



Tennessee Housing Development Agency

Andrew Jackson Building Third Floor
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Bill Lee
Governor

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Executive Director

MEMORANDUM

TO: Persons Interested in Community Housing and Multifamily Programs

FROM: Community Housing and Multifamily Programs Divisions

SUBJECT: REVISED Minimum Design Standards

DATE: November 17, 2023

The accompanying document is a REVISED version of the Minimum Design Standards for Rehabilitation and New Construction and for Single Family and Multi-family Housing Units, covering proposals to be funded utilizing Multifamily Program and/or Community Housing funding sources.

This document is being posted with the intent of soliciting review by and comment from THDA's external partners. Comments should be provided in writing to alexander@thda.org or blord@thda.org by COB Friday, December 1, 2023.

It is the intent of THDA staff to consider and incorporate as appropriate suggestions received and to adopt and post Minimum Design Standards in their final form by December 29, 2023.



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Minimum Design Standards
Rehabilitation and New Construction
Single Family and Multi-Family Housing Units

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THDA Minimum Design Standards

The following are the minimum Design Standards for projects funded by or through THDA using Grants, Tax Credit allocations or bonds, unless a program exception is noted for a specific program. Additional requirements other than those listed within may apply when agreed to in the funding application or contract.

At a minimum all projects funded by or through THDA must comply with all current zoning and building codes adopted by the State of Tennessee or applicable local zoning and/or building codes as adopted by the responsible jurisdiction where the project is being constructed or rehabilitated.

These same standards also apply to accessibility improvements, when required or incorporated into the Development project. Refer to ADA Accessibility Guidelines Latest Edition, or the ICC A117.1 Accessibility Code for technical requirements and standards when applicable.

Division I: General Requirements for New Construction and Rehabilitation

Minimum Design Standards:

These Minimum Design Standards shall apply when Grant Funding, Tax Credit Allocations or Bonds provided by or through THDA are used for construction or rehabilitation of single family and multifamily housing.

State and local codes, ordinances, and zoning requirements. Housing that is newly constructed or rehabilitated must at a minimum meet all current state adopted building codes and/or where applicable, in exempt jurisdictions, must meet all local and/or county codes, ordinances, and zoning requirements.

All housing developed must meet all applicable building code and zoning requirements upon project completion and satisfy all applicable State and Local Authorities rules and regulations for New Construction or Rehabilitation of housing.

In the absence of local codes, the Tennessee State adopted codes and the Existing Building Code as published by the International Code Congress (ICC) shall apply.

All projects provided a Tax Credit Allocation under THDA's Qualified Allocation Plan (QAP) must also meet any requirements included in the QAP.

In addition, all new construction or rehabilitation projects shall comply with all applicable State and local authorities' rules and regulations.

Opt Out areas of Tennessee. In counties or municipalities of Tennessee that have opted out of the applicability of state minimum standards for one and two family dwellings and desire to use funding provided by/through THDA must meet the Tennessee State adopted codes and the Existing Building Code as published by the International Code Congress (ICC) shall apply.

Division 2: Projects or Units Funded Using Federal Grants or Loans

Federally Funded Projects Only: In addition to THDA Minimum Design Standards all projects using Federal funds provided through THDA, including funding under the HOME, National Housing Trust Fund, ESG or other federally funded programs are provided in conformance with the Property Standard requirements as cited at 24 CFR 92.251, and are to be used as a guideline to meet and/ or exceed all applicable federal, state, county, and local codes and THDA's current rehabilitation standards noted in Addendum A.

These standards also serve as a vehicle to promote and enforce modern construction and design practices for builders, contractors, and design professionals who wish to utilize federal funding provided through the Tennessee Housing Development Agency.

Other methods of construction and design may be acceptable on a case by case basis when not in conflict with the required THDA Minimum Design Standards or THDA Rehabilitation Standards for Federally Funded Projects. All housing developed using federal funds must meet the applicable requirements upon project completion.



**Rehabilitation Standards for Federally Funded Rehabilitation
Single Family and Multi-Family Housing Units**

1. State and local codes, ordinances, and zoning requirements:

Housing that is newly constructed or rehabilitated must at a minimum meet all current state adopted building codes and/or where applicable, in exempt jurisdictions, must meet all local and/or county codes, ordinances, and zoning requirements.

2. Health and Safety:

If the housing is occupied at the time of rehabilitation all identified life-threatening deficiencies must be addressed immediately.

3. Quality Assurance:

General Contractors and/or subcontractors shall furnish a written material and labor warranty on all units, materials, and construction for a period not less than one full year after the date of issuance of a certificate of occupancy or owner's final inspection acceptance. All construction workmanship and materials must comply with good and accepted Construction Practices.

- Good and Accepted Construction Practices means the methods, techniques, standards and practices which, at the time they are to be employed and in light of the circumstances known or reasonably believed to exist at such time, are generally recognized and accepted as a good workman-like manner in the construction industry as practiced in Tennessee and the United States.

4. Units for Elderly Residents:

All new and rehabilitated multi-family constructed units for elderly residents, age 62 or older, shall be located at the grade level or on an elevator accessible floor in compliance with ICC A117.1 Section 1005 Type C VISIBLE Units

5. Universal Design:

Projects that receive funding from THDA for the purpose of rehabilitating single family or multi-family housing are **encouraged** to use Universal Design principles to ensure the unit's

viability for a range of future users. Information regarding Universal Design principles can be found at:

https://www.hud.gov/program_offices/fair_housing_equal_opp/accessibility_design

Universal Design features generally promote equitable use, flexibility, simple and intuitive use, perceptible information, tolerance for error, low physical effort and size and space for approach and use.

Some Universal Design features THDA encourages include:

1. At least one “No-step” entry exterior door with a minimum width of 36”.
2. All doors must have a lever-type opening device.
3. All doors within the structure must be a minimum width of 32”.
4. All plumbing features must have lever-type faucets.
5. There should be no steps or slopes, other than to move from floor to floor.
6. All electrical receptacles shall be located no less than 15” above the floor.
7. All electrical switches shall be located between 42” and 46” above the floor.
8. Tall ADA Style water closet.

6. Accessibility:

All projects using funds from federally funded programs must comply with the current HUD required Accessibility Standards.

- a. Accessibility. The housing must meet the accessibility requirements of 24 CFR part 8, which implements section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131–12189) implemented at 28 CFR parts 35 and 36, as applicable. “Covered multifamily dwellings,” as defined at 24 CFR 100.201, must also meet the design and construction requirements at 24 CFR 100.205, which implements the Fair Housing Act (42 U.S.C. 3601–3619).

7. Energy Efficiency:

All rehabilitated residential building designs shall strive to meet or exceed minimum energy efficiency requirements as currently adopted by the State of Tennessee. All new or reconstructed designs shall meet or exceed minimum energy efficiency requirements as currently adopted by the State of Tennessee. All projects must comply with the current HUD required Energy Standards. The housing must meet the energy efficiency standards established pursuant to section 109 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12709).

8. Lead Based Paint:

Addendum A.

All Project sites shall be certified free of Lead Based Paint Hazards upon completion of the project. If the home was built prior to 1978, the home must be tested for LBP prior to the approval of the work. All LBP Hazards must be abated or corrected per the Tennessee Department of Environment and Conservation, and cleared prior to a final approval. At a minimum housing must meet applicable provisions of [24 CFR part 35](#).

8. Major Systems –

Including structural support, roofing; cladding and weatherproofing (e.g., windows, doors, siding, gutters); plumbing; electrical; and heating, ventilation, and air conditioning.

a. Requirements for Rental Housing

- i. An estimate (based on age and condition) of the remaining useful life of each major system must be provided upon project completion
- ii. For multifamily housing with 26 or more total units, the useful life of systems must be determined through a capital needs assessment that determines the work to be performed and identifies the long-term physical needs of the project.
- iii. If the remaining useful life of one or more major system is less than the applicable period of affordability, the standards must require the grantee to ensure a replacement reserve is established and adequate monthly payments are made to repair or replace the systems as needed.

b. Requirements for Homebuyer Housing

- i. Upon completion, each of the major systems must have a minimum useful life of 5 years, or the period of compliance whichever is longer, or the major systems must be rehabilitated or replaced as part of the rehabilitation work.

9. Uniform Physical Condition Standards (UPCS):

Standards must ensure that the housing will be decent, safe, sanitary, and in good repair as described in 24 CFR 5.703. While States are not required to adopt the standards of criticality or use the HUD's Real Estate Assessment Center's (REAC) scoring protocol, each State's standards must include the UPCS inspectable items and observable deficiencies for the Site, Building Exterior, Building Systems (multifamily housing only), Common Areas (multifamily housing only), and Units identified on the following charts. The rehabilitation standards must identify the type and degree of deficiency that must be addressed. View the HTF FAQ Appendices: Uniform Physical Condition Standards for Multifamily and Single Family Housing Rehabilitation. Appendix A applies to HTF-funded multifamily housing undergoing rehabilitation. Appendix B applies to HTF-funded single family housing undergoing rehabilitation.

10. Disaster Mitigation:

All projects must comply with the current HUD required Disaster Mitigation Standards.

- a. Where relevant, the housing must be constructed to mitigate the impact of potential disasters (e.g., earthquakes, hurricanes, flooding, and wildfires), in accordance with

Addendum A.

State and local codes, ordinances, or other State and local requirements, or such other requirements as HUD may establish.

11. Entries:

All main entries shall have a roof or awning over the entry area. The roof shall cover the entire entry area, depending on the unit type, sufficient to provide adequate protection from the weather.

12. Mailboxes:

All units shall have a USPS approved mailbox either at each individual unit, common area, or a designated location per USPS post master.

13. Kitchen Appliances:

- a. A refrigerator shall be minimum 18 cubic foot frost free provided in all dwelling units to match color with the dishwasher and range on all projects where identified in the PCNA (physical/capital needs assessment). All refrigerators must be Energy Star qualified. The Energy Star mark must be clearly marked on the front/top of the product, clearly displayed in product literature and listed on the manufacturer's Internet site.
- b. A dishwasher, when installed, shall be 24" under counter mount unit to match manufacturer and model line with the refrigerator and range including new construction and rehabilitation projects where identified in the PCNA (physical/capital needs assessment). Standard dishwashers shall use less than 4.25 gallons per cycle and 295 kWh per year. All dishwashers must be Energy Star qualified. The Energy Star mark must be clearly marked on the front/top of the product, clearly displayed in product literature and listed on the manufacturer's Internet site.
- c. An electric or gas range shall be minimum 30" 4 burner with self-cleaning oven provided in all dwelling units to match color with the refrigerator and dishwasher on all rehabilitation projects where identified in the PCNA (physical/capital needs assessment). They must also have an Energy Star Rating and Label on the equipment at the final inspection.

14. Laundry:

All clothes washers supplied in individual units of multi-family dwellings shall have an MEF equal to or greater than 2.0 and a WF equal to or less than 6.0.

All laundry facilities located inside any habitable space shall be equipped with a properly installed washer overflow pan indirectly discharging to an overflow waste receptor, floor drain, or to the exterior of the building. Water supply shut off valve to be single throw cutoff. All washer / dryer areas are required to have a washer box installed into the wall, where possible, at the location of the washer / dryer. If Washer Box cannot be installed into the wall

due to the construction of the existing wall it must be mounted on the wall at the location of the washer / dryer.

15. Trash Collection:

In Multi-Family Dwellings provisions for dumpsters or trash cans are required. Screening of trash cans and/or dumpsters shall be provided.

16. Office/ Laundry/ Maintenance Building:

Unless individual units are supplied with laundry facilities, all projects consisting of four (4) or more units shall provide common laundry facilities including a minimum of one (1) washer and one (1) dryer per every twelve units up to a maximum total of four (4) washers and four (4) dryers.

17. Radon Reduction:

Radon venting is required on all new and reconstructed homes unless otherwise specified by local codes or regulations. Refer to the IRC Appendix F.

18. Landscaping:

Adequate landscaping is required on all multifamily projects. The developer shall submit a landscape plan as part of final plans and specifications. Each building shall include a minimum landscaping package.

19. Turf:

All lawn areas shall be seeded with the seed variety, lime, and fertilizer application rate, which is appropriate to establish a good lawn cover. All slopes in excess of 3:1 within 10 feet of the building, driveway and/or walkway shall receive sod or other approved erosion control materials which will enhance the establishment of a permanent ground cover.

20. Parking/Driveways:

All multifamily projects shall have adequate parking as determined by the local zoning or building. Unless prohibited by local code, jurisdiction or structural constraints all projects shall have a minimum of one parking space per unit. Single Family Dwellings shall have a minimum parking space for 2 vehicles.

21. Parking Lots:

All on-site parking lots and access drives are to be paved and parking spaces shall have bumper stops or curbs. If walkways are used as bumper stops, the walkway shall be 6' wide.

22. Soil Treatment-Termite Protection:

A proper and complete termite inspection of all properties is required. The inspection must be completed by a licensed exterminator who shall report any activity located and treatment applied. A warranty for a period of a minimum one year on all inspections is required. *For new and reconstructed units treatment is all that is required.

23. Electric:

Electrical service shall be installed underground except in cases where deemed structurally infeasible. Overhead service is allowed for infill sites.

24. Manufactured Housing:

The Manufactured Housing Requirements incorporated in the Rehabilitation Standards for federally funded project contain the requirements, rules, and regulations concerning the rehabilitation, replacement, manufacturing, and installation of manufactured housing within the State of Tennessee to assure safe, healthy and affording housing for the occupants of these homes.

a. Rehabilitation:

- i. Manufactured housing to be renovated must be located on a lot of land owned by the qualifying beneficiary by means of a fee simple title. Manufactured Housing located on leased land or lots is not eligible.
- ii. When a unit of manufactured housing is rehabilitated it must be placed on or renovated to a permanent foundation as required in the HUD Model Manufactured Home Installation Standards at 24 CFR Part 3285. A *Permanent Foundation* means the manufactured home must have an approved foundation per the HUD Manufactured Housing Permanent Foundation handbook. (Per HUD Handbook 4930 – Permanent Foundations for Manufactured Homes)
- iii. If utility connection is substandard and does not meet the current code then upgrading to meet the current requirements must be an element of the rehabilitation.
- iv. All repairs must meet all state codes for Manufactured Housing, THDA Design Standards for Manufactured Housing and the HUD requirements for manufactured housing as detailed at 24 CFR Part 3280.

b. Reconstruction:

- i. Manufactured housing to be reconstructed must be located on a lot of land owned by the qualifying beneficiary by means of a fee simple title.
- ii. In cases where the renovation of the unit of manufactured housing exceeds 75% of the value to replace it though reconstruction then the housing unit must be replaced with a new unit of similar square footage and bedroom configuration.
- iii. HUD and THDA are requiring permanent foundations for replacement of manufactured housing units under § 92.251(e). HUD clarifies that the

Addendum A.

definition of “permanent foundation” means a foundation system of supports that is capable of transferring all design loads to the ground and meets the requirements of 24 CFR 203.43f(c)(i).

- iv.** When a unit is approved for reconstruction the existing unit must be consider condemned and be removed from the property and disposed of according to the state and local codes and requirements. The “existing” unit may not be sold, occupied or used intact in any manner by anyone after the disposal. Disposal may include properly documented disassembly for scrap. Documentation for the disposal of the unit must be provided before final draw is rendered.