# 2023 Mississippi Consolidated Performance Evaluation Report

September 30, 2024

**Prepared By:**

## CR-05 - Goals and Outcomes

**Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)**
This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2023 (July 1, 2023 through June 30, 2024) represents the fourth CAPER of the State of Mississippi's Consolidated Plan for Housing and Community Development for Plan Years 2020 – 2024. The report presents the overriding strategies and goals of the Five-Year Consolidated Plan for Housing and Community Development, including selected performance criteria associated with each goal and strategy. The objectives pursued were as follows: Reduce housing blight and blighting influences; Enhance the provision of quality affordable housing; Create, expand and retain more jobs for low- to moderate –income persons; Create, expand and maintain public infrastructure for the benefit of low- to moderate -income persons; Reduce the incidence of homelessness; and Provide housing for HIV/AIDS persons in Mississippi.

**The CDBG Program -** The state CDBG program provides public infrastructure/public facility assistance to non-entitlement units of general local government for economic development projects (new job creation) and community development projects for the benefit of low to moderate income citizens and families.

**The HOME Program** - Homeowner Rehabilitation and HOME Rental activities provided funding for the rehabilitation of single-family homeownership and single & multi-family rental housing units for low-to-very low-income households. Mississippi Home Corporation (MHC) continues to provide safe, decent, affordable housing for families by addressing substandard housing needs through Homeowner Rehabilitation.

**The HTF Program** - Funds were allocated for the development of rental housing for extremely low-income families (30% AMI). MHC offered incentives to non-profit and for-profit organizations to apply for HTF funding, assist extremely low-income families and provide affordable rental housing in areas of need and opportunity. MHC assisted clients through HUD's Comprehensive Housing Counseling Program by bringing awareness of credit, budgeting, lending and building wealth.

**The ESG and HOPWA Programs**

This year, homeless housing programs experienced challenges due to rising rent costs statewide. To expand access to affordable housing, the state is working to strengthen collaborations with Low-Income Tax Credit (LITC) programs. As part of this effort, developers and property managers were educated on the ESG and HOPWA programs and their benefits.

Additionally, Continuum of Care (CoC) and ESG agencies are encouraged to partner with the state's CHOICE and MAOI programs to offer alternative housing options for individuals experiencing homelessness and living with mental disabilities. Through the CHOICE collaboration, 345 homeless or at-risk individuals with serious mental illness (SMI) received CHOICE vouchers.

The state did not recieve any public comments during the public comment period.

**Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)**

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

| Goal | Category | Source / Amount | Indicator | Unit of Measure | Expected – Strategic Plan | Actual – Strategic Plan | Percent Complete | Expected – Program Year | Actual – Program Year | Percent Complete |
|---|---|---|---|---|---|---|---|---|---|---|
| Community Development | Non-Housing Community Development | CDBG: $ | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 437500 | 70601 | 16.14% | 87500 | 37143 | 42.45% |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Disability and Access | Affordable Housing Homeless | HOPWA: $ / HOME: $ | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 2000 | 0 | 0.00% | | | |
| Disability and Access | Affordable Housing Homeless | HOPWA: $ / HOME: $ | Homeowner Housing Added | Household Housing Unit | 300 | 0 | 0.00% | | | |
| Disability and Access | Affordable Housing Homeless | HOPWA: $ / HOME: $ | Direct Financial Assistance to Homebuyers | Households Assisted | 0 | 0 | | 0 | 0 | |
| Disability and Access | Affordable Housing Homeless | HOPWA: $ / HOME: $ | Housing for People with HIV/AIDS added | Household Housing Unit | 0 | 425 | | 345 | 425 | 123.19% |
| Disparities in Access to Opportunity | Affordable Housing Homeless | HOME: $ / ESG: $ | Rental units constructed | Household Housing Unit | 55 | 18 | 32.73% | 11 | 18 | 163.64% |
| Disparities in Access to Opportunity | Affordable Housing Homeless | HOME: $ / ESG: $ | Homeowner Housing Added | Household Housing Unit | 300 | 0 | 0.00% | 0 | 0 | |
| Disparities in Access to Opportunity | Affordable Housing Homeless | HOME: $ / ESG: $ | Homelessness Prevention | Persons Assisted | 4250 | 2737 | 64.40% | 1005 | 2737 | 272.34% |
| Disproportionate Housing Need | Affordable Housing Owner-occupied Rental | HOME: $ | Rental units constructed | Household Housing Unit | 200 | 0 | 0.00% | | | |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Disproportionate Housing Need | Affordable Housing Owner-occupied Rental | HOME: $ | Rental units rehabilitated | Household Housing Unit | 0 | 44 | | 40 | 44 | 110.00% |
| Disproportionate Housing Need | Affordable Housing Owner-occupied Rental | HOME: $ | Homeowner Housing Rehabilitated | Household Housing Unit | 200 | 49 | 24.50% | 40 | 49 | 122.50% |
| Economic Development | Non-Housing Community Development | CDBG: $ | Jobs created/retained | Jobs | 4100 | 2228 | 54.34% | 500 | 521 | 104.20% |
| Fair Housing Enforcement and Outreach | Affordable Housing Public Housing Homeless Non-Homeless Special Needs Persons with disabilities | HOME: $ | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 500 | 0 | 0.00% | | | |
| Fair Housing Enforcement and Outreach | Affordable Housing Public Housing Homeless Non-Homeless Special Needs Persons with disabilities | HOME: $ | Public service activities for Low/Moderate Income Housing Benefit | Households Assisted | 0 | 0 | | 100 | 0 | 0.00% |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Publicly Supported Housing | Affordable Housing Public Housing Homeless Persons with Disabilities | HOME: $ | Public service activities for Low/Moderate Income Housing Benefit | Households Assisted | 1750 | 0 | 0.00% | 350 | 0 | 0.00% |
| Segregation | Affordable Housing Counseling | HOME: $ / HTF: $ | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 1500 | 0 | 0.00% | | | |
| Segregation | Affordable Housing Counseling | HOME: $ / HTF: $ | Rental units constructed | Household Housing Unit | 475 | 40 | 8.42% | 95 | 40 | 42.11% |

**Table 1 - Accomplishments – Program Year & Strategic Plan to Date**

## Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

**THE CDBG Program -** The State designed the CDBG program to address critical economic and community development needs of the citizens of Mississippi. The funds were allocated to both public facilities and economic development activities. The state distributed CDBG funds statewide to eligible units of general local government using a competitive method of distribution process for public faciltity/infrastructure activities. These activities directly addressed the Plan Objective: Create, Expand and Retain More Jobs for Lower-Income Persons; and the two Strategies: Create or Expand Employment at For-Profit Businesses, and Invest in Eligible Infrastructure that Supports Better Paying Jobs. The expected/actual program year measures from the table above include activities that have been completed and results in actual beneficiaries.HOPWA services were targeted to individuals and families with low-income (80% AMI) throughout the state of Mississippi.

**The HOME Program** - The HOME Program expected to construct 11 rental units, but actually constructed 18, an increase of 164%. The HOME

Program expected to rehab 40 rental units and actually rehabbed 44, an increase of 110%. The HOME Program expected to rehab 40 owner-occupied houses and actually rehabbed 49, an increase of 123%.

**The HTF Program** - The HTF Program expected to construct 95 rental units, but actually contstructed 40, a completion rate of 42%.

**The HOPWA Program**

The HOPWA Program set a goal to serve 400 households during the reporting year and surpassed this target by reaching 425 households. Specifically, the goal for housing services under STRMU, TBRA, and FB was set at 345 households, which was also exceeded with 346 households served.

**The ESG Program**

The ESG Program focused on assisting individuals and families with extremely low income who are experiencing homelessness or at risk of becoming homeless. While the goal was to serve 4,250 individuals, the program reached 2,737—reflecting a decrease compared to the previous year. The primary reason for this decline is the impact of rising rental costs in the community, which has made it difficult to find units within Fair Market Rent (FMR) limits. As a result, ESG has had to allocate more funding per household, limiting the total number of clients served.

## CR-10 - Racial and Ethnic composition of families assisted

### Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

| | CDBG | HOME | HTF | HOPWA |
|---|---|---|---|---|
| White | 15,908 | 8 | 66 | 0 |
| Black or African American | 22,253 | 85 | 355 | 114 |
| Asian | 79 | 0 | 1 | 0 |
| American Indian or American Native | 138 | 0 | 2 | 0 |
| Native Hawaiian or Other Pacific Islander | 5 | 0 | 1 | 0 |
| **Total** | **38,383** | **93** | **425** | **114** |
| Hispanic | 170 | 0 | 0 | 0 |
| Not Hispanic | 38,213 | 93 | 425 | 114 |

**Describe the clients assisted (including the racial and/or ethnicity of clients assisted with ESG)**

| | HESG |
|---|---|
| American Indian, Alaska Native, or Indigenous | 20 |
| Asian or Asian American | 10 |
| Black, African American, or African | 1,611 |
| Hispanic/Latina/e/o | 55 |
| Middle Eastern or North African | 1 |
| Native Hawaiian or Pacific Islander | 5 |
| White | 862 |
| Multiracial | 126 |
| Client doesn't know | 8 |
| Client prefers not to answer | 0 |
| Data not collected | 39 |
| **Total** | **2,737** |

**Table 2 – Table of assistance to racial and ethnic populations by source of funds**

### Narrative

For the State's CDBG program, the largest primary beneficiaries for the 2023 program year were significantly Black or African American, and White categories. All other ethnic groups represent a significantly lower percentage. Note: Other ethnic groups include Asian, American Indian or American Native, Native Hawaiian or Other Pacific Islanders.

For the HOME & HTF Programs, the largest primary beneficiaries for the 2023 program year were Black or African American. All other ethnic groups represent a significantly lower percentage. Note: Other ethnic groups include White, Asian, American Indian or American Native, Native Hawaiian or Other Pacific Islanders.

**The HOPWA Program:** The HOPWA numbers are of all individuals (head of households and all household members) that benefited from HOPWA services during the reporting year.

**The ESG Program:** The ESG numbers for all individuals served during the reporting year are included in the table above. These numbers are reflected in the SAGE report.

## CR-15 - Resources and Investments 91.520(a)

### Identify the resources made available

| Source of Funds | Source | Resources Made Available | Amount Expended During Program Year |
|---|---|---|---|
| CDBG | public - federal | 26,585,266 | 19,492,889 |
| HOME | public - federal | 11,197,626 | 7,227,013 |
| HOPWA | public - federal | 2,635,910 | 2,335,211 |
| ESG | public - federal | 2,341,416 | 1,916,904 |
| HTF | public - federal | 3,000,537 | 2,008,152 |

**Table 3 - Resources Made Available**

### Narrative

Resources made available are identified as the amount of CDBG, HOME, ESG, HOPWA and Housing Trust Fund Allocations received for 2023 program year. The amount of funds expended, during the 2023 program year for the HOME program included Rental, Rehabilitation, and Reconstruction activities. HTF funds were used for affordable rental housing during the program year. HTF funds were used for affordable rental housing during the program year. The amount of funds expended during the 2023 program year for the ESG program included Emergency Shelter, Street Outreach, Homeless Prevention, Rapid Rehousing, and HMIS. The amount of funds expended during the 2023 program year for the HOPWA Program included STRMU, TBRA, Master Leasing, Facility-Based, Permanent Housing Placement, Resource ID, and Supportive Services. Community Development Block Grant (CDBG) funds were expended for projects related to non-entitlement local units of government economic and community development public facilities and infrastructure related activities.

### Identify the geographic distribution and location of investments

| Target Area | Planned Percentage of Allocation | Actual Percentage of Allocation | Narrative Description |
|---|---|---|---|
| Non-Entitlement Entities | 100 | 100 | CDBG funds are available to non-entitlement entities |
| Statewide | | 100 | Funds are not targeted geographically, but are available statewide. |

**Table 4 – Identify the geographic distribution and location of investments**

### Narrative

The state provides Community Development Block Grant funds to units of general local government statewide to non-entitlement jurisdictions on a competitive application, or per economic development project basis, and does not provide geographic targeting.

The State of Mississippi's HOME Program administered by MHC covers the entire State of Mississippi. Funds are not targeted geographically, but are available statewide.

HOME Program - Funding for Homeowner Rehabilitation, HOME Rental and CHDO activities are distributed based on a competitive application process. Local units of government submit applications for funding and once those applications are received, the applications are reviewed for Threshold Requirements. Applications that pass the Threshold Review are reviewed, scored and ranked. CHDO set-aside funds are provided to eligible non-profit organizations through a certification and proposal process prior to submitting application for funding.

The National Housing Trust Fund Program (NHTF) covers the entire State of Mississippi. NHTF funds are awarded on a competitive basis. MHC uses a scoring and ranking process to select projects for funding. The application process consists of Threshold Review and Application Scoring. Eligible applicants are Non-profit and For-profit organizations with demonstrated development experience and capacity with creating, rehabilitating, or preserving affordable housing.

The ESG program is administered statewide. Funding is allocated through a competitive process where applications are first reviewed for threshold requirements and then scored based on specific rating factors. Awards are made based on the ranking of these scores and the availability of funds.

HOPWA funding is distributed through a Request for Proposal (RFP) process. Proposals are evaluated and ranked according to defined criteria, and funds are awarded based on the ranking and the amount of available funding.

**Leveraging**

**Explain how federal funds  leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.**

Community Development Block Grant (CDBG)- The State did not directly leverage funds for CDBG. The State requires units of general local government to match CDBG economic development funds with a minimum 10% local match investment and the benefiting business to invest a minimum dollar for dollar leverage investment of CDBG funds. The State requires units of local government to provide an unspecified match of certain competitive public facility applications according to the approved method of distribution. CDBG funds were used to improve publicaly owned properties for the use of water and sewer improvements, road improvements, drainage improvements, public facility improvements, and economic development projects to improve the quality of living for those of low to moderate income.

**HOME:** The HOME Program successfully leveraged additional resources from other federal programs, including the Low-Income Housing Tax Credit Program. These leveraged funds helped expand the reach and impact of the HOME Program.

**HTF:** The HTF Program successfully leveraged additional resources from other federal programs, including the Low-Income Housing Tax Credit Program. These leveraged funds helped expand the reach and impact of the HTF Program.

**HOPWA:** The Housing Opportunities for Persons With AIDS (HOPWA) Program successfully leveraged additional resources from other federal programs, including Continuum of Care and Ryan White, as well as from local governments. These leveraged funds, whether in cash or in-kind, helped expand the reach and impact of HOPWA services.

**ESG:** The CHOICE program provided leveraged funds to support housing for individuals experiencing homelessness or at risk of homelessness with serious mental illness. During the reporting year, CHOICE housed 345 individuals who also qualified for ESG assistance based on housing needs. All ESG-funded agencies met 100% of their required ESG match, utilizing additional resources such as private funds, Veteran Affairs funds, and other agency-level contributions.

| Fiscal Year Summary – HOME Match | |
|---|---|
| 1. Excess match from prior Federal fiscal year | 0 |
| 2. Match contributed during current Federal fiscal year | 0 |
| 3. Total match available for current Federal fiscal year (Line 1 plus Line 2) | 0 |
| 4. Match liability for current Federal fiscal year | 0 |
| 5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4) | 0 |

**Table 5 – Fiscal Year Summary - HOME Match Report**

| Match Contribution for the Federal Fiscal Year | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Project No. or Other ID** | **Date of Contribution** | **Cash (non-Federal sources)** | **Foregone Taxes, Fees, Charges** | **Appraised Land/Real Property** | **Required Infrastructure** | **Site Preparation, Construction Materials, Donated labor** | **Bond Financing** | **Total Match** |
| | | | | | | | | |

**Table 6 – Match Contribution for the Federal Fiscal Year**

## HOME MBE/WBE report

| **Program Income** – Enter the program amounts for the reporting period | | | | |
|---|---|---|---|---|
| **Balance on hand at begin-ning of reporting period $** | **Amount received during reporting period $** | **Total amount expended during reporting period $** | **Amount expended for TBRA $** | **Balance on hand at end of reporting period $** |
| 27,090 | 656 | 8,886 | 0 | 18,861 |

**Table 7 – Program Income**

| **Minority Business Enterprises and Women Business Enterprises –** Indicate the number and dollar value of contracts for HOME projects completed during the reporting period | | | | | | |
|---|---|---|---|---|---|---|
| | **Total** | **Minority Business Enterprises** | | | | **White Non-Hispanic** |
| | | **Alaskan Native or American Indian** | **Asian or Pacific Islander** | **Black Non-Hispanic** | **Hispanic** | |
| **Contracts** | | | | | | |
| Dollar Amount | 0 | 0 | 0 | 0 | 0 | 0 |
| Number | 0 | 0 | 0 | 0 | 0 | 0 |
| **Sub-Contracts** | | | | | | |
| Number | 46 | 0 | 0 | 37 | 1 | 8 |
| Dollar Amount | 12,742,355 | 0 | 0 | 8,929,274 | 220,725 | 3,592,356 |

| | **Total** | **Women Business Enterprises** | **Male** |
|---|---|---|---|
| **Contracts** | | | |
| Dollar Amount | 0 | 0 | 0 |
| Number | 0 | 0 | 0 |
| **Sub-Contracts** | | | |
| Number | 46 | 21 | 25 |
| Dollar Amount | 10,390,355 | 3,856,856 | 6,533,499 |

**Table 8 - Minority Business and Women Business Enterprises**

| **Minority Owners of Rental Property** – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted | | | | | | |
|---|---|---|---|---|---|---|
| | **Total** | **Minority Property Owners** | | | | **White Non-Hispanic** |
| | | **Alaskan Native or American Indian** | **Asian or Pacific Islander** | **Black Non-Hispanic** | **Hispanic** | |
| Number | 0 | 0 | 0 | 0 | 0 | 0 |
| Dollar Amount | 0 | 0 | 0 | 0 | 0 | 0 |

**Table 9 – Minority Owners of Rental Property**

| **Relocation and Real Property Acquisition –** Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition | | |
|---|---|---|
| Parcels Acquired | 0 | 0 |
| Businesses Displaced | 0 | 0 |
| Nonprofit Organizations Displaced | 0 | 0 |
| Households Temporarily Relocated, not Displaced | 0 | 0 |

| **Households Displaced** | **Total** | **Minority Property Enterprises** | | | | **White Non-Hispanic** |
|---|---|---|---|---|---|---|
| | | **Alaskan Native or American Indian** | **Asian or Pacific Islander** | **Black Non-Hispanic** | **Hispanic** | |
| Number | 0 | 0 | 0 | 0 | 0 | 0 |
| Cost | 0 | 0 | 0 | 0 | 0 | 0 |

**Table 10 – Relocation and Real Property Acquisition**

## CR-20 - Affordable Housing 91.520(b)

### Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

| | One-Year Goal | Actual |
|---|---|---|
| Number of Homeless households to be provided affordable housing units | 480 | 715 |
| Number of Non-Homeless households to be provided affordable housing units | 525 | 133 |
| Number of Special-Needs households to be provided affordable housing units | 345 | 346 |
| **Total** | **1,350** | **1,194** |

**Table 11 – Number of Households**

| | One-Year Goal | Actual |
|---|---|---|
| Number of households supported through Rental Assistance | 825 | 1,061 |
| Number of households supported through The Production of New Units | 226 | 58 |
| Number of households supported through Rehab of Existing Units | 80 | 75 |
| Number of households supported through Acquisition of Existing Units | 450 | 0 |
| **Total** | **1,581** | **1,194** |

**Table 12 – Number of Households Supported**

### Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The State exceeded progress in providing assistance to Number of Homeless households to be provided affordable housing units by 49% and exceeded production in Number of Special-Needs households to be provided affordable housing units by 1%. The state did not exceed the one-year goals for Number of Non-Homeless households to be provided affordable housing units. Overall, the State did exceed the one-year goal by 15%.

The State exceeded progress in providing assistance to Number of households supported through Rental Assistance by 29%. The State did not exceed the one-year totals for Number of households supported through The Production of New Units. The State constructed 58, a decrease of 74%. The State just came in under the one-year goal for the Number of households supported through Rehab of Existing Units, completing 94%. The State missed it's one-year goal by 24%.  The problems encountered is the constant rise in material cost due to the supply chain demands, which makes deals more difficult to get done quickly.

HOME and HTF awards were reserved for non-profit and for-profit organizations committing to special needs affordable housing units designated for disabled and homeless familes/individuals.  During the program year, applications received for HOME and HTF were pending approval for funding, pending loan closing and construction of developments contributed to the expected goal not being met for the number of households supported through HOME and HTF activities, number of households supported through Rental Assistance and number of households supported through acquisition of existing units.

A number of other activities are on-going and cannot be counted as actual. The state continues to provide affordable housing to extremely low-income, very-low and low-income persons.

There are two rental components under HOME: Rental and CHDO. The HOME and HTF programs implemented incentives to increase special needs units in developments. This will contribute to the number of households to be supported. HOME and HTF awards were reserved for non-profit and for-profit organizations committing to special needs affordable housing units designated for disabled and homeless families/individuals.

### Discuss how these outcomes will impact future annual action plans.

The outcomes will impact future annual actions plans by showing a larger number/percentage of households supported through rental assistance, rehab, acquisition of existing units and production of new units.  The HTF Program actual outcome will increase rental assistance, production of new units, and rehabiliation of existing units for rental housing due to the interest shown by non-profit and for-profit applicants. The number of  households supported through the HOME Program will increase due to the percentage of funding allocated for Homeowner Rehabilitation and the improvement of the application and funding process. This increase will reflect in the acquisition, production and rehabilitation of existing units state-wide. In addition, extremely low-income household will receive assistance from ESG, HOPWA, HOME and HTF funding.

### Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

| Number  of Households Served | CDBG Actual | HOME Actual | HTF Actual |
|---|---|---|---|
| Extremely Low-income | 0 | 53 | 40 |
| Low-income | 0 | 40 | |

| | | | |
|---|---|---|---|
| Moderate-income | 0 | 0 | |
| **Total** | **0** | **93** | |

**Table 13 – Number of Households Served**

## Narrative Information

The HOME actual count reflects the number of households served under the HOME Program activities, Homeowner Rehabilitation & Reconstruction and Rental.

CDBG focus is on public facilities/infrastructure activities which serve low and moderate-income individuals and economic development activities which provides job opportunities to low and moderate-income individuals, housing is not an eligible activity under the State's CDBG Program.

Applications received were pending due to funding, loan closing and construction contributed to goal not met for households supported through HOME and HTF, households supported through Rental Assistance and acquisition of existing units.

**Worse Case Needs:** MHC addresses the "worse case needs" for meeting the needs for persons with disabilities, low, very low, and extremely low-income individuals by eliminating shortage of rental housing, increasing homeownership, and reducing individuals from living in substandard housing in the State. The information provided reflects beneficiaries who received HOME assistance in the areas of (Rehabilitation/Reconstruction and Rental Activities). During the program year, the HOME program was inclusive of Rental Housing, CHDO and Homeowner Rehab/Reconstruction activities for low-income families living in substandard housing; eliminate the shortage of housing for people with disability, and provide decent, safe and affordable housing for these low, very low and extremely low-income households by homeownership and rental housing. MHC's allocated the largest percent of HOME funds to HOME Rehabilitation. HOME funds are eligible for Rental & to be used in conjunction with (LIHTC) developments to address the shortage of rental housing for extremely low income and very low-income families. Applications received for HOME were pending approval for funding & loan closing. To prohibit these families from paying more than 30% of their household income, sources of rental assistance is encouraged. Developers received incentive points for designating units in developments for ELI households with disabilities including serious mental illness under MS Olmstead Initiative. This Initiative is designed to provide community-based housing options for person with serious mental illness released from institutional care, persons who have been incarcerated or homeless with serious mental illness diagnosis or occurrence of hospitalization.

HTF primary focus is to address the shortage and eliminate shortage of rental housing for extremely low-income households and assist households from paying more than 30% of their household income for rent. HTF provides for the development or rehab of rental units for targeted populations.

Applicants address the following priorities:  1) Rental housing needs of extremely low (30% of AMI) or at or below the poverty line; 2) Target at least 10% of units in each property to address prevention, reduction, and expansion of permanent housing opportunities for persons experiencing homelessness and persons with serious mental illness; 3) located within priority areas defined by the State's Consolidated Plan.

## CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

**Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:**

**Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

During the year, MHC has worked with the BoS CoC, ODHC, and the Central CoC to fund street outreach, shelter, and RRH programs through ESG to reach those experiencing homelessness, including unsheltered homelessness. In addition, MHC has taken steps to implement systematic reporting in HMIS that shows the number of individuals served who are sheltered and unsheltered, homeless, and the number of individuals who return to homelessness after receiving services. Finally, MHC has increased the number of agencies that provide street outreach services to those communities with some of the highest counts of unsheltered homeless.

**Addressing the emergency shelter and transitional housing needs of homeless persons**

Mississippi does not have any transitional housing programs funded by ESG or CoC funds.

In Mississippi, there are not enough emergency shelters to provide shelter to all unsheltered homeless individuals. The greatest impact of the need for shelters is felt in rural Mississippi, the BoS CoC area. To help fill the gap where shelter is needed, the CoCs uses ESG funding to provide shelter and hotel/motel vouchers to individuals who have no other resources.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs**

During the reporting year, MHC has taken some action steps to ensure extremely low-income individuals exiting public funded institutions do not be released into homelessness. Some initiatives MHC is working on include:

- CHOICE program- The CHOICE program provides housing and case management support to individuals exiting psychiatric hospitals with a history of severe mental illness. MHC uses funds allocated from legislation due to the Olmsted act to provide housing support. Individuals assisted by this program often transition to a public housing voucher.
- **MHC receives CHOICE funding from the State of MS to address housing, mental health and**

**connect participants to social services.**

- HOPE program- The HOPE program is a partnership between MHC, CPS, CoC, TVRHA PHA, Youth Villages, MDoT, and others to provide housing support and case management to youth aging out of state care into homelessness. ESG funds will be used to help with deposits and case management.
- Reentry program- State Reentry programs, Department of Corrections, MHC, and CoC are working together to see how ESG funds can be used to prevent homelessness among individuals exiting correctional facilities with no housing options.

The HOPE and the Reentry programs are newly implemented programs that are expected to function similarly to the CHOICE program. There is still a lot of work to be done in testing and implementing the HOPWA and Reentry program.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

MHC works with the local CoCs and provides input on some CoCs Coordinated Entry policies and procedures to ensure that HUD prioritized homeless populations are served without overlooking other homeless populations. In Mississippi, two out of the three CoCs have declared a functional end to Veterans' homelessness and are diligently working towards ending chronic homelessness in their communities. As needed ESG and HOPWA funds were used with CoC and VA SSFV funds to quickly house individuals experiencing homelessness.

ESG and HOPWA services are provided with a case manager and supportive services to help homeless individuals quickly transition from shelter to permanent housing placement. MHC also works with PHAs and other programs to prioritize formerly homeless individuals and homeless youth through TVRHA PHA. TVRHA is the first PHA in the State of Mississippi to successfully receive FYI vouchers from HUD and place Youth aging out of foster care. MHC is working with MAHRO to get the program replicated statewide.

## CR-30 - Public Housing 91.220(h); 91.320(j)

### Actions taken to address the needs of public housing

MHC has worked to educate PHA's on the need to target services to the homeless populations. Some actions taken by MHC includes:

- Asking PHAs to add homelessness in their plans.
- Working with the HOPE program to access housing vouchers for homeless youth aging out of state services.

Public Housing Authorities are eligible and encouraged to apply for funding through the National Housing Trust Fund (HTF) Program for either construction, acquisition or rehabilitation of rental units. The HTF Program is designed to serve ELI households and promote the use of rental assistance for affordability. Developers awarded HTF funds are subject to incentives, during the application process. Additional points are awarded, when applicants provide supportive services appropriate for the population being served. Supportive services will assist in addressing the needs of public housing by building wealth and assets among tenants, particularly, special needs population such as, homeless and serious mentally ill.

Local housing authorities are encouraged to work with regional housing authorities to provide rental assistance to address the affordability of rent for low, very low and extremely low-income households targeted by the HTF & HOME Program. HTF and HOME funds are used in conjunction with each other and serve as source of funding in the form of gap financing. This source of funding ensures financial feasibility of developments. Housing Authorities are subject to HUD's regulation of eligibility in seeking funding under these programs. Based on the criteria required by HUD to form partnerships, housing authorities may consider partnering with for-profit or non-profit developers to develop affordable housing. The State of Mississippi is working closely with mental health facilities to address issues related to the MS Olmstead Act. The housing authorities are a vital part of this process. MHC collaborated with public housing authorities in preparing a joint/regional Analysis of Impediment. As a result, the collaboration effort enhanced the ability to identify barriers and needs among housing authorities statewide. MAHRO serves as the lead instrument in coordinating this process with PHAs.

MHC encourages PHAs to apply for funding through the National Housing Trust Fund (HTF) Program for either construction, acquisition or rehabilitation of rental units. The HTF Program is designed to serve ELI households and promote the use of rental assistance for affordability. Developers awarded HTF funds are subject to incentives, during the application process. Additional points are awarded, when applicants provide supportive services appropriate for the population being served. Supportive services may assist in addressing the needs of public housing by building wealth and assets among tenants, particularly, special needs population such as, homeless and serious mentally ill.

### Actions taken to encourage public housing residents to become more involved in

**management and participate in homeownership**

The following actions were taken by MHC to encourage public housing residents to become more involve in management and participation in homeownership. MHC engaged participation of Public Housing Authorities through the development of the Annual Action Plan and participation in the MHC's Annual Advisory Meeting. Invitations were extended to representatives of Public Housing Authorities to attend MHC's Annual Advisory Meeting for the purpose of providing input on housing needs for people with disabilities and the overall distribution of grant funds. Suggestions were made to ensure that Federal Program funding assist rental housing and homeownership for people with disabilities, extremely low, very low and low- income households. Public housing authorities were encouraged to create active resident councils to develop rich and meaningful service and delivery plans in order to engage residents/tenants in activities and services. MHC utilized this concept through virtual calls with MAHRO to address the impact of homeownership and housing in the State. MHC collaborated with MAHRO for the development of a state-wide analysis of impediment to Affirmatively Further Fair Housing. As a result, public housing residents should become more involved in management and participation in creating homeownership. Notifications were published in the local newspapers of general circulation in each area, as well as The Clarion Ledger, Jackson Advocate, and LA Noticia MS in Jackson, MS. In addition, MHC’s HUD Housing Counseling grant program worked with several PHAs on funding homebuyer education activity for households eligible for Homeownership Vouchers.

## Actions taken to provide assistance to troubled PHAs

MHC cannot identify particular troubled PHAs; however, local housing authorities are encouraged to work with regional housing authorities to provide rental assistance to address the affordability of rent for low, very low and extremely low-income households targeted by the HTF & HOME Program. HTF and HOME funds are used in conjunction with each other and serve as source of funding in the form of gap financing. This source of funding ensures financial feasibility of developments. Based on the criteria required by HUD to form partnerships, housing authorities may consider partnering with for-profit or non-profit developers to develop affordable housing. The State of Mississippi is working closely with mental health facilities to address issues related to the MS Olmstead Act. The housing authorities are a vital part of this process. MHC collaborated with public housing authorities in preparing a joint/regional Analysis of Impediment. As a result, the collaboration effort enhanced the ability to identify barriers, needs and solutions in assisting troubled PHAs statewide. MAHRO serves as the lead instrument in coordinating this process with PHAs.

## CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

**Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)**

The State recognizes many factors that impact the need to remove barriers to affordable housing, most of the barriers stem from things outside the control of the State, such as the cost of land and materials. Nonetheless, the State encouraged the development and promotion of affordable housing through the use of funding through the HOME and HTF Programs. The State continues to utilize tax incentives for homeowners and encourage communities to allow more affordable housing options.

Mississippi used HOME, ESG, HOPWA, and HTF funds to help ameliorate barriers that made it difficult for low, very low, and extremely low individuals to access affordable housing in the following ways:

- The Annual Action Plan allocates HOME funds for homeownership and rental for persons with Disabