

2022 HOME APPLICATION WORKSHOP

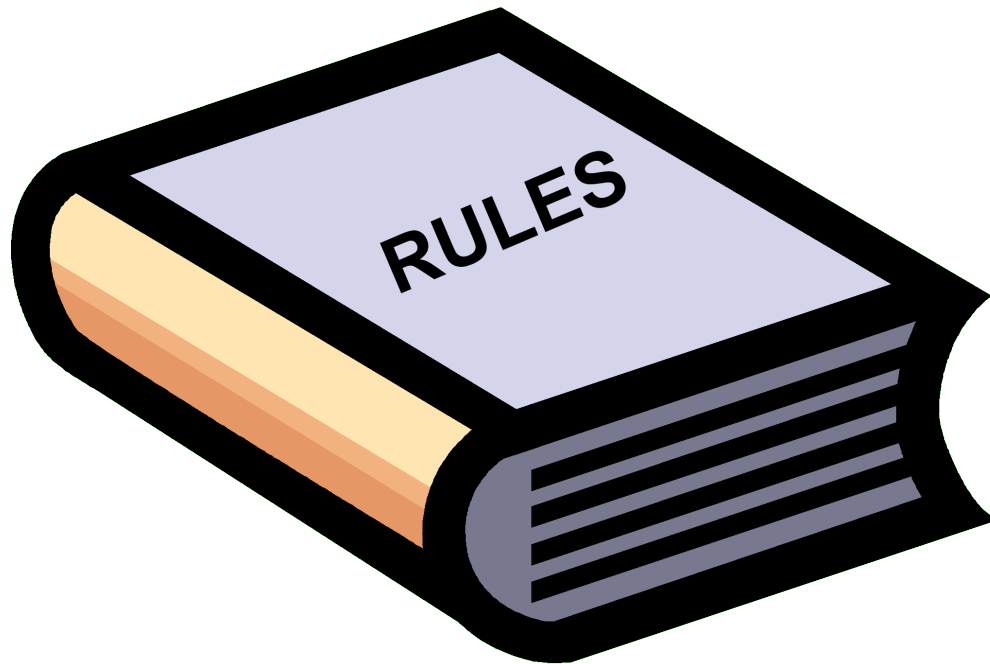
CHDO Homeownership Development Round

THDA COMMUNITY PROGRAMS DIVISION

October 13, 2022 and October 17, 2022

WebEx Virtual Meeting

HOME Program Requirements



Soft Second Mortgages/DPA

- All grant recipients must use the THDA Single-Family underwriting template to determine the amount of direct HOME assistance
- THDA must review and approve the determination of the level of assistance
- If the underwriting template indicates that the home buyer does not have an unmet need for the assistance, the grantee does not have a viable HOME-assisted homeownership project

Soft Second Mortgages/DPA

- Soft second mortgages/DPA are forgiven at the end of five (5) years if the unit remains the permanent residence of the initial buyer and is not leased or vacated
- If the unit remains in compliance, but is sold during the affordability period, the amount of HOME funds subject to recapture can be reduced by 20% per year
- **Recaptured funds must be repaid to THDA**

Income Limits

- HOME funds may only be used to assist:
 - Households with gross annual income at or below 80% of area median income, adjusted for family size
 - Income limits are updated annually by HUD

Other Federal Requirements



Section 3 Final Rule Quick Reference

Overview

- Section 3 applies to all HUD/Federal funded projects at/or above \$200,000 effective November 30, 2020. (The project is defined as the site or sites together with any building(s) and improvements located on the site(s) that are under common ownership, management, and financing. [24 CFR § 75.3\(a\)](#))
- July 1, 2021 compliance on the new regulation began.
- Section 3 applies to construction, demolition, reconstruction, conversion, or rehabilitation projects. It also applies to the general contractor, and all subcontractors.

Section 3 Preference

Section 3 preference should be given in training and employment opportunities to:

- A low or very low-income resident
- An Employee and/or business that meet the definition of a Section 3 business concern
- Participant in a YouthBuild program.
- A resident living within a 1 mile radius of the service area or the neighborhood of the project. If fewer than 5,000 people live within that one-mile radius, the circle may be expanded outward until that population is reached.
- A resident of other public housing projects or Section 8-assisted housing

Section 3 Reporting

THDA requires Grantees to submit documentation of Section 3 compliance throughout the various stages of a construction project.

