not enforced.

In cases of noncompliance under either resale or recapture provisions, the PJ must repay to its HOME Investment Trust Fund in accordance with §92.503(b), any *outstanding HOME funds* invested in the housing. The amount subject to repayment is the total amount of HOME funds invested in the housing (i.e., any HOME development subsidy to the developer plus any HOME down-payment or other assistance (e.g., closing costs) provided to the homebuyer) minus any HOME funds already repaid (i.e., payment of principal on a HOME loan). Any interest paid on the

loan is considered program income and cannot be counted against the outstanding HOME investment amount.

VIII. APPROVAL OF CHDO & SUBRECIPIENT PROVISIONS

CHDOs and Subrecipients carrying out development and/or homebuyer activities on behalf of the PJ shall be contractually bound to apply and implement these same Resale and Recapture Provisions, *verbatim*. As such, review and approval of the PJ's Provisions shall constitute an effective review and approval of the provisions used by the PJ's CHDOs and subrecipients.

Primary Residence Requirements

For the duration of the Affordability Period, Columbus Consolidated Government HOME-assisted housing units must be occupied by income-eligible households.

1. Rental Housing: When units become vacant during the Affordability Period, subsequent tenants must be income-eligible and must be charged the applicable HOME rent.
2. Homebuyer Assistance: If a home purchased with HOME assistance is sold during the Affordability Period, resale or recapture provisions apply to ensure the continued provision of affordable homeownership. Columbus Consolidated Government Subrecipients will use either the resale or recapture provisions pending the type of direct HOME-assistance provided to the homebuyer or nonprofit developer.

Community Housing Development Organizations [CHDOs]

Under the HOME Program, A Community Housing Development Organization (CHDO) is a private nonprofit, community-based service organization that is established to develop affordable housing for the community it serves. Regulations governing a CHDO in the City of Columbus must meet the criteria specified in 24 CFR 92.2.

The Columbus Consolidated Government sets aside a minimum of 15 percent of its HOME allocations for housing development activities in which qualified CHDOs are the owners, developers and/or sponsors of the housing.

Eligible set-aside activities in which a CHDO acts as an owner, sponsor, or developer of the project include:

- The acquisition and/or rehabilitation of rental housing;
- New construction of rental housing;
- Acquisition and/or rehabilitation of homebuyer properties;
- New construction of homebuyer properties; and
- Direct financial assistance to purchasers of HOME-assisted housing that has been sponsored or developed with HOME funds by the CHDO.

Ineligible set-aside activities include the following²:

- Tenant Based Rental Assistance
- Homeowner rehabilitation, and
- Brokering or other real estate transactions

In addition to the set-aside, up to 5 percent of the HOME allocation may be used for CHDO operating expenses, including salaries, wages, training, and other expenses as noted in 24 CFR 92.208.

CHDO Eligibility

To qualify as a CHDO, an organization must meet the following requirements in its legal status, organizational structure, and capacity and experience as listed below.

Legal Status

- An organization must be legally organized in accordance with state and local laws.
- The organization must either possess a 501(c)3 or 501(c)4 tax exemption ruling from the IRS or be established as a subordinate entity of a non-profit organization (Section 905 status) or be owned by a non-profit.
- The CHDO must clearly state in its charter, articles of incorporation, resolutions, or by-laws that at least one of its purposes is to provide decent housing that is affordable to low- to moderate-income persons.
- As a community-serving non-profit, the CHDO may not be controlled by, nor under the direction of, any individuals or entities seeking to profit or gain from the organization. No part of the CHDO's net earnings may benefit any member of the organization, nor any founder, contributor or individual.
- The CHDO must serve a clearly defined geographic service area, which may include a specific neighborhood, the City of Columbus/Muscookee County, or the Columbus GA-AL metropolitan statistical area (MSA)

Organizational Structure

CHDO Board

- At least one-third of the CHDOs board membership must include members of any of the following groups:
 - o Residents of low-income neighborhoods, where at least 51% of the residents are low-income. The resident does not need to be low income.
 - o Low-income persons. Low-income persons living in low-income neighborhoods are not required to show proof of income. Low-income persons living outside a low-income neighborhood must show that their income is at or below 80% AMI.
 - o Elected officials representing low-income neighborhood organizations, such as civic

associations, block groups, neighborhoods church groups, etc.

- A sponsoring for-profit entity may not appoint more than one-third of the board membership. Board members appointed by the for-profit entity may not appoint any of the remaining two-thirds of the board. In addition, no officer or employee of the for-profit entity may serve as an officer or employee of the CHDO.
- A sponsoring governmental entity may not appoint more than one-third of the board membership. No more than one-third of all board members may be public officials or employees of the governmental entity. Board members appointed by the governmental entity may not appoint any of the remaining two-thirds of the board. In addition, no officer or employee of the governmental entity may also serve as an officer or employee of the CHDO.
- These elements of the CHDO Board composition must be reflected in the organization's by-laws, charter, or articles of incorporation.

Community Involvement

- The CHDO must provide a formal process for low-income program beneficiaries to advise the organization in its decisions regarding the design, siting, development, and management of affordable housing. The CHDO may form an advisory committee or other body to provide regular input on these decisions. The process must be described in writing in the organization's by-laws or board resolution.

Sponsorship

- A CHDO may be sponsored by a governmental entity, for-profit entity, or non-profit entity to serve the community as a distinct non-profit organization. However, a CHDO may not be part of a governmental entity (such as a city or public housing authority) or controlled by a governmental entity. A CHDO may not be sponsored or created by a builder, developer, real estate management firms, or any for-profit entity whose mission is to develop or manage housing. For CHDOs sponsored or created by a for-profit entity, the CHDO must be free to contract for goods and services from vendors of its choosing.

Capacity and Experience

History of Community Service

- A CHDO must also demonstrate a history of serving the community where HOME-funded housing will be located. The organization must be able to show one year of serving the community before HOME funds are reserved for the organization. However, a newly created organization may meet this requirement by demonstrating that its parent organization has at least a year of serving the community.

Organizational Capacity

- The CHDO must have a demonstrated capacity for carrying out housing projects assisted with HOME funds. Capacity must be demonstrated through one of two means:
 - A. The CHDO must hire paid employees with housing development experience to work on HOME-funded projects, or
 - B. Newly established organizations must contract with a consultant who has housing development experience during the first year of the CHDO's funding. The consultant must train appropriate key CHDO staff on housing development.

Internal Controls

- The CHDO must be able to certify that it can meet federal financial accountability standards found in 2 CFR 200.302, "Financial Management" and internal control standards found in 2 CFR 200.303, "Internal Controls."

Subsidy Layering:

There are no affordable housing development projects within the Columbus Consolidated Government HOME Program that require or use subsidy layering requirements. In the event that future projects utilize subsidy layering as part of their HOME funded project, the provisions of 24 CFR §92.250 (b) shall apply to that project. For additional information or assistance regarding subsidy layering, please contact the Columbus Consolidated Government Community Reinvestment Department.

Financial Management Activities

The requirements for the HOME Program Financial Management systems and reporting are found in 2 CFR §200.327-329 for non-profit Subrecipients and all recipients of federal grants. The purpose of these requirements is to ensure that a Subrecipient receiving funds has a Financial Management system sufficient to:

- a) Provide effective control over and accountability for all funds, property, and other assets;
- b) Identify the source and application of funds for activities, including verification of the "reasonableness, allowability and allocability" of costs, and verification that the funds have not been used in violation of any of the restrictions or prohibitions that apply to this assistance;
- c) Permit the accurate, complete and timely disclosure of financial results, in accordance with the federal reporting requirements; and,
- d) Minimize the time elapsing between the transfer of funds from the U.S. Treasury and disbursement by the PJ and Subrecipients.

When subrecipient agencies first begin providing services under the HOME program and start drawing down funds, few of them have financial systems in place that meet all pertinent Federal requirements.

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For many subrecipients, putting together a financial system that both serves the organization's needs and meets Federal requirements may have been a matter of trial and error. This kind of "ad hoc" approach is dangerous, however, because the organization may not find out about the inadequacies of the system until it is too late, such as when the organization runs into a major problem with an overspent budget or a serious audit finding.

This section provides a summary of the required elements of financial systems for managing Federal funds. Before plunging into the details of the Federal requirements, a subrecipient should ask itself the following eight sets of questions to find out if there are particular areas where help may be needed.

- 1) Internal controls: Does the agency have a written set of policies and procedures that define staff qualifications and duties, lines of authority, separation of functions, and access to assets and sensitive documents? Does the agency have written accounting procedures for approving and recording transactions? Are financial records periodically compared to actual assets and liabilities to check for completeness and accuracy?
- 2) Accounting records: Does the agency maintain an adequate financial accounting system, the basic elements of which should include: (a) a chart of accounts; (b) a general ledger; (c) cash receipts journal; (d) cash disbursements journal; (e) a payroll journal; (f) payable and receivable ledgers; and (g) job cost journals (if involved in construction)? Does the agency's accounting system provide reliable, complete and up-to-date information about sources and uses of all funds? Are "trial balances" performed on a regular basis (at least quarterly)?
- 3) Allowable costs: Does the agency have a clearly defined set of standards and procedures for determining the reasonableness, allowability, and allocability of costs incurred that is consistent with the basic Federal rules? Does the agency know which specific types of expenditures are prohibited under the HOME program? Does the agency have an approved indirect cost allocation plan?
- 4) Source documentation: Does the agency maintain up-to-date files of original source documentation (receipts, invoices, canceled checks, etc.) for all of the financial transactions, including those involving obligations incurred and the use of program income?
- 5) Budget controls: Does the agency maintain an up-to-date (approved) budget for all funded activities, and perform a comparison of that budget with actual expenditures for each budget category? Does the agency regularly compare progress toward the achievement of goals with the rate of expenditure of program funds?
- 6) Cash management: Does the agency have a regular procedure for accurately projecting the cash needs of the organization, and for minimizing the time between the

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receipt of funds from the grantee and their actual disbursement? Can the agency ensure that all program income is used for permitted activities, and that such program income is used before further drawdowns are made from the grantee for the same activity?

7) Financial reporting: Is the agency able to provide accurate, current, and complete disclosure of the financial results of each Federally-sponsored project or program in accordance with the reporting requirements of the grantee and HUD?

8) Audits: When was the last Independent Public Accountant (IPA) audit and what were the results? Do the agency and the grantee have copies of the management letter?

If the agency's answer is "yes" to all of these questions, then the agency has established acceptable control over its financial affairs. If the agency was not able to give an affirmative answer to all the questions above, this section of the Manual will help the agency understand the minimum Federal requirements for financial management, and to identify where systems need strengthening. Once these areas have been identified, the agency [with technical assistance from the grantee] can work with the agency's financial staff, the agency's auditor and/or the grantee to develop the systems and expertise needed to gain control of the agency's financial affairs and meet the Federal requirements.

Columbus Consolidated Government utilizes a "reimbursement process" for all subrecipients in the HOME Grant Programs. All Program funds will be paid by Columbus Consolidated Government to subrecipients upon submission of acceptable payment documentation to the Columbus Consolidated Government Community Reinvestment Department by the subrecipient in a timeframe required by the Columbus Consolidated Government Community Reinvestment Department. Subrecipients cannot hold request for reimbursements for more than two months. All expenses incurred by the Subrecipient between January-September 30th of the current Program Year should be submitted to the Columbus Consolidated Government Community Reinvestment Department no later than October 10th. Reimbursement payments by the Community Reinvestment Department will be made using the normal 30 day payment schedule for all subrecipient disbursements.

In no case will the PJ reimburse any portion of any cost determined to be ineligible under this Agreement or under HOME regulations, regardless of any mistaken determination of eligibility at the time the costs were incurred, nor will the PJ reimburse any cost which has been or will be reimbursed from another source.

If goods or services are necessary to carry out such activities, the procurement of all such goods and services shall be carried in accordance with the requirements of 2 CFR 200.317-326 with the written procurement requirements of Subrecipient/CHDO, the more restrictive of which shall apply.

HOME Monitoring and Project Oversight

In accordance with 24 CFR §504 (a), Columbus Consolidated Government utilizes a risk-based monitoring system on an annual basis for all HOME funded projects and subrecipients.

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City of Columbus will review the proper maintenance, marketing, occupancy, rents and utility allowances of housing funded with HOME funds by applying the procedures that are described in detail in this document.

HOME activities will be evaluated based on the following program areas:

- Adherence to HOME guidelines, procedures, and regulations for programs as a whole and for individual projects
- Internal Procedures and policies and those of program partners
- Overall administration and management
- Fair Housing
- Construction quality, ongoing housing condition and maintenance
- Davis-Bacon, Lead Based Paint, and other Federal Requirements as applicable
- Cost reasonableness and financial accountability
- Environmental Review

The City of Columbus may withhold, reduce, or terminate funding to a developer or subrecipient where deficiencies have not been sufficiently corrected to the City of Columbus and/or HUD's satisfaction.

Overall Approach and Project Selection for Monitoring

Project oversight will be provided on all active development projects and will be similar to but generally more rigorous than ongoing monitoring.

Ongoing monitoring will be based primarily on the analysis of regular reports, reports from regular inspections and documents submitted for review as projects are developed and managed through the affordability period. In addition, periodic reviews of market data and cost data may be undertaken. This desk monitoring will be supported by field visits to funded organizations and examination of housing product.

The first line of approach for monitoring will be the maintenance of files and file checklists to assure that all required documentation is produced, reviewed and on hand as needed.

The selection and prioritization of documents, files and organizations to be monitored will utilize a risk reduction approach. The following priorities will be considered:

- The early part of a key project phase such as acquisition, construction or rent up will take absolute priority over other efforts and all development projects will be monitored and inspected at these early phases.
- Beyond that basic priority, the following factors will also affect priorities:
- New organizations and any organization with unresolved compliance issues,
- Functions being carried out by new staff.
- Any project that may have special compliance challenges or that is substantially different in terms of size, complexity, or other factors from other projects the PJ or the developer has undertaken.

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- Because the HOME-assisted projects have ongoing affordability requirements, the compliance specialist will also monitor and inspect a sample of units in completed projects.

Contract Requirements for Partners

All contracts and agreements include reporting requirements for developers and agreement to open records and open sites.

Terms include:

- Agreement to submit or open any and all records and sites upon request;
- Notification by inclusion in the funding agreement of required records;
- Reporting requirements specific to each project;
- Budgets and limitations on budget changes.

Monitoring Tools, Resources and Readiness Procedures

Monitoring staff will maintain up to date files for the monitoring activity as a whole, each activity type, and each project. Tools and documents to be maintained in a ready state include:

- Portfolio Tracking spreadsheet (electronic file)
- Templates for File Checklists and document review checklists (attached)
- HUD required checklists found:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/training/web/checkup/performance/monitoringtools
- IDIS reports and Web-based Performance Reports (PR16, PR 25, PR 27, Snapshot and Open Activities reports)
- Relevant correspondence by developer or project
- Previous monitoring reports and audits by developer or project
- Project budgets and contractual performance requirements by project
- Agreement and covenant templates
- Current and historic files of HOME income, rent, subsidy and sale price/valuation limits as regularly published by HUD

Resources required for monitoring include: the HOME final rule, as amended; applicable cross-cutting regulations; CPD Notices dealing with HOME; the Technical Guide for Determining Income and Allowances for the HOME Program (HUD-1780-CPD).

Note that oversight and monitoring rely on the use of the tools indicated above and addressing the issues raised by evaluating performance in relation to the published checklists and limits, and in relation to the contractual terms for each project is the essence of effective action.

Schedule Overview

The City will monitor on ongoing, annual and situational bases. Schedule details relating to each regulation and each stage of development may be found in the relevant attachments. In addition to the

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overall schedule and approach in this plan, a specific schedule may be generated for each developer and project. Here is a summary of the City's approach and basic scheduling standards.

Situational

Certain reviews and monitoring will be scheduled or carried out in response to events, especially for projects under planning and development, based on the specific stage or circumstances of the project. This will include:

- Acquisition and Procurements
- Disbursement Requisitions
- Relocation
- Contracts prior to execution
- Design review; 504 compliance
- Environmental review
- Construction-related wages, hours, Section 3, Equal Opportunity, Debarment, and other labor related interviews and document reviews
- All critical construction phases will be inspected on site by City building officials including a pre-commitment inspection to determine deficiencies and reasonableness of the proposed construction and costs.
- Any complaints by neighbors or parties to the project, or un-reconciled paperwork, may call for an on-site inspection, or in-person interview.
- Monitors must also confirm that project underwriting has occurred. Those procedures are addressed in the Project Approval and Underwriting section.

For rental projects, situational monitoring will also include:

- Review of initial affirmative marketing, tenant selection and screening, and lease contents
- Review of initial income certifications and rents

For homebuyer units, situational monitoring will also include:

- Review of initial affirmative marketing, homebuyer selection and screening
- Review of initial income certifications and affordability for homebuyers
- Review of covenants

Ongoing

All expenditure requests will be reviewed for proper documentation (see also attachment on payment processing procedures), completion of construction costs charged, if applicable, and reconciled with budget. (On some projects, construction completion payments may be based on certification by supervising architect.)

Project schedule and timeliness of progress will be monitored.

Annual

- Each year various city staff as indicated below will review:
- Overall performance and financial health of the developer;
- Accounting procedures and records;
- Status and certification of CHDO, if applicable;
- For rental property:
 - Condition of property
 - Proper occupancy and rents according to HOME and other program regulations
 - Affirmative marketing procedures
 - Fair housing and tenant selection;
 - Lease provisions
 - Financial health of property
- For homebuyer property
 - Occupancy as principal residence
 - Proper enforcement of covenants and loan agreements

Pre-on-site-Monitoring Preparation:

Prior to an on-site monitoring visit, the City will provide written notification of the visit to recipient. The notice will provide the following information:

- Dates and time of the monitoring visit
- A copy of the HOME Monitoring Checklist
- A list of files to be reviewed
- A list of properties to be inspected
- The recipient will be asked to provide the City with the following:
 - Disbursement and expenditure reports
 - Agreements/contracts
 - Policy guidelines and procedures, administrative plans, and operation manuals
 - Beneficiary data

Staff will provide program monitoring over three phases:

1. Contract Development Phase
 - a. Ensuring that projects are consistent with the Consolidated Plan
 - b. Ensuring that all Environmental Review requirements have been met
 - c. Ensuring clients are income-eligible
2. Development Phase
 - a. Ensuring that project costs, budgets, and timelines are adhered to
 - b. Ensuring conformance to HOME standards through periodic property inspections
3. Post-Development Phase (Long-Term)
 - a. The duration and frequency of on-sight subrecipient monitoring and inspections is based on the length of the affordability period and the total number of project units.

Project Monitoring Plan:

A written report will be prepared and provided to the recipient following the completion of each monitoring review. The report will include the following information:

- An explanation of the purpose and scope of the review
- A list of findings, comments, recommendations, and corrective actions to be taken
- A list of the files reviewed
- A list of the houses/units inspected
- A summary of the project funds expended to date
- An evaluation of project performance to date
- A time frame for taking corrective action

Follow up and Enforcement Actions:

Failure by a developer or owner to carry out corrective action as specified within the specified timeline will result in notification to the Director of NSD regarding next steps for enforcement or collection of funds.

Uniform Administrative Requirements

A. Columbus Consolidated Government and Other Governmental Subrecipients:

Columbus Consolidated Government and other governmental entities receiving HOME funds, including those receiving HOME funds as a Subrecipient, must comply with certain administrative requirements, generally pertaining to the financial management and *audit* standards that federal funding recipients must meet. HOME program regulations require that non-federal entity adhere to the Uniform Administrative Requirements, Cost principles, and Audit Requirements found at 2 CFR Part 200 with emphasis on the following:

- Subpart D – Federal Award Requirements – Standards for Financial and Program Management [200.300-309]
- Procurement Standards [200.317-326]
- Performance & Financial Reporting [200.327-329]
- Subrecipient Monitoring and Management [200.330-332]
- Subpart E – Cost Principles [200.400-419]
- Subpart F – Audit Requirements [200.500-512]

Environmental Requirements

The Columbus Consolidated Government Community Reinvestment Department is responsible for undertaking Environmental Reviews in accordance with the requirements imposed on "recipients" in 24

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CFR §58. Instructions and formats for reviews are found in HUD CPD Notice 94-18 and Publication HUD-399-CPD, "Environmental Reviews at the Community Level." Reviews must be completed, and Requests for Release of Funds (RROF) submitted to HUD before HOME funds are committed for non-exempt activities. Each project and subsequent activity receiving HOME funds is subject to the environmental review process pursuant to 24 CFR §58.

Included in the environmental review process for each project utilizing HOME funds, there will be an assessment of the flood hazard area surrounding the property. Section 202 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4106) requires that HOME funds shall not be provided to an area that has been identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards unless the community is participating in the National Flood Insurance Program, or it has been less than a year since the community was designated as having special flood hazards; and flood insurance is obtained.

The basic steps in compliance with The National Environmental Protection Act, (NEPA) and other applicable environmental laws and regulations are:

Step 1

Determine if the proposed project is "exempt" from NEPA requirements and other environmental reviews.

If it is exempt:

- (a) Document, in writing, that a project is exempt and meets the condition for exemption;
- (b) Maintain exemption in Environmental Review Records ERR file;
- (c) Incur costs/expend funds;
- (d) Draw down funds from U.S. Treasury.

Step 2

If the proposed project is not exempt from NEPA requirements and other environmental reviews, determine if it is "categorically excluded" from NEPA requirements.

If it is categorically excluded:

- (a) Document compliance with other environmental requirements in ERR file;
- (b) Publish a Notice of Intent to Request Release of Funds NOI/RROF at least once in a local newspaper of general circulation;
- (c) Allow fifteen (15) days public comments period before any other action is taken;
- (d) Submit to HUD a certification of compliance and a copy of the published NOI/RROF;
- (e) Receive notice of clearance from HUD;
- (f) Incur cost/expend funds
- (g) Draw-down funds from U.S. Treasury

Step 3

If the proposed project is neither exempt from environmental review, nor categorically excluded from NEPA requirements, the Columbus Consolidated Government Community Reinvestment Department

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shall prepare an Environmental Assessment (EA). If the EA indicates that the proposed project will have no significant effect on the quality of human environment, then the Columbus Consolidated Government Community Reinvestment Department shall:

- (a) Prepare and publish A Finding of No Significant Impact (FONSI) notice in a Columbus Newspaper.
- (b) Prepare and publish in a local newspaper, a Notice of Intent to Request Release of Funds (NOI/RROF).
Allow at least 15 days for public comments before any further action is taken;
- (c) The FONSI and the NOI/RROF may be published at the same time as a combined concurrent notice.
Send the FONSI and NOI/RROF to appropriate local, state, regional and Federal agencies. Allow at least 15 days for public comments before any other action is taken. Note: This procedure saves both time and money and it is the process used by the Columbus Consolidated Government Community Reinvestment Department;
- (d) Request the official Release of Funds from HUD;
- (e) Receive clearance for drawdown of funds from HUD;
- (f) Incur costs/expend funds/draw down. When there is considerable interest or controversy concerning a proposed project, or if the project is unique and without precedent, or if it would normally require the preparation of an Environmental Impact Statement, the public comment period will be 31 days before the Request for Release of Funds may be filed.

Step 4

Environmental Impact Statement - EIS

If the EA indicates that the proposed project may significantly affect the quality of the human environment, an EIS shall be prepared in conformance with all local, state and Federal requirements. The preparation of an EIS is an extremely detailed and costly process, which requires considerable time and may involve several phases, as determined by the particular circumstances associated with each project.

DIAGRAM--ENVIRONMENTAL REVIEW PROCESS

IF ACTIVITY IS EXEMPT:

1. Document exemption in ERR
2. Project made exempt;
3. Drawdown funds from U.S. Treasury.

**DETERMINE IF ACTIVITY IS
EXEMPT**

IF ACTIVITY IS CATEGORICALLY EXCLUDED:

1. Document exclusions in ERR;
2. Publish NOI;
3. Publish RROF;
4. Wait 8 days; or
5. Wait 15 days if NOI/RROF are combined;
6. Submit Certification of Compliance to HUD;
7. Submit the RROF to HUD;
8. Receive notice of clearance for drawdown of funds and to incur costs;
9. Now eligible to drawdown funds from HUD/U.S. Treasury.

**IF ACTIVITY IS NOT EXEMPT,
DETERMINE IF
CATEGORICALLY EXCLUDED**

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IF EA INDICATES ACTIVITY WILL HAVE NO SIGNIFICANT IMPACT:

1. Prepare, publish and disseminate FONSI to HUD and others as required;
2. Wait 15 days (31 days if activity is controversial);
3. Prepare, publish and disseminate NOI and RROF to HUD, and others, as required;
4. Wait at least 8 days if NOI and RROF are published separately, 15 days if NOI and RROF combined;
5. Prepare, publish and disseminate FONSI/ RROF; combined (Concurrent) notice to HUD and others as required.

**IF ACTIVITY IS NOT EXEMPT
NOR CATEGORICALLY
EXCLUDED PREPARE AN EA**

Wait at least 15 days.

6. Prepare and send RROF and Certification of Compliance to HUD;
7. Receive notice of clearance of special condition from HUD;
8. Incur costs/expend funds/draw down funds from HUD

**IF EA INDICATES ACTIVITY
MAY SIGNIFICANTLY AFFECT
ENVIROMENT IMMEDIATELY
PREPARE EIS**

Labor Standards

A. Columbus Consolidated Government must comply with certain regulations on wage and labor standards. In the case of Davis-Bacon and the Contract Work Hours and Safety Standards Acts, every contract for the construction of housing (rehabilitation or new) that contains **12 or more units** assisted with HOME funds triggers the requirements.

1. **Davis-Bacon and Related Acts (40 USC 276(A)-7)**: Ensures that mechanics and laborers employed in construction work under federally assisted contracts are paid wages and fringe benefits equal to those that prevail in the locality where the work is performed. This act also provides for the withholding of funds to ensure compliance, and excludes from the wage requirements apprentices enrolled in bona fide apprenticeship programs.
2. **Contract Work Hours and Safety Standards Act. As amended (40 USC 327-333)**: Provides that mechanic and laborers employed on federally assisted construction jobs are paid time and one-half for work in excess of 40 hours per week, and provides for the payment of liquidated damages where violations occur. This act also addresses safety and health working conditions.
3. **Copeland (Anti-kickback) Act (40 USC 276c)**: Governs the deductions from paychecks that are allowable. Makes it a criminal offense to induce anyone employed on a federally assisted project to relinquish any compensation to which he/she is entitled, and requires all contractors to submit weekly payrolls and statements of compliance.
4. **Fair Labor Standards Act of 1938. As Amended (29 USC. Et. Sep.)**: Establishes the basic minimum wage for all work and requires the payment of overtime at the rate of at least time and one-half. It also requires the payment of wages for the entire time that an employee is required or permitted to work, and establishes child labor standards.

B. Columbus Consolidated Government may either utilize an electronic (internet service) system provided by HUD; by the U.S. Department of Commerce, or the PJ can use the HUD

Field Office Labor Standards staff to obtain wage determinations.

- C. Columbus Consolidated Government is responsible for all payroll reviews and must follow all HUD labor standards.

Lead-Based Paint

HUD has published final regulations implementing Title X of the Housing and Community Development Act of 1992, which revises the lead-based paint requirements for HOME. These new regulations shift the focus of lead-based paint efforts from abating all lead-based paint to controlling lead-based paint hazards.

Current lead-based paint regulations include:

- notification to tenant and homebuyers,
- disclosure of lead-based paint information,
- identification of defective paint surfaces,
- treatment of defective surfaces, and
- response to children with elevated blood lead levels (EBLs).

The following types of projects and activities are exempt from lead-based paint requirements:

- units built ***after*** January 1, 1978;
- units that serve only elderly residents; and
- zero bedroom units

Lead-based paint notification involves two activities:

- Brochure:** Columbus Consolidated Government distributes the EPA/HUD/Consumer Product Safety Commission (CPSC) brochure entitled, "Protect Your Family from Lead in Your Home" to all homebuyers, tenants, and owner-occupants of pre-1975 housing. This brochure is available from the Government Printing Office (call the order desk at (202) 512-1800) or on HUD's homepage on the World Wide Web (address - <http://www.hud.gov>). All homeowners are required sign and submit to Columbus Consolidated Government Community Reinvestment Department a Lead-Based Paint Homeowner Certification form stating that they have received the above reference pamphlet. This form is to be signed and placed in the project file prior to the commitment and disbursement of HOME Funds.
- Disclosure:** Under Section 1015 of Title X, all property owners must disclose the known presence of lead-based paint and provide prospective buyers or tenants with records and reports of any lead-based paint testing (See 24 CFR Part 35 and 40 CFR Part 754).

Fair Housing and Equal Opportunity

- A. Columbus Consolidated Government activities must comply with all of the following federal laws, executive orders and regulations pertaining to fair housing and equal opportunity. They

are summarized below.

- B. **Title VI of the Civil Rights Act of 1964, as Amended (42 U.S.C. 2000d et seq.)**: States that no person may be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, or national origin. The regulations implementing the Title VI Civil Rights Act provisions for HUD programs may be found in 24 CFR Part 1
- C. **The Fair Housing Act (42 U.S.C. 3601-3620)**: Prohibits discrimination in the sale or rental of housing, the financing of housing, or the provision of brokerage services against any person on the basis of race, color, religion, sex, national origin, handicap or familial status. Furthermore, section 104(b)(2) of the Act requires that each grantee certify to the Secretary of HUD that it is affirmatively furthering fair housing. The certification specifically requires grantees to conduct a fair housing analysis, develop a fair housing plan, take appropriate actions to overcome the effects of any impediments identified and maintain records on the analysis, plan and actions in this regard. Fair Housing Act implementing regulations for HUD programs may be found in 24 CFR Parts 100-115.
- D. **Equal Opportunity in Housing (Executive Order 11063, as Amended by Executive Order 12259)**: Prohibits discrimination against individuals on the basis of race, color, religion, sex or national origin in the sale, rental, leasing or other disposition of residential property, or in the use or occupancy of housing assisted with federal funds. Equal Opportunity in Housing regulations may be found in 24 CFR Part 107,
- E. **Age Discrimination Act of 1975, as Amended (42 U.S.C. 6101)**: Prohibits age discrimination in programs receiving federal financial assistance. Age Discrimination Act regulations may be found in 24 CFR Part 146

Accessibility

The HOME regulations require adherence to the three following regulations governing the accessibility of federally assisted buildings, facilities and programs.

- A. **Americans with Disabilities Act (42 U.S.C. 12131; 47 U.S.C. 155, 201, 218 and 225)**: Provides comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, state and local government services and telecommunications. The Act, also referred to as the ADA, also states that discrimination includes the failure to design and construct facilities (built for first occupancy after January 26, 1993) that are accessible to and usable by persons with disabilities. The ADA also requires the removal of architectural and communication barriers that are structural in nature in existing facilities. Removal must be readily achievable, easily accomplishable and able to be carried out without much difficulty or expense.
- B. **Fair Housing Act**: Multi-family dwellings must also meet the design and construction requirements at 24 CFR 100.205, which implement the Act (42 U.S.C. 3601-19).
- C. **Section 504**: Section 504 of the Rehabilitation Act of 1973 prohibits discrimination in federally

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assisted programs on the basis of handicap. Section 504 imposes requirements to ensure that "qualified individuals with handicaps" have access to programs and activities that receive federal funds. Under Section 504, recipients and Subrecipients are defined more broadly than under the HOME Program. Section 504 recipients and Subrecipients include any entity that receives federal funding (for example, a Subrecipient or (CHDO).

1. For any recipient or Subrecipient principally involved in housing or social services, all of the activities of the agency - not just those directly receiving federal assistance are covered under Section 504.
 2. Contractors and vendors are subject to Section 504 requirements only in the work they do on behalf of a recipient or Subrecipient.
 3. The ultimate beneficiary of the federal assistance is not subject to Section 504 requirements.
- D Under Section 504, recipients and Subrecipients are not required to take actions that create undue financial and administrative burdens or alter the fundamental nature of the program.

Procurement

Columbus Consolidated Government, in addition to following established City procurement guidelines, will strictly adhere to the required procurement policies established by HUD, which may be found in 24 CFR §200.317-326.

Program Income Requirements

Program income as defined by 24 CFR §92.503 means gross income received by the participating jurisdiction, State recipient, or a subrecipient directly generated from the use of HOME funds or matching contributions. When program income is generated by housing that is only partially assisted with HOME funds or matching funds, the income shall be prorated to reflect the percentage of HOME funds used. Program income includes, but is not limited to, the following:

1. Proceeds from the disposition by sale or long-term lease of real property acquired, rehabilitated, or constructed with HOME funds or matching contributions;
2. Gross income from the use or rental of real property, owned by the participating jurisdiction, State recipient, or a subrecipient, that was acquired, rehabilitated, or constructed, with HOME funds or matching contributions, less costs incidental to generation of the income;
3. Payments of principal and interest on loans made using HOME funds or matching contributions;
4. Proceeds from the sale of loans made with HOME funds or matching contributions;
5. Proceeds from the sale of obligations secured by loans made with HOME funds or matching contributions;

6. Interest earned on program income pending its disposition; and
7. Any other interest or return on the investment permitted under 24 CFR §92.205(b) of HOME funds or matching contributions.

HOME Project Underwriting Requirements

Columbus Consolidated Government utilizes the following underwriting process for all HOME funded new construction and acquisition projects before, during, and after construction:

1. Scope-of-Work [Work specifications with price or cost analysis]
Purpose is to establish that property standards are met, that project costs are reasonable, that there is a reliable construction schedule, and that environmental and labor standards have been reviewed and cleared.
2. Financial Package [Sources and Uses, needs, subsidy layering, when applicable, and time of funds]
Purpose is to assure adequate project financing for predevelopments, construction, and permanent financing phases of each HOME-funded multi-family rental project.
3. Debt to Income Ratio
Purpose is to assure a viable HOME Project, once it is completed. This criterion assesses all projected incomes, with projected expenses, to come up with reasonable costs for each. Included, herein, are reasonable profits, "HOME rents", and related income and expense factors.
3. HOME Program Requirements
Purpose is to assure long-term affordability of all HOME multi-family rental units for low/moderate income residents. Included within this Underwriting criterion are the following factors:
 - a. Maximum and minimum per unit HOME subsidies.
 - b. Number of HOME-assisted units.
 - c. Period of affordability.
 - d. Maximum Rents.
 - e. Occupancy requirements.
 - f. Regular monitoring & inspections.
 - g. Affirmative marketing.
 - h. Fair housing.
 - i. Handicapped accessibility requirements.
 - j. Labor standards.
 - k. Related factors.

E. APPENDIX

APPENDIX 1: DOWN PAYMENT ASSISTANCE- SWEET HOME COLUMBUS

Purpose

Sweet Home Columbus (SHC) is designed to assist low-income person or families with the purchase of their own homes. The program, in conjunction with the Consolidated Government of Columbus, Georgia Consolidated Plan and Strategy, will target area(s) of need within the community to stimulate both existing property sales and new construction, while increasing the level of affordable housing.

Eligible Participants

There are three primary eligibility requirements for participation in the Sweet Home Columbus program. They are:

- A. One must be a low-to-moderate income family or individual. Low-to- moderate income means the individual or family must have a gross income that does not exceed 80% of the median income for the area, as determined by HUD, with adjustments for smaller or larger families. Gross annual income defined as all income anticipated and received from all sources by each family member residing in the home 18 years or older over the next twelve months. The income limits established by HUD for the Columbus Metropolitan Statistical Area (MSA) and are adjusted annually. The most recent published income limits will be complied, income limits listed below:

E. 2022 Income Limits

- 1 Person - \$ 38,200
- 2 Persons - \$ 43,650
- 3 persons - \$ 49,100
- 4 Persons - \$ 54,550
- 5 Persons - \$ 58,950
- 6 Persons - \$ 63,330
- 7 Persons - \$ 67,650
- 8 Persons - \$ 72,050

B. Prior to the lender submitting a SHC application package to the Community Reinvestment Department, the applicant must attend a HUD approved (8 hour) Homebuyer Counseling Seminar (and obtain a completion certificate) within the previous 12 months; the SHC application package must be complete. Then after, the Community Reinvestment Staff will review the SHC application package for approval. The Community Reinvestment staff will submit a Loan Commitment Voucher to the lending institution for approval of the SHC loan processing. The Loan Commitment Voucher will expire 60 Days from the date it is issued. (See loan commitment voucher for further instructions).

C. For the time specified in the Promissory Note, the Participant must occupy the property as their principal residence. To ensure the participant maintains the property as their principal residence, a security deed with a deed covenant for the assistance received shall be filed and recorded in Muscogee County real estate office for compliance.

Eligible Properties

Any new or existing single-family house may be eligible. **Homes receiving assistance must pass the International Building Codes as most currently updated and must also, meet all applicable Lead Based Paint Standards.**

Assistance to Eligible Participants

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The assistance provided in the form of a zero percent interest rate loan until the time of sale, or end of the affordability period. The maximum loan issued on an as needed basis is 5% of the sales price, up to \$14,975 for the SHC down-payment assistance. In addition to the maximum amount of the deferred loan, an additional amount of \$1,000 may be utilized for pre-paid(s) (taxes and insurance), up to 5% of the sales price plus \$1,000. **Funds cannot be used for closing cost.**

Compliance

The Community Reinvestment Department will monitor the program to assure compliance with all rules and regulation pertaining to the program, including but not limited to affirmative action to encourage Disadvantaged Business Participation (MBE/WBE) and affirmative Marketing Policies and Procedures.

Subsidy Layering

The residential appraisal may not exceed 95% of the median area purchase price, as required by Section 215(b) of the National Affordable Housing Act. The median area purchase price for existing and new purchases is set by HUD annually. The HOME homeownership value limits may be found at <https://www.hudexchange.info/resource/2312/home-maximum-purchase-price-after-rehab-value/>

Underwriting

The City of Columbus is a Participating Jurisdiction (PJ) under the federal HOME Investments Partnership Program, receiving an allocation of HOME funds from the US Department of Housing and Urban Development (HUD) that is used to support affordable housing activities in the community. As part of the local HOME Program, the City of Columbus provides assistance to low-income homebuyers. This assistance can be used toward an eligible buyer's down-payment or closing costs or can be used as direct financing that reduces the size of a buyer's primary loan (i.e., first mortgage) to a level that is affordable. In aiding homebuyers, the City of Columbus must balance potentially competing perspectives. First, the City of Columbus wants to ensure that participating buyers will be successful homeowners, so the program should target households who are ready for homeownership and provide enough assistance to make the home affordable. At the same time, buyers should only be provided with the assistance they "need" so that the program can serve as many households as possible with limited HOME funds. Finally, the City of Columbus seeks to ensure that assisted buyers are informed consumers and avoid the use of risky lending products.

To balance these priorities, the City of Columbus has developed these underwriting guidelines, which are based on the following key principles.

- Assisted buyers should have good credit and qualify for competitive lending products on par with those offered to credit-worthy unassisted buyers in the local market. Buyers who can only qualify for subprime loans are not only less likely to sustain homeownership but also require larger subsidies, reducing the impact of the City of Columbus's HOME program.
- Assisted buyers should make reasonable and meaningful contributions to their home purchase in terms of both up-front investments and monthly payment without being overburdened by their monthly payment or left without cash reserves after closing. HOME assistance should not be used to artificially reduce buyers' payments, particularly when a buyer's ability to qualify for a loan is the result of excessive consumer debt.

Income Determination

The City of Columbus limits eligibility to buyers with incomes below 80% of the Area Median Income (AMI) as adjusted for household size. HOME regulations limit assistance to households with incomes at or below 80% AMI. While the City of Columbus is concerned about the housing needs of lower income households, it also recognizes that homeownership requires buyers to have sufficient discretionary income to maintain their homes over time, absorb increases in taxes and insurance, and otherwise address unexpected expenses.

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In all cases, income eligibility will be determined using either 24 CFR Part 5/IRS Adjusted Gross Income definition of income. The total household income will be used for eligibility purposes and must be documented with at least two-months of source documentation (e.g., paystubs, benefit records, bank statements). Income attributable to all household members, whether or not related to one another by blood or marriage, will be included for eligibility purposes.

However, for underwriting purposes (that is to determine the appropriate level of assistance), the following adjustments will be made:

- The income of adults who will not have an ownership interest in the property will be excluded. For example, in a circumstance where an elderly parent is part of the household but is neither being listed on title to the property nor included on the loan documents, that individual's income will not be included in calculations of the income available to make the mortgage payment. However, this exclusion for "non-purchasing" adults is not intended to artificially exclude the income of a household member with marginal credit. In the case of married couples, the income of both spouses will always be included for underwriting purposes.
- Significant sources of income such as social security benefits, child support payments, or the like that will not continue for three (3) years will be excluded. For example, while child support received for a 16 ½ year old is included in the Part 5 definition of income because it will continue over the upcoming 12 months, the source of income will cease in about a year and a half when the child turns 18 and should not be counted on in sizing the buyer's mortgage.
- Any imputed income from assets will be excluded for underwriting purposes.

Buyer Expectations

To ensure that buyers are likely to sustain homeownership, assisted buyers must:

- Be purchasing the home for a reasonable price that does not exceed the fair market value as determined by an independent appraisal. In most cases, the City of Columbus will coordinate with the buyer's senior lender to obtain a copy of the lender's appraisal. Additionally, the home must have a sales price less than or equal to the applicable HOME Homeownership Value limit for the type (new or existing) and location of the home. These limits are updated annually by HUD and can be obtained from the City of Columbus.
- Contribute at least \$1,000 toward down payment and closing costs.
- Obtain a loan whose monthly payment (i.e. front end ratio) does not exceed 33% of monthly income and that does not result in a total debt burden (i.e. back end ratio) in excess of 43%. While the recent foreclosure crisis has reduced the availability of lending products that allow buyers to take on excessive monthly payments, some such products are still available. Even when assisted buyers are willing to take on larger monthly payments, the City of Columbus has determined that buyers with excessive payments are less likely to sustain homeownership.
- Be qualified by their lender to spend at least 20% of their monthly gross income on housing. Lenders often qualify borrowers to spend between 28-33% of monthly gross income, so buyers qualifying only at payment levels below 20% of income usually have high consumer debt which increases both subsidy costs and the likelihood of foreclosure later.

Note, this criterion is not intended to eliminate buyers whose loan is limited by the lender's loan-to-value ratio resulting in a monthly payment less than 20% of income. For example, if a buyer could qualify to purchase a \$100,000 home at a 28% ratio, but because the household is purchasing a \$50,000 home, the actual payment will be less than 20% of monthly income.

- To ensure that other non-housing, non-debt costs do not unduly threaten an assisted buyer's ability to afford their first mortgage, the City of Columbus will consider the following non-discretionary fixed costs:

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- Dependent care expenses, including child or elder care necessary to allow adult members of the household to work, in excess of 15% of gross income.
- Court ordered child support or alimony payments in excess of 20% of gross income;
- Out of pocket health insurance premiums in excess of 10% of gross income.

In the event any such expense exceeds the limit, or the combination of such expenses exceeds a combined total of 25%, the maximum back-end ratio allowed will be reduced by the overage. For example, if a household has no dependent care or court ordered payments but has health insurance premiums equal to 15% of gross income. The back-end ratio will be limited to 38% (43% minus the 5% by which the health care premium exceeds 10% of income).

To qualify, the buyer must still be qualified to spend at least 20% of their income toward housing without requiring assistance in excess of the maximum assistance limit.

In cases where fixed costs are in excess of these limits, the proposed monthly housing payment – inclusive of principal, interest, taxes, insurance, and any mortgage insurance or association fees – cannot exceed the household's existing housing payment (e.g. rent or payment on a prior home) by more than 10%.

- Complete Pre-Purchase Homeownership Counseling as required.
- Obtain a mortgage or senior loan that meets the requirements.

Prior to the approval of DPA, the applicant must provide a:

- Pre-approval letter from the mortgage lender
- The mortgage loan application, which has been signed and endorsed by the purchaser
- A certificate of household income and an affidavit of down payment eligibility.
- HUD Income Verification, which may include one month's pay stubs or an offer letter stating the anticipated income. the position is full time or part time)
- Purchase and sales agreement

Written Agreement

The City of Columbus is responsible for managing the day-to-day operations of its HOME program, ensuring that HOME funds are used in accordance with all program requirements and written agreements, and taking appropriate action when performance problems arise. The performance and compliance of each subrecipient must be reviewed at least annually. The City of Columbus must have and follow written policies, procedures, and systems, including a system for assessing risk of activities and projects and a system for monitoring entities consistent with this section, to ensure that the requirements of this part are met.

Executing a written agreement.

Before disbursing any HOME funds to any entity, the City of Columbus must enter into a written agreement with that entity. Before disbursing any HOME funds to any entity, a subrecipient or contractor which is administering all or a part of the HOME program on behalf of the City, must also enter into a written agreement with that entity. The written agreement must ensure compliance with the requirements of this part.

Provisions in written agreements.

The contents of the agreement may vary depending upon the role the entity is asked to assume, or the type of project undertaken. This section details basic requirements by role and the minimum provisions that must be included in a written agreement.

HOME Program Policies and Procedures

- **Use of the HOME funds.** The agreement must describe the amount and use of the HOME funds to administer one or more programs to produce affordable housing, provide down payment assistance, or provide tenant-based rental assistance, including the type and number of housing projects to be funded (e.g. the number of single-family homeowner loans to be made or number of homebuyers to receive down payment assistance), tasks to be performed, a schedule for completing the tasks (including a schedule for committing funds to projects that meet the deadlines established by this part), a budget for each program, and any requirement for matching contributions. These items must be in sufficient detail to provide a sound basis for the State to effectively monitor performance under the agreement.
- **Affordability.** The agreement must require housing assisted with HOME funds to meet the affordability requirements of [§ 92.252](#) or [§ 92.254](#), as applicable, and must require repayment of the funds if the housing does not meet the affordability requirements for the specified time period. The agreement must state if repayment of HOME funds or recaptured HOME funds must be remitted to the City or retained by the subrecipient for additional eligible activities.
- **Program income.** The agreement must state if program income is to be remitted to the City or to be retained by the subrecipient for additional eligible activities.
- **Uniform administrative requirements.** The agreement must require the subrecipient to comply with applicable uniform administrative requirements, as described in [§ 92.505](#).
- **Records and reports.** The agreement must specify the particular records that must be maintained and the information or reports that must be submitted in order to assist the City in meeting its recordkeeping and reporting requirements.
- **Enforcement of the agreement.** The agreement must provide for a means of enforcement of affordable housing requirements by the City or the intended beneficiaries, if the subrecipient will be the owner at project completion of the affordable housing. The means of enforcement may include liens on real property, deed restrictions, or covenants running with the land. The affordability requirements in [§ 92.252](#) must be enforced by deed restriction. In addition, the agreement must specify remedies for breach of the HOME requirements. The agreement must specify that, in accordance with [2 CFR 200.338](#), suspension or termination may occur if the subrecipient materially fails to comply with any term of the agreement. The City may permit the agreement to be terminated in whole or in part in accordance with [2 CFR 200.339](#).
- **Written agreement.** Before the City provides funds to for-profit owners or developers, nonprofit owners or developers or sponsors, subrecipients, homeowners, homebuyers, tenants (or landlords) receiving tenant-based rental assistance, or contractors who are providing services to the City, the City must have a written agreement with such entities that meets the requirements of this section.

For homebuyers, the agreement must conform to the requirements in [§ 92.254\(a\)](#), the value of the property, principal residence, lease-purchase, if applicable, and the resale or recapture provisions. The agreement must specify the amount of HOME funds, the form of assistance, e.g., grant, amortizing loan, deferred payment loan, the use of the funds (e.g., down-payment, closing costs, rehabilitation) and the time by which the housing must be acquired.

The SHC written agreement must include the following items:

- The value of the property,
- A statement that the property will serve as the principal residence for the homebuyer. Each year, the buyer will receive a recertification form to ensure that the property remains the principal residence,
- Whether the property has been purchased through a lease-purchase deal,
- Resale or recapture provisions,
- The amount of HOME funds applied to the project,
- The form of assistance, e.g., grant, amortizing loan, deferred payment loan, etc.,
- How the funds will be used (e.g., down-payment, closing costs, rehabilitation), and
- The period in which the housing must be acquired.

Recapture Provisions

HOME Program Policies and Procedures

All properties purchased with assistance provided by the Sweet Home Columbus program will be subject to recapture provisions.

The recapture provisions require that if the property is sold or if the buyer discontinues occupancy, the recapture amount is the full loan amount. If property goes into foreclosure the recapture amount based on the net proceed available from the sale. The net proceeds are the sales price minus the loan repayment and closing costs. If there are not net proceeds from the foreclosure or sale of the property, the loan is not required to be repaid, and loan requirements are considered satisfied. In the event the net proceeds from the sale are less than the principal amount, only the net proceeds are payable.

Second Mortgage Position

The City of Columbus, Georgia will take a second mortgage position for the loan amount. The loan can be subordinated under the following conditions, **PROVIDED** that:

1. The new mortgage when financed meets one of the following two tests:
 - a. The interest rate on the new mortgage shall be lowered a minimum of 1.5% from the interest rate on the original mortgage; or
 - b. Closing costs can be amortized in 36 months or less
2. Only fixed rate mortgages shall be approved.

Private Sector Involvement

The Columbus, Georgia Consolidated Government Community Reinvestment Department will work closely with the banks and mortgage lenders to assist in the development of methods and programs designed to assist homebuyers in obtaining first mortgage financing and will approve **only fixed rate mortgages** along with the expectation to meet other program guidelines. Adjustable-Rate Mortgages (ARM's) and Balloon Mortgages are not authorized under our program.

Violation of the above policy will result in the following administrative actions:

First Offense: Will result in a one (1) year suspension of the organization from participating in the program.

Second Offense: Will result in permanent expulsion of the organization from participating in the program.

Revisions

As appropriate, changes in the Sweet Home Columbus down-payment assistance program to be revised when necessary and will require approval of the Columbus, Georgia City Council or the Community Reinvestment Department Director.

Closings

The closings for mortgage loans assisted through Sweet Home Columbus down-payment assistance program is required not be scheduled for prior to 10 business days after lending institutions has received the loan commitment voucher, which serves as approval, from the Community Reinvestment Department. The Department will make every effort to process documentation as quickly as possible, but adherence to this policy should allow the program to work more effectively.

Closing Documents

HOME Program Policies and Procedures

The Community Reinvestment Department (CRD) attorney will provide the first mortgage-closing attorney with the documentation to be endorsed by the homebuyer at closing and the check for funds issued for the Sweet Home Columbus down-payment assistance program's project. The first mortgage closing attorney shall within 5 business days return to the CRD attorney the signed documentation plus copies of other documents from the first mortgage closing file that are necessary to demonstrate the purchase was closed in compliance with program guidelines. The CRD attorney will be paid a nominal fee from the closing proceeds for document preparation and processing. The Community Reinvestment Department reserves the right to refuse to allow its assistance proceeds to be disbursed by, and its loan closed by, attorneys who are chronically tardy and uncooperative in returning documentation.

Setting up Activities in IDIS

ACTIVITY SETUP

To add a new activity, complete the Add Activity screen (see page 3-2), setting the ACTIVITY CATEGORY to Homebuyer. To update or view an existing activity, follow the instructions on page 3-6 for retrieving and displaying activities on the Edit Activity screen.

Click the [Add HOME] or [Edit HOME] Setup Detail button to display the first of two homebuyer setup screens.

ADD/EDIT HOME SETUP DETAIL (PAGE 1)

On this screen, indicate if CHDO Reserve funds (including CHDO Loan funds) are to be used for the activity.

CR/CL funds are not to be used for a homebuyer activity when the only HOME assistance to be provided is for down payment and closing costs; the CHDO must also own, sponsor, or develop the housing being acquired [see 24 CFR 92.300]. A CHDO may not serve as a sponsor of homebuyer housing under the 2013 HOME rule.

Note to Insular Area users: Since Insular Area grantees do not receive CHDO Reserve funds, this screen is not displayed for you.

<ul style="list-style-type: none">- Switch Profile- Add Profile- Logout	Activity Add HOME Setup Detail (Page 1)						
Activity <ul style="list-style-type: none">- Add- Search- Search HOME/HTF- Review- CDBG Cancellation	Homebuyer * Indicates Required Field						
Project <ul style="list-style-type: none">- Add- Search- Copy	<table><tr><td>Grantee/PJ Activity ID: N/A</td><td>Activity Name: GAHP Trumbull Village II</td><td>Program Year/Project ID: 2016/3</td></tr><tr><td>IDIS Activity ID: 1462</td><td>Activity Owner: ALBUQUERQUE</td><td>Project Title: Affordable Housing Development-Housing</td></tr></table>	Grantee/PJ Activity ID: N/A	Activity Name: GAHP Trumbull Village II	Program Year/Project ID: 2016/3	IDIS Activity ID: 1462	Activity Owner: ALBUQUERQUE	Project Title: Affordable Housing Development-Housing
Grantee/PJ Activity ID: N/A	Activity Name: GAHP Trumbull Village II	Program Year/Project ID: 2016/3					
IDIS Activity ID: 1462	Activity Owner: ALBUQUERQUE	Project Title: Affordable Housing Development-Housing					
Consolidated Plans <ul style="list-style-type: none">- Add- Copy- Search	CHDO Questions Will the activity be funded with CHDO Reserve (CR)? <input checked="" type="radio"/> Yes <input type="radio"/> No						
Annual Action Plans <ul style="list-style-type: none">- Add- Copy- Search	CHDO Acting As: Select ▾						
Consolidated Annual Performance Evaluation Report	Will initial funding be a CHDO site control and/or seed money loan? <input type="radio"/> Yes <input type="radio"/> No						
	Save Save and Continue Cancel						

If the activity will not be funded with CHDO Reserve (CR) or CHDO Loan (CL) funds, click the [Save and Continue] button to display the next screen. Otherwise, proceed as follows:

HOME Program Policies and Procedures

Field	Description
Fields in gray box	These read-only fields identify the activity that is being processed. They are populated with data from the common activity screen.
Will the activity be funded with CHDO Reserve (CR)?	If the activity will be funded with CHDO Reserve (CR) or CHDO Loan (CL) funds, change this field to Yes .
CHDO Acting As	<p>Indicate if the CHDO is acting as the owner, sponsor, or developer of the housing:</p> <p>Owner: The CHDO holds legal title to or has a long-term (99-year minimum) leasehold interest in the property. The CHDO may be an owner with one or more individuals, corporations, partnerships, or other legal entities.</p> <p>Sponsor: Valid only for homebuyer activities that fall under the pre-2013 rule. The CHDO develops a property that it solely or partially owns and agrees to convey ownership to a second nonprofit organization at a predetermined time.</p> <p>A CHDO may not serve as a sponsor of homebuyer housing under the 2013 HOME rule.</p> <p>Developer: The CHDO either owns and develops the property or is under a contractual obligation with the owner to obtain financing and develop the property.</p>
Will initial funding be a CHDO site control and/or seed money loan?	<p>If the activity will be initially funded with a CHDO Loan, select Yes. Otherwise, select No.</p> <p>For information on CHDO predevelopment loans, see 24 CFR 92.301.</p> <p>If you answer Yes here, turn to Chapter 14 for instructions on setting up a CHDO Loan activity.</p>

When you are finished, click the [Save and Continue] button.

HOME Program Policies and Procedures

ADD/EDIT HOME SETUP DETAIL (PAGE 2)

Basic setup information is entered on this screen:

Activity
Add HOME Setup Detail (Page 2)

Homebuyer

- HOME setup has been saved

Update/Review CHDO Info | Save | Save and Continue | Cancel

*** Indicates Required Field**

Grantee/PJ Activity ID: N/A	Activity Name: GAHP Trumbull Village II	Program Year/Project ID: 2016/3
IDIS Activity ID: 1463	Activity Owner: ALBUQUERQUE	Project Title: Affordable Housing Development- Housing

Performance Objective: Select Option **Will this activity be carried out by a faith-based organization?** Yes No

Performance Outcome: Select Option

Special Characteristics (Check any that apply to the location of this activity)

- CDBG Strategy Area
- Local Target Area
- Presidentially Declared Major Disaster Area
- Historic Preservation Area
- Brownfield Redevelopment Area
- Conversion from Non-Residential to Residential Use
- Colonia

***Setup Activity Type:** Select Option

Multi-Address: Yes No **Loan Guarantee:** Yes No

Homebuyer's Name

First Name: Middle Initial: Last Name:

Activity Address ?

***Address Line 1:** ***City:**

Address Line 2: ***State:** New Mexico ***Zip Code:** +

Address Line 3: ***County:** Select Option Refresh County Code

Validate This Address

Activity Estimates

***Estimated HOME Units:** ***Estimated HOME Cost:** \$

Update/Review CHDO Info | Save | Save and Continue | Cancel

HOME Program Policies and Procedures

Field	Description
Fields in gray box	These read-only fields identify the activity that is being processed. They are populated with data from the common activity screen.
Performance Objective	Select the objective that best reflects your intent in setting up this activity. Descriptions of the objectives are provided on the help screen. If you leave the field blank, it will be set to Provide decent affordable housing .
Performance Outcome	Select the outcome that best reflects the results you are seeking to achieve with this activity. Descriptions of the outcomes are provided on the help screen. If you leave the field blank, it will be set to Affordability .
Will this activity be carried out by a faith-based organization?	Change this field to Yes if a faith-based organization will carry out this activity.
Special Characteristics	Check the box for each characteristic that applies to the location of the activity you are setting up. More than one box may be checked; all boxes may be left unchecked. Definitions of the characteristics are provided on the help screen. Note: The COLONIA field is displayed only for PJs in Arizona, California, New Mexico, and Texas. Check this box if the activity assists a rural community or neighborhood that is within 150 miles of the U.S.-Mexican border and lacks decent housing.
Setup Activity Type	Select the dropdown item that describes the type of work to be performed: New Construction Only: Construction of new residential units or the addition of units outside the existing walls of the structure. Acquisition Only: Acquisition of a structure that received a certificate of occupancy at least 13 months before acquisition and consequently does not require rehabilitation. Acquisition and Rehabilitation: Rehabilitation that includes the acquisition of real property. Acquisition and New Construction: New construction that involves the acquisition of real property.
Multi-Address	For a single-address activity, leave this field set to No . If there is more than one property address for the activity, change this field to Yes . Multi-address homebuyer activities are covered in the next chapter.

HOME Program Policies and Procedures

Field	Description
Loan Guarantee	If HOME funds will be used to guarantee financing provided by private lenders, change this field to Yes .
Homebuyer's Name	Optional. For single-address activities, enter the homebuyer's name if you wish.
Activity Address	Enter the street, city, and state of the property being assisted. Note: If you change the STATE, click the [Refresh County Code] button before validating the address.
[Validate This Address] button	Required. After completing ADDRESS LINE 1, CITY, and STATE, click this button to verify the input. If the address is: <ul style="list-style-type: none"> Valid, the ZIP CODE and COUNTY will be populated automatically with the correct data. Invalid, an error message is displayed. You may either correct and revalidate the address, or check the SKIP VALIDATION FOR NOW box under the ADDRESS LINE 3 field and validate the address later. If you check the SKIP VALIDATION box, you must enter the ZIP CODE and COUNTY before the screen can be saved.
Activity Estimates	
Estimated HOME Units	Enter the number of units that you expect to assist with HOME funds upon activity completion. For single-address homebuyer activities, the number must be between 1 and 4 .
Estimated HOME Cost	Enter the estimated amount of HOME funds (including program income) that will be spent on the activity. Enter the amount in whole dollars, with or without commas. The <u>minimum</u> amount of HOME funds that must be invested in a housing activity is \$1,000 times the number of HOME-assisted units (see 24 CFR 92.205(c)). If you enter an estimated amount below this minimum, IDIS will display an error message and will not allow activity setup to continue until the estimate is corrected. The <u>maximum</u> amount of HOME funds that may be invested per unit varies by location and unit size (see 24 CFR 92.250). IDIS does not have system restrictions on the per-unit maximum.

When you have finished, click the [Save] or [Save and Continue] button to save your input and display the Edit Activity screen (see page 3-8).

HOME Program Policies and Procedures

ACTIVITY FUNDING AND DRAWDOWNS

All homebuyer activities, except those initially funded with a CHDO loan, may be funded with EN (Entitlement), SU (General Subgrant), AD (Administration), CO (CHDO Operating), PA (Program Income for Administration), PI (Program Income), HP (Recaptured Homebuyer), and IU (Repayment to Local Account) funds.

The availability of CHDO funds depends on the answers provided on the first HOME setup screen (see page 8-1). If you answered **No** to WILL THE ACTIVITY BE FUNDED WITH CHDO RESERVE, you will not be able to fund the activity with CHDO Reserve (CR), CHDO Capacity Building (CC), or CHDO Loan (CL) funds. If you answered **Yes** to that question and entered:

- **No** in the CHDO LOAN field, the activity may be funded with CR or CC.
- **Yes** in the CHDO LOAN field, initial funding is limited to the CL fund type. If the activity goes forward to produce affordable housing, the activity may be funded with CR (but not additional CL). Activities that are initially funded with a CHDO loan are explained in detail in Chapter 14.

Remember that HOME regulations do not permit homebuyer activities to be funded with CHDO Reserve unless the CHDO is the owner, sponsor, or developer of the housing being acquired. A CHDO may not serve as a sponsor of homebuyer housing under the 2013 HOME rule.

ACTIVITY COMPLETION

To complete a single-address homebuyer activity in IDIS, you will provide information about the activity's units, costs, and beneficiaries on two HOME completion screens. Once all the required data has been entered, the ACTIVITY STATUS must be updated to **Completed**. HOME regulations require THE CITY OF COLUMBUSs to enter this completion information and update the status within 120 days of the final draw for the activity.

To access the completion screens, follow the instructions on page 3-6 for retrieving the activity and displaying it on the Edit Activity page. On that page, click the [Add HOME Accomp.] or [Edit HOME Accomp.] button to display the first HOME completion screen.

HOME Program Policies and Procedures

Field	Description
Property Type	This field is initially populated with 1-4 Single-Family . If necessary, change this field to one of the other property types listed in the dropdown menu.
Total Completed Units	Enter the total number of units (HOME assisted plus non-HOME assisted) at activity completion. This field is initially populated with the number of ESTIMATED HOME UNITS entered during activity setup (see page 8-5), but this number may be changed.
HOME-Assisted Units	Enter the number of units that received HOME assistance. This field is also initially populated with the number of ESTIMATED HOME UNITS entered during activity setup (see page 8-5), but this number may be changed. The number must be between 1 and 4 and cannot be more than TOTAL COMPLETED UNITS.
Units Qualified as Energy Star	In the TOTAL column, enter the total number of units that have received Energy Star certification. In the HOME-ASSISTED column, enter the number of HOME-assisted units that have received Energy Star certification. For information about HOME and Energy Star, go to https://www.hudexchange.info/resources/documents/EnergyStarAndHOME.pdf
Section 504 Accessible Units	Enter the total number of units that were made accessible for occupants under Section 504 accessibility standards. A unit does not need to have been made fully accessible under Section 504 standards (i.e., meet full UFAS standards) to be counted. Include all 504-accessible units in the count, whether or not HOME funds were spent to make them 504-accessible. For more information on the HOME Program's Section 504 compliance requirements, see HUD Notice CPD-00-9 or superseding notices.
Total Years of Affordability	If the period of affordability (POA) you are imposing on HOME-assisted units is longer than the period required by HOME regulations, enter the total number of years (HOME minimum plus additional) in this field. To indicate that the HOME-assisted units are to remain affordable in perpetuity, enter 99 . If you are not imposing a longer-than-required POA, leave the field blank.

When you are finished, click the [Save and Continue] button to display the next screen.

HOME Program Policies and Procedures

ADD/EDIT COMPLETION DETAIL (PAGE 2)

Page 2 consists of three screens for entering location, costs, and beneficiary information about the activity. The top part of each screen looks like this:

Activity
Add HOME Completion Detail (Page 2)

Homebuyer

- HOME Completion has been saved

Save and Previous Page | Save | Cancel

* Indicates Required Field

Grantee/PJ Activity ID: N/A	Activity Name: GAHP Trumbull Village II	Program Year/Project ID: 2016/3
IDIS Activity ID: 1462	Activity Owner: ALBUQUERQUE	Project Title: Affordable Housing Development- Housing
HOME Multiple-address: No	HOME Completion Activity Type: Acquisition and Rehabilitation	Number of HOME-Assisted Units: 2

Activity Address:
2209 Sandhill Road
Albuquerque, NM 80550

Location | Costs | Beneficiaries | ?

Field	Description
Fields in gray box	These read-only fields identify the activity that is being processed.
Location, Costs, Beneficiaries tabs	Use the tabs to navigate the Page 2 completion screens. When you select a different tab, data on the current screen is validated and saved before the new screen is displayed. Use the buttons at the top/bottom of the screen only when you are ready to exit Page 2.

The Location, Costs, and Beneficiaries screens are explained below.

HOME Program Policies and Procedures

Location Tab

The Location screen is displayed when Page 2 is first accessed:

The screenshot shows the 'Location' tab of the HOME Program interface. It includes the following fields and sections:

- Lead Paint**
 - *Applicable Lead Paint Requirement:**
 - Housing constructed before 1978
 - Exempt: housing constructed 1978 or later
 - Otherwise exempt
 - *Lead Hazard Remediation Actions:**
 - Lead Safe Work Practices (24 CFR 35.930(b))
 - Visual Assessment/Paint Stabilization (24 CFR 35.1015)
 - Interim Controls or Standard Practices (24 CFR 35.930(c))
 - Abatement (24 CFR 35.930(d))
- Property**
 - FHA Insured:** Yes No
 - If Lease Purchase, Date of Agreement:** Select Date (mm/dd/yyyy)
- Homebuyer**
 - First-Time Homebuyer:** Yes No
 - Homebuyer Counseling Provided:** No counseling
 - Coming from Subsidized Housing:** Yes No

Field	Description
Lead Paint	These fields are displayed only if the COMPLETION ACTIVITY TYPE on the previous screen is Acquisition Only or Acquisition and Rehabilitation .
Applicable Lead Paint Requirement	This field must be completed before the Costs or Beneficiaries tab can be accessed.
Lead Hazard Remediation Actions	Make a selection only if the previous field is Housing constructed before 1978 .
FHA Insured	Change this field to Yes if the property is insured by the FHA.
If Lease Purchase, Date of Agreement	If a lease purchase arrangement has been made with the homebuyer, provide the date the agreement was signed.
First-Time Homebuyer	Change this field to Yes if the new homeowner is a first-time homebuyer.
Coming from Subsidized Housing	Change this field to Yes if immediately prior to HOME assistance, the homebuyer was living in public housing or receiving rental assistance from a federal, state, or local program.
Homebuyer Counseling Provided	Indicate the type of homeownership counseling the homeowner received. The 2013 HOME final rule stipulates that homebuyers must receive housing counseling before receiving HOME assistance (downpayment assistance) or purchasing a HOME-assisted unit [see 92.254(a)(3)].

HOME Program Policies and Procedures

Costs Tab

Clicking the Costs tab displays this screen:

Location **Costs** Beneficiaries ⓘ

*Purchase Price: (sp) \$

*Value after Rehabilitation: (sp) \$

HOME Property Costs (including PI)

Form of Assistance	
Amortized Loan	\$ <input type="text"/>
Grant	\$ <input type="text"/>
Deferred Payment Loan	\$ <input type="text"/>
Other	\$ <input type="text"/>
Total	\$ <input type="text" value="0.00"/>

HOME Downpayment Assistance (including PI)

Form of Assistance	
Amortized Loan	\$ <input type="text"/>
Grant	\$ <input type="text"/>
Deferred Payment Loan	\$ <input type="text"/>
Other	\$ <input type="text"/>
Total	\$ <input type="text" value="0.00"/>

Public Funds

Form of Assistance	
Other Federal Funds	\$ <input type="text"/>
State/Local Funds	\$ <input type="text"/>
Tax-Exempt Bond Proceeds	\$ <input type="text"/>
Total	\$ <input type="text" value="0.00"/>

Private Funds

Form of Assistance	
Private Loans	\$ <input type="text"/>
Owner Cash Contributions	\$ <input type="text"/>
Private Grants	\$ <input type="text"/>
Total	\$ <input type="text" value="0.00"/>

Activity Totals

HOME Funds	\$ <input type="text" value="0.00"/>
All Funds	\$ <input type="text" value="0.00"/>
Total HOME Funds Disbursed	\$ <input type="text" value="0.00"/>

Save and Previous Page | Save | Cancel

HOME Program Policies and Procedures

Field	Description
Purchase Price	Enter the price that the homebuyer paid for the property, as evidenced on the deed.
Value after Rehabilitation	This field is displayed only when the COMPLETION ACTIVITY TYPE on the previous screen is Acquisition and Rehabilitation . Enter the dollar value of the property after rehabilitation. For more information on this field, go to the HUD Exchange link: Maximum Purchase Price/After-rehab Value .
HOME Property Costs (Including PI)	
Amortized Loan	Enter the total amount, in dollars and cents, of HOME funds provided as an amortized loan. This is a direct loan which the borrower is expected to repay in full (principal and interest or principal only) over a fixed period of time.
Grant	Enter the total amount, in dollars and cents, of HOME funds provided as a grant. A grant is provided with no requirement or expectation of repayment. A grant may be used to reduce the amount of principal borrowed, the principal repayment, or the effective interest rate (an interest subsidy payment) on a private loan.
Deferred Payment Loan	Enter the total amount, in dollars and cents, of HOME funds provided as a deferred payment loan (DPL). A DPL can be repayable at some future time or forgiven. A DPL is repayable when the property is sold, or is forgiven if (a) the owner does not sell the property for a specified number of years or (b) repayment of principal and interest starts after the bank loan is repaid.
Other	Enter the total amount, in dollars and cents, of HOME funds provided in some form other than the loan/grant assistance identified above.
Total	This read-only field is the total of the HOME PROPERTY COSTS (INCLUDING PI) amounts entered. If the activity is funded with CHDO Reserve, this total must be greater than zero before the activity status can be changed to Completed (remember from page 8-1 that providing HOME funds for downpayment assistance only is not a CR-eligible activity).
HOME Downpayment Assistance (Including PI)	
Amortized Loan	Enter the total amount, in dollars and cents, of HOME funds provided as an amortized loan.
Grant	Enter the total amount, in dollars and cents, of HOME funds provided as a grant.
Deferred Payment Loan	Enter the total amount, in dollars and cents, of HOME funds provided as a deferred payment loan (DPL).

HOME Program Policies and Procedures

Field	Description
Other	Enter the total amount, in dollars and cents, of HOME funds provided in some form other than the loan/grant assistance identified above.
Total	This read-only field is the sum of the HOME DOWNPAYMENT ASSISTANCE (INCLUDING PI) amounts entered.
Public Funds	
Other Federal Funds	Enter the total amount of activity costs paid for with other (non-HOME) federal funds.
State/Local Funds	Enter the total amount of activity costs paid for with state or local government appropriated funds.
Tax-Exempt Bond Proceeds	Enter the total amount of activity costs paid for with state or local government tax-exempt bond proceeds.
Total	This read-only field is the sum of the PUBLIC FUNDS amounts entered.
Private Funds	
Private Loans	Enter the total amount of activity costs paid for with money obtained from private financial institutions such as banks or credit unions.
Owner Cash Contributions	Enter the total amount of cash contributions provided by the homebuyer.
Private Grants	Enter the total amount of cash contributions donated by private individuals, organizations, etc.
Total	This read-only field is the sum of the PRIVATE FUNDS amounts entered.
Activity Totals	
HOME Funds	This read-only field is equal to the HOME Property Costs (Including PI) TOTAL plus the HOME Downpayment Assistance (Including PI) TOTAL. This field and the TOTAL HOME FUNDS DISBURSED field below must match before the activity status can be changed to Completed .
All Funds	This read-only field shows the sum of all HOME, public, and private funding amounts.
Total HOME Funds Disbursed	This read-only field displays the amount of HOME funds drawn down for the activity to date. This field and the HOME FUNDS field must be equal before the activity status can be changed to Completed .

HOME Program Policies and Procedures

Beneficiaries Tab

Information about the households assisted with HOME funds is entered on the Beneficiaries screen. The number of lines displayed is the same as the number in the HOME-ASSISTED UNITS field on the Page 1 completion screen.

Location		Costs		Beneficiaries		i		
Line	i	*Unit No.	*Number of Bedrooms	*Occupant	Household			*Size i
					*% Median Income	*Hispanic /Latino	*Race	
1	<input type="checkbox"/>		Select	Select	Select	Select	Select	Select
2	<input type="checkbox"/>		Select	Select	Select	Select	Select	Select

*Type	*Assistance Type	*Total Monthly Rent
Select	Select	\$
Select	Select	\$

Field	Description
Line	The number of lines completed must equal the number of HOME-ASSISTED UNITS on the Page 1 screen before you will be allowed to change the activity status to Completed .
i	To delete a line of data, check the box in this column. Empty lines cannot (and need not) be deleted.
Unit No.	Enter the unit number of the HOME-assisted unit.
Number of Bedrooms	Specify the number of bedrooms in the unit: SRO/Efficiency or 1 through 5+ .
Occupant	Select Owner , Tenant , or Vacant . If the unit is vacant, leave the rest of the fields on the input line blank (data you enter in them will not be saved). The OCCUPANT of one line must be Owner before the activity status can be updated to Completed .
% Median Income	For each occupied unit, specify the household's annual income level at the time of initial occupancy. Income levels are expressed as a percentage of the median income for the area, as determined by HUD with adjustments for family size. The percentages are: 0 - 30 percent Household annual income at or below 30 percent of the area median income (AMI). 30+ - 50 percent Household annual income above 30 percent and at or below 50 percent of AMI.

HOME Program Policies and Procedures

Field	Description
	<p>50+ - 60 percent Household annual income above 50 percent and at or below 60 percent of AMI.</p> <p>60+ - 80 percent Household annual income above 60 percent and at or below 80 percent of AMI.</p>
Hispanic/Latino	<p>For each occupied unit, indicate if the head of household is Hispanic/Latino by selecting Yes or No.</p> <p>A person of Hispanic/Latino ethnicity is defined as someone of Cuban, Mexican, Puerto Rican, Central or South American, or other Spanish culture, regardless of race.</p>
Race	<p>For each occupied unit, select the race of the head of household:</p> <p>White: A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.</p> <p>Black/African American: A person having origins in any of the black racial groups of Africa.</p> <p>Asian: A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.</p> <p>American Indian/Alaskan Native: A person having origins in any of the original peoples of North and South America (including Central America) and who maintains a tribal affiliation or community attachment.</p> <p>Native Hawaiian/Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.</p> <p>American Indian/Alaskan Native & White: A person having these multiple racial origins as defined above.</p> <p>Asian & White: A person having these multiple racial origins as defined above.</p> <p>Black/African American & White: A person having these multiple racial origins as defined above.</p> <p>American Indian/Alaskan Native & Black/African American: A person having these multiple racial origins as defined above.</p> <p>Other Multi-Racial: Category used for reporting individual responses that are not included in any of the categories listed above.</p>
Size	<p>For each occupied unit, specify the number of persons in the household, 1 through 8+.</p>

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Field	Description
Type	<p>For each occupied unit, specify the type of household occupying the unit:</p> <p>Single, Non-Elderly – One person under the age of 62.</p> <p>Elderly – One or more persons, each of whom is at least 62 years old.</p> <p>Single Parent – A single parent with one or more dependent children 18 years old or younger.</p> <p>Two Parents – Two parents with one or more dependent children 18 years old or younger.</p> <p>Other – Any household not included in the above definitions, including two or more unrelated persons.</p> <p>If the previous field is 1 person, then this field must be either Single, Non-Elderly or Elderly.</p>
Assistance Type	<p>For the owner-occupied unit, select Section 8 if the homebuyer is receiving Section 8 voucher assistance to purchase the property. Otherwise, choose No Assistance.</p> <p>For tenant-occupied units, select:</p> <p>Section 8 – for tenants receiving Section 8 assistance through the Housing Choice Voucher Program under 24 CFR 982.</p> <p>HOME TBRA – for tenants receiving HOME tenant-based rental assistance.</p> <p>Other Federal, State, or Local Assistance – for tenants receiving rental subsidies from other federal, state, or local rental assistance programs.</p> <p>No Assistance – self-explanatory.</p>
Total Monthly Rent	<p>For the owner-occupied unit, leave this field blank. For each tenant-occupied unit, enter the total amount of the initial monthly rent to the nearest dollar. Include both the tenant contribution and the subsidy amount in the total.</p> <p><i>Tenant contribution</i> is the amount the tenant pays each month for rent. If the tenant-paid rent includes utilities or partial utilities (e.g., heat but not electricity), these costs must be added to the rent. Use the utility allowance schedule established by the PJ in accordance with 92.252(d).</p> <p><i>Subsidy amount</i> is the amount of rental assistance the tenant receives each month (including any utility allowances paid directly to the tenant).</p>

When you are finished, select a different tab or click the [Save] button to save your data and return to the Edit Activity screen.

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UPDATING THE ACTIVITY STATUS TO COMPLETED

The final step in completing any HOME activity is to change the ACTIVITY STATUS to Completed.

Remember, the HOME final rule at 24 CFR 92.502(d)(1) requires the City of Columbus to enter all completion data and update the status to Completed within 120 days of the final draw for the activity. If the 120-day deadline is not met, IDIS flags the activity for non-compliance and suspends your ability to set up and fund HOME activities until the flag is cleared.

APPENDIX 2: Violence Against Women Act (VAWA)

The VAWA Act

CCG Community Reinvestment programs that utilize CDBG or HOME funding to provide rental assistance, aid in the creation of affordable housing, or provide temporary supportive housing or shelter must abide by the city's Violence Against Women Act (VAWA) policies. The 2013 VAWA Act (updated by a 2017 final rule) expanded existing housing protections for victims of domestic violence, dating violence, sexual assault, and stalking in HUD programs. The VAWA Reauthorization Act of 2022 provided additional guidelines to help funding recipients (such as the Columbus Community Reinvestment Department) encourage the change or elimination of local policies that put victims at risk of losing their housing, e.g., crime-free programs and nuisance property laws. The CCG Community Reinvestment Department (CRD) is not a direct provider of housing or housing assistance, therefore, VAWA policies stated below apply both to the department and to all direct providers who receive HUD funding from CRD to provide the above services.

Protections under VAWA

Any tenant served under a HUD-covered program is protected under the VAWA Act. All victims of domestic violence, dating violence, sexual assault, and stalking are protected, regardless of sex, gender identity, or sexual orientation. Persons applying for housing in HUD-covered programs may not be denied assistance, and tenants may not have their assistance terminated for factors due to being a victim of domestic/dating violence, sexual assault, or stalking. Housing assistance may not be terminated solely because a member of the household or guest (other than the tenant) has committed such a crime, or because the tenant or immediate family member (affiliated individual) is a victim or threatened victim of domestic/dating violence, sexual assault, or stalking.

Tenant notification of their VAWA rights

Admissions/Termination Notifications

All tenants living in HUD-funded rental housing must be notified of their rights under the VAWA Act. Tenants must receive a copy of the Notice of Occupancy Rights and the certification form entitled "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation" upon admission into or termination of assistance from any HUD-funded TBRA, affordable housing, or temporary shelter program. Housing programs are required to provide these forms in the tenant's primary language spoken at home. Non-English versions of these documents are available upon request from the Community Reinvestment Department.

Lease Notifications

For any HUD-funded affordable housing program, HUD requires that leases, lease addendums and tenancy addendums include a description of the specific protections afforded to victims of VAWA crimes. Incidents of VAWA crimes should not be interpreted as serious or repeated violations of the

victim's lease, nor should they be a reason to terminate assistance for a victim living in a covered housing program.

Transferring units due to VAWA crimes

Housing providers should take every precaution to secure the safety of victims of domestic/dating violence, sexual assault, or stalking, including transfer to a new unit, barring the perpetrator from the property, contacting law enforcement, or seeking other legal remedies to prevent a perpetrator from acting on a threat.

Victims of VAWA crimes qualify for emergency transfer from their unit if they (1) request a transfer, and (2) reasonably believe there is a threat of imminent harm from further violence if they remain in their dwelling unit or if a sexual assault occurred on the premises during the 90-day period preceding the date of the request for transfer.

Documentation required to request an emergency transfer

VAWA Victims may request a transfer using one of the following forms of documentation:

- The "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation" form
- A document signed by a paid or unpaid staff member at a victim service provider, an attorney's office, a medical professional's office or a mental health professional's office where the tenant has received services, specifying that the tenant requires protection from and remedies for VAWA crimes. The document must be signed by the applicant or tenant.
- A record from a law enforcement agency, court or other administrative agency.
- Other evidence provided at the discretion of the housing provider.

Third-party documentation may be required if more than tenant in the household claims to be a victim. Housing providers must keep all documentation in strict confidence by (1) restricting staff access to the documentation and (2) withholding documentation from shared databases.

The emergency transfer plan

Each housing provider funded through the CCG Community Reinvestment Department must have an emergency transfer plan that addresses the following topics:

- **Priority** - VAWA clients take priority over other tenants seeking transfers or applicants on waiting lists when a unit becomes available.
- **Strict confidentiality** - The location of a VAWA victim's dwelling unit must remain strictly confidential.
- **Internal transfers** – If a safe unit within the program is immediately available upon request for transfer, the tenant should be transferred to a unit within their existing program.

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- **External transfers** – If a safe unit is not available within the program, the plan should identify steps for transferring the tenant to an external program. This may include MOUs for emergency transfers or agreements for external partners to provide resources or services. Tenants may request internal and external transfers at the same time.
- **Tenant Based Rental Assistance** – How to quickly move tenants receiving TBRA who request a transfer.
- **Documentation** – The tenant must provide a statement in writing to the housing provider expressing their belief that there is a threat of imminent harm. The housing provider is permitted to request documentation of the occurrences of domestic violence, dating violence, sexual assault, or stalking for which the tenant is seeking to stop through an emergency transfer. The tenant has 14 business days to provide the above written documentation. The housing provider may extend this deadline at its discretion.

The emergency transfer plan should be available upon request and, if possible, made publicly available. Housing providers must keep records of all emergency transfer requests for the city's full retention period of 5 years. These requests should be submitted at least once per year to the Community Reinvestment Department for annual reporting to HUD.

Eligible tenants engaged in a VAWA crimes

Housing providers may also bifurcate - or split - a lease to remove a household member that engages in criminal activity related to domestic violence, dating violence, sexual assault or stalking. The housing provider may use up to 90 calendar days following the bifurcation of a lease to qualify the remaining household member(s) for housing or assist them with finding alternative housing.

The Right to Report from Home

Victims of domestic violence, dating violence, sexual assault and stalking have the right to report crimes and emergencies from their home without risking penalties from local governments and housing providers such as fines or eviction. As a CDGB or HOME recipient, the CCG Community Reinvestment Department must also ensure that local laws and sub-recipient agency policies do not impose penalties on victims of domestic or dating violence, sexual assault or stalking due to their requests for assistance from law enforcement or emergency services. Jurisdictions that threaten landlords with fines or encourage the eviction of tenants for numerous calls to the police may that negatively impact the victim's housing stability and cause the victim to choose between receiving emergency assistance or keeping their housing. The CCG Community Reinvestment Department will conduct ongoing reviews of subrecipient policies and local laws to ensure that the federal right to report from home is protected for victims of VAWA crimes.

APPENDIX 3: Personally Identifiable Information (PII)

Personally Identifiable Information (PII)

Personally Identifiable Information (or PII) includes any information “that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.”¹

The following list contains examples of information that may be considered PII:

- Full name, mother’s maiden name, or alias
- Home address, work address or email address
- Telephone numbers, including mobile, business, and personal numbers

Sensitive PII (or SPII) is information that, “if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to the individual.”²

- Social security number (SSN), passport number, driver’s license number, taxpayer identification number, employee identification number, vehicle registration number, and financial account or credit card number
- Asset information, such as Internet Protocol (IP) or Media Access Control (MAC) address or other host-specific persistent static identifier that consistently links to a particular person or small, well-defined group of people
- Personal characteristics, including photographic image (especially of face or other distinguishing characteristic), x-rays, fingerprints, or other biometric image or template data (e.g., retina scan, voice signature, facial geometry), or handwriting
- Information about an individual that is linked or linkable to one of the above (e.g., date of birth, place of birth, race, religion, weight, activities, geographical indicators, employment information, medical information, education information, financial information).

How the Community Reinvestment Department uses PII

Sub-recipient agencies collect personally identifiable information from clients to provide appropriate services and create reports on who they serve. The Community Reinvestment Department utilizes PII to create a general reporting narrative about the households served with HUD funding. The following data types are used in CRD quarterly reporting to HUD:

- Age
- Client ID number or alias (especially in VAWA reporting)
- Race

¹ US HUD Privacy Office. (2021) “Personally Identifiable Information (PII) Handling Policies and Procedures.” HUD Privacy Handbook Rev 1.0. Retrieved from https://www.hud.gov/sites/documents/OHC_PII042815.PDF, p.8

² “HUD Breach Notification Policy and Response Plan.” OMB M-07-16, p. 4

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- Ethnicity
- Income

All other personally identifiable information submitted by subrecipient agencies to the Community Reinvestment Department should be permanently redacted.

The Community Reinvestment Department also collects PII in its operation of the HOME down payment assistance program and HOME affordable housing programs. After qualifying clients for these programs, the CRD will redact PII from files that are no longer in the review process.

CRD staff will publish aggregated client data in its annual CAPER report (Consolidated Annual Performance Evaluation Report) and in regular reports in IDIS, HUD's online reporting database.

Occasionally, the department may request to use client accomplishments as testimonials in our reports and/or on our social media sites. Department staff will obtain client permission prior to utilizing any PII, including full name, home address, or other identifying information that will be published publicly.

Violations of Client Privacy

A privacy incident may occur when there is "a violation or imminent threat of a violation of privacy laws, principles, policies, and practices."³ Privacy incidents may occur when:

- Unauthorized individuals have access or potential access to PII,
- PII is used for purposes other than the stated purpose for which the information was collected,
- PII is kept beyond the retention period, or
- PII is collected and/or used without first providing proper notice.

Whenever a privacy incident occurs or is suspected, in any medium or form, the CRD Director must be notified immediately. The CRD staff member alerting the Director about the privacy incident should write a memo stating the date and time of the incident, a description of the information that is at risk, how the PII was disclosed, the party to whom the information was disclosed, whether the disclosure was internal or external, and the steps that have been taken to reduce the risk of harm to the client.

In those instances where sensitive PII is disclosed, the CRD Department will respond by creating a notification letter to be distributed to the agencies where clients' PII has been placed at risk. The notification letter should inform the affected agencies and clients of the date of the breach and its discovery, the types of PII involved, steps on how the client can protect themselves from harm, steps the department has taken to investigate the breach, and a point of contact for affected individuals to obtain additional information.

³ "HUD Breach Notification Policy and Response Plan." OMB M-07-16, p. 4

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