Pre-Construction

Contractors who are Selected/Awarded bid(s) will submit estimated labor hours for the awarded contract. Estimated labor hours will be broken down by Section 3 workers, Targeted Section 3 workers, and Non-Section 3 workers.

The estimated labor hours for the entire project will be compiled and submitted to THDA with the awarded bids and project budget prior to loan closing.

Section 3 Reporting cont...

Construction

During construction contractors will collect Labor Hour Certification forms from all Section 3 covered Contracts; along with each invoice and lien waiver for the billing period. These forms will be submitted to THDA regardless of the reimbursement source.

*Section 3 covered contracts do not include contracts for the purchase of supplies and materials. However, when a contract for materials includes the installation of the materials, the contract constitutes a Section 3 covered contract.

Post-Construction

Once a project is completed, contractors must submit a final Section 3 cumulative labor hour report for the project. THDA will conduct a final review of the project's overall performance and compliance.

Environmental Review

- HOME funds cannot be committed to a project **prior to the completion of the environmental review**
 - Tier 2 reviews must be completed before the work write-up is submitted for approval

- The applicability of the environmental review is **based on the project as a whole** and not the type of costs paid with HOME funds
 - **No commitment of non-federal funds** in the project before completion of the environmental review



Relocation (URA)

- Contact THDA prior to submitting a HOME application if individuals may be displaced or relocated due to your program
- Relocation has the potential for significant financial impact on a project



Equal Opportunity & Fair Housing

- No individual can be excluded from participation in the HOME Program on the basis of:
- Race
 - Color
 - Religion
 - Sex
 - Familial Status
 - National Origin
 - Disability



Site and Neighborhood Standards

- Promote a greater choice in housing opportunities
- Ensure that the proposed activity does not allow or promote segregation on the basis of race, disability or income

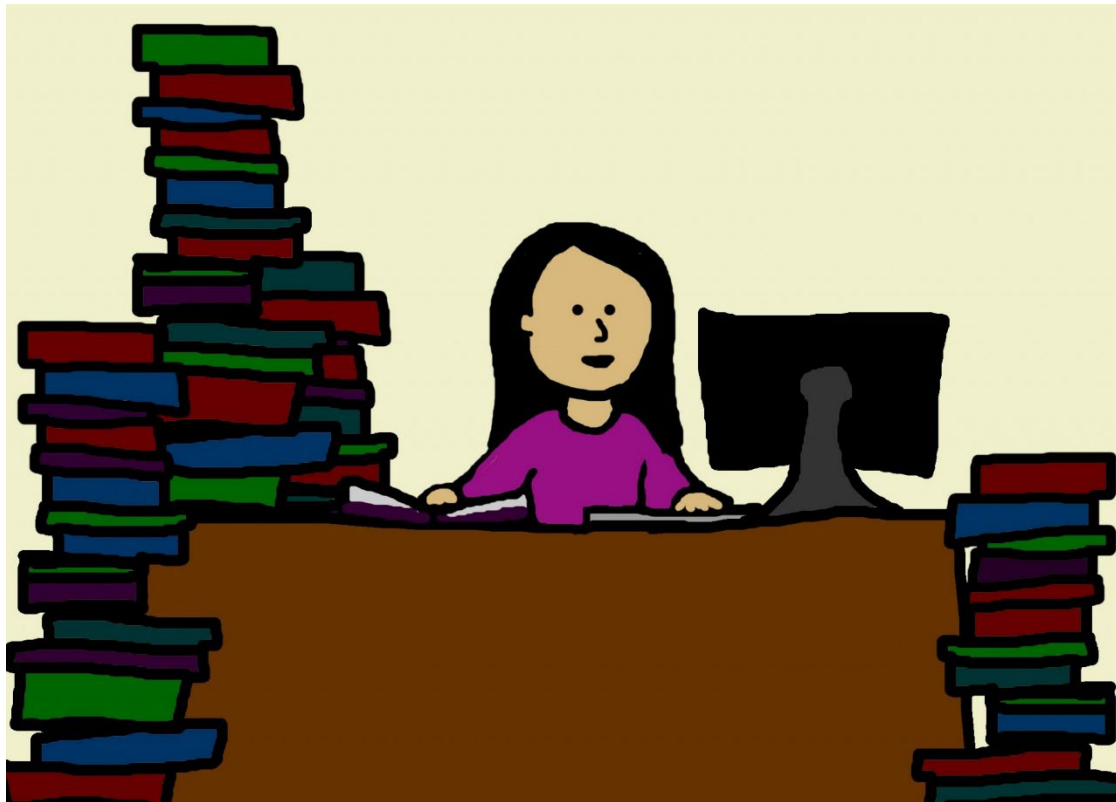
Affirmative Marketing

- Applies to all homeownership programs of five or more units
- Grantees must adopt procedures to provide information and otherwise attract eligible persons in the housing market to the available housing without regard to race, color, religion, sex, familial status, national origin or disability

Procurement

- All Procurement subject to CFR 200.318
- Open and competitive solicitation by non-profit agencies applies to:
 - Goods and services
 - Professional service contracts
- Generally obtain a minimum of three (3) bids
- Have written procedures for selecting the successful bid

2022 HOME CHDO HOMEOWNERSHIP Application



2022 Application Dates

- Application Round opens on October 17, 2022
- Applications due by 11:59 PM (CST)
December 2, 2022
- Successful applicants will be notified on or about
December 31, 2022
- 2022 Homeownership Development Round Reservation
of Funds will be effective January 1, 2023 through
December 31, 2025

Applications Submittal - PIMS

- **ALL applications and supporting documentation must be submitted through THDA's online PIMS and GMS systems.**
- Participant Information Management System (PIMS)
 - On-line tool for Nonprofits to Submit Required Documentation
- CHDO's will need to upload all information specifically requested in PIMS directly into PIMS and not into GMS with the application
- For documents required in PIMS, THDA will not accept by any other means.



Application Threshold Criteria

- Submission of a COMPLETE application
 - Application is properly submitted
 - Application has all required documentation and attachments
 - **All PIMS Required documents have been uploaded to PIMS**
 - Must be signed by the Executive Director or Equal
- Proposal of an eligible activity
- Proposal of a project that is physically, financially and administratively feasible

Threshold Criteria

- Proposed program meets the requirements of the **HOME Final Rule at 24 CFR Part 92, as amended**
- Incomplete or late applications will not be considered
- Carefully review the application before you submit it
- THDA staff will not contact you for missing documentation during the application process

2022 HOME CHDO Homeownership

Allocation

- 3.2 Million
- Up to 7% Development Fee for Operating Expense Assistance
 - ❖ **Encouraged** for expenses for direct costs to operate the HOME program
 - ❖ **Cannot** charge indirect costs unless it has a cost allocation plan approved by its cognizant agency

Eligible CHDO Applicants

- 501(c)(3) Non-Profit organizations
- 501(c)(4) Non-Profit organizations
 - 501(c) designations must demonstrate proof from the IRS of the status or designation
- All Applicants must meet **ALL** CHDO requirements as published at the time of application.

Eligible CHDO Applicants Must:

- Meet all of the requirements for a non-profit organization AND:
 - Be independent
 - Not be a governmental entity
 - Have a defined service area that does not include all of Tennessee
 - **Maintain accountability to low income community residents**
 - **Have paid staff with housing development experience**
 - **Have a history of serving the community in which the HOME project is to be located**

Eligible Non-Profit CHDO Applicants

- All private, non-profit CHDO organizations must be:
- Organized and existing in the State of Tennessee (as evidenced by a Certificate of Existence from the Tennessee Secretary of State, dated no more than **thirty (30)** days prior to the application date)
- Or
- Be organized and existing under the laws of another state and be qualified to do business in Tennessee (as evidenced by a Certificate of Existence from the other state's Secretary of State dated no more than **thirty (30) days** prior to the application date and by a Certificate of Authorization to do business in Tennessee from the Tennessee Secretary of State, dated no more than **thirty (30) days** prior to the application date)

Non-Profit Checklist/CHDO Designation

- List of organization's staff and experience
 - Copy of business plan or strategic management plan
 - Documentation of operating funds and amounts
 - Explanation of other programs operated by the agency
 - One page explanation of the organization's experience in housing, particularly for low and very low income
- **Individual Disclosure Form**
 - **Corporate Disclosure Form**

Non-Profit Checklist/CHDO Designation

- Certificate of Existence dated within 30 days of application
- Copy of 501(c)(3) or (c)(4) letter from IRS
- Copy of Charter and By-Laws
- Resolution authorizing submission of HOME application
- **CHDO Board Composition**
 - **CHDOs must indicate and document the low-income Board members**

Non-Profit Checklist/CHDO Designation

- Copy of most recent Board minutes
- One page explanation of how Board is involved in the operation of the non-profit

CHDO Checklist & Designation

- **CHDO Organizational Requirements**
 - CHDO legal structure
 - CHDO independence
 - CHDO accountability to its Low Income Community
 - CHDO Capacity
 - CHDO Role as Developer of home buyer projects
 - CHDO Operating Expenses
 - CHDO Certification
 - Signed by CHDO's Executive Director

Financial Analysis of Non-profits

- The asset and liability information in the audits will be used to evaluate the financial capacity of the non-profit organization by reviewing financial ratios, including:
 - Current Ratios
 - Working Capital
 - Cash to Working Capital
 - Current to Non-Current Liabilities
 - Debt Ratios

CHDO Commitment

- CHDO commitments must meet the 24-month deadline *by program year* and not on a cumulative basis
 - 50% of the funds by December 31, 2023;
 - 75% of the funds by June 30, 2024;
 - 100% of the funds by December 31, 2024.
 - **HUD may recapture any CHDO funds not committed to specific CHDO activities by the deadlines. Funds will be lost to Tennessee!**

Neighborhood Market Study

- All applicants proposing homebuyer programs must demonstrate a market demand for the project
 - Neighborhood Market Study
- Be honest in the conclusions the study demonstrates
 - There may not be a demand for the project
 - There are long term consequences to building a project that does not sell within (9) months of completion

Spend Down and Commitment Requirements

HOME PROGRAM DESCRIPTION	COMMITMENT REQUIREMENT	SPEND DOWN REQUIREMENT
2016-2018 Urban/Rural, Regular and CHDO Round and CHDO Mini-Rounds 1 & 2	100%	100%
2019 Urban/Rural, Regular and CHDO Mini-Rounds 1 and 2	100%	75%
2020 Urban/Rural, Regular CHDO Round	75%	50%
2021 Urban/Rural, Regular CHDO Round	25%	10%
2022 CHDO Mini-Round	Not Eligible	Not Eligible
2022 Urban/Rural Round	Not Eligible	Not Eligible

Spend Down or Commitment Requirement

- All applicants with prior HOME grants between 2015 and 2022 must meet **both** of the following:
 - Have submitted a completed request for payment form with all supporting documentation by **December 1, 2022**; and
 - Be in material compliance with **ALL** other THDA programs in which they participate

Eligible Activities

- **As the owners and developer, Grantee must develop single units of single family housing for homeownership.**
 - ❖ New Construction
 - ❖ Acquisition/Rehabilitation/Reconstruction

- **Soft Second Mortgage**
 - ❖ The CHDO must leave between \$1,000 and \$14,999 of HOME funds in the sale as Down-Payment Assistance based on THDA's underwriting tool to make the house purchase affordable to the buyer.

Project Soft Costs

- Costs for lead-based paint inspections, risk assessments and clearance testing
- Architectural and engineering fees
- **All project soft costs count toward the HUD maximum per unit subsidy limit**

Developer Fees

- A developer may request an eight (8%) percent developer fee if the grantee is acting as a developer of housing
 - The Developer Fee is 8% of the HOME funds used to construct or acquire and rehabilitate the unit for homeownership
 - The Developer Fee is a project soft cost and counts against the **maximum per unit subsidy limit**
 - The Developer Fee must be drawn on a project by project basis from these grant funds.

CHDO Proceeds

- CHDO proceeds are the HOME funds returned to the CHDO upon the sale of a unit developed by the CHDO from the buyer's permanent financing
- The CHDO must use its proceeds to develop additional units for homeownership
- Once CHDO proceeds are used a second time to develop more housing for homeownership, the HOME restrictions on the use of CHDO proceeds are eliminated

CHDO Proceeds

- A CHDO may use up to fifteen (15%) percent of its CHDO proceeds for operating expenses
 - A maximum of 7% for Operating Expense Assistance
 - A maximum of 8% for Developer's Fees

- The CHDO must leave between \$1,000 and \$14,999 of HOME funds in the sale as Down-Payment Assistance based on THDA's underwriting tool to make the house purchase affordable to the buyer.

Subsidy Limits

MINIMUM HOME DOLLARS	\$1,000	PER UNIT
MAXIMUM HOME DOLLARS	\$119,815	0-Bedroom (Efficiency) Limit
	\$137,349	1-Bedroom Limit
	\$167,020	2-Bedroom Limit
	\$216,250	3-Bedroom Limit
	\$237,177	4-Bedroom Limit

Subsidy Limits are published annually by HUD and subject to change

Universal Design/Visitability

- The inclusion of features that allow individuals with physical disabilities to reside in or to visit housing that is constructed or rehabilitated with federal funds
- Universal design allows housing to be adapted to the individuals current or future needs
- Visitability allows individuals who have trouble with steps or use wheelchairs or walkers to live in or visit the unit

Universal Design Features

- Step-less entrances
- Minimum 5' x 5' level clear space inside and outside entry door
- Broad blocking in walls around toilet, tub and shower for future placement of grab bars
- Full-extension, pull-out drawer, shelves and racks in base cabinets in kitchen
- Front mounted controls on all appliances
- Lever door handles
- Loop handle pulls on drawers and cabinet doors

Visitability Features

- One zero step entrance
- Doors with 32 inches of clear passage space
- One bathroom on the main floor that is accessible to a person using a wheelchair

Property Standards

- The new HOME rule made significant changes in 92 CFR §92.251 (Property Standards)
 - HUD is to provide additional guidance on a new version of Uniform Physical Condition Standards (UPCS) for the HOME program

Property Standards

- For Acquisition and Rehabilitation THDA has developed written rehabilitation standards that must be met for all HOME-assisted rehabilitation projects
 - **THDA Designs Standards for Rehabilitation of Single Family and Multi-Family Units**

Property Standards

- For new construction programs, the HOME-assisted single-family unit must, at project completion:
 - Conform to THDA Design Standards for New Construction of Single-Family and Multi-Family Housing Units; and
 - Meet all local and State codes, rehabilitation standards, UPCS, and zoning ordinances, requirements; or
 - Absent such codes, meet the current, State-adopted edition of the International Residential Code for One- and Two-Family Dwellings

Property Standards

- New construction must also:
 - Meet accessibility requirements
 - Mitigate disaster impact
 - Meet the State-adopted edition of the International Energy Code
 - Meet Energy Star qualifications or achieve a HERS index of 85 or less when tested by a certified rater

Rehabilitation and Lead-Based Paint

- All units built pre-1978 will require a risk assessment by a certified lead inspector
 - If the rehabilitation costs are less than \$25,000, then standard treatments apply
 - If the rehabilitation costs are greater than \$25,000, then abatement is required

Rehabilitation and Lead-Based Paint

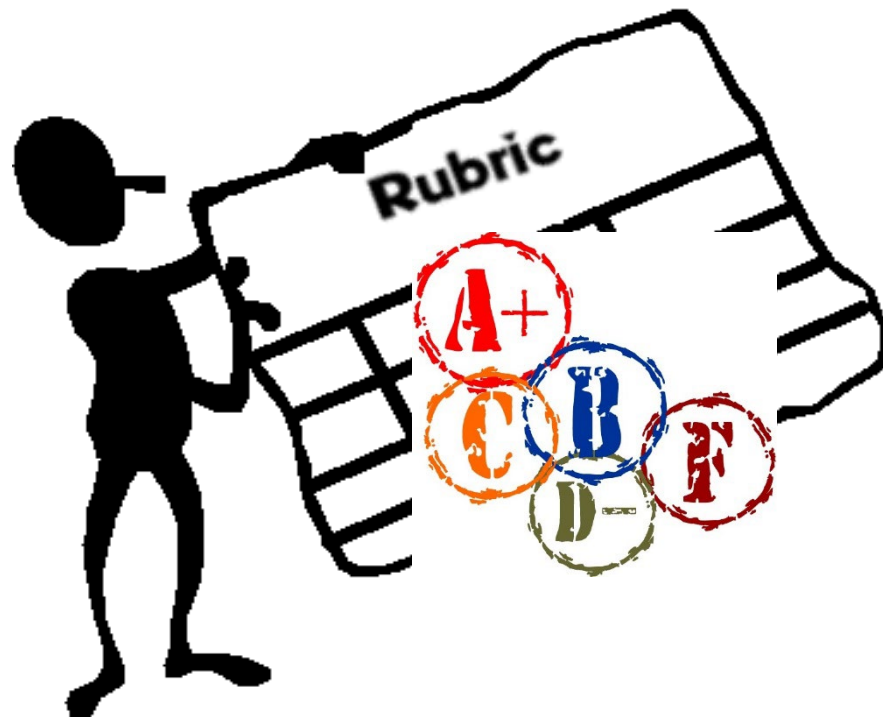
➤ ABATEMENT

- Requires a certified lead abatement contractor
- Certified lead abatement contractors can be found on the TDEC website under the Division of Solid Waste Management:
 - <http://tn.gov/environment/article/sw-lead-hazard-program.shtml>

Conflict of Interest

- Applies to qualified applicants and sale of the home
- Applies to the procurement of property and services including construction services and materials
- The new HOME regulations have been revised to clarify that the covered conflict involves:
 - a financial benefit or interest; and
 - covered familial relationships are limited to immediate family members

Application Evaluation



Scoring Threshold

- A minimum point threshold that applications must receive in order to be considered for funding.
 - To be eligible, an application must meet all threshold requirements and receive a minimum score equal to **60 Points** under the applicable scoring matrix.

Scoring Matrix– Up to 100 Points

- **Capability – Up to 60 Points**
 - **Program Design – Up to 30 Points**
 - Sites identified and applicant has site control
 - Applicant has an existing pipeline of potential home buyers ready to purchase or working toward readiness to purchase
 - ❖ **Commitment must be to a specific address and home buyer to meet HUD’s 24-month commitment deadline**

Scoring Matrix

- Neighborhood study demonstrates a market for the project
- CHDO has capacity to secure other funding for the project

Scoring Matrix

- **Organizational Capacity – Up to 30 Pts**
 - Has produced successful affordable housing projects of similar size, scope and complexity
 - Has demonstrated capacity to manage home buyer programs
 - Budget reflects multiple sources of funding
 - Able to follow Implementation Plan of prior HOME grants

Scoring Matrix

- Able to draw down HOME funds in a timely manner
- Able to complete projects within contract term
- Has lack of monitoring findings
- Responds to client concerns and THDA staff

Scoring Matrix

- **Service Area not in a PJ** **5 Pts**
- **Public Private Partnership** **10 Pts**
- **Match** **Up to 15 Pts**
- **Leverage** **Up to 10 Pts**
 - Points awarded based on the % of other funding in the project

Scoring Matrix

- **Energy Conservation** **Up to 10 Pts**
- **Universal Design** **Up to 10 Pts**
- **Prior Unexpended Funds Deductions** **Up to -5 Pts**

Internet Availability

- The Program Description, Application and Attachments are available on the THDA website at <https://thda.org/government-nonprofit-partners/home-program>
- The application will be an electronic application delivered on THDA's GMS system
- CHDO organizations **MUST** upload basic organizational documentation to PIMS

Application Deadline

December 2, 2022

11:59 PM CST

You will not be able to submit your application into GMS after the deadline and no other application delivery method will be accepted

Contact THDA

- Community Programs staff can answer your questions about the HOME application anytime prior to the December 2, 2022 submission deadline

- Craig Stevens: 615-815-2035
- Allison Moore: 615-815-2040
- Mia Billingsley: 615-815-2033
- Dwayne Hicks (Construction Questions) : 615-815-2044
- Eric Hall (Federal Construction Questions) : 615-815-2076
- Aaron Toran: 615-815-2037

Call us or schedule a meeting!



Questions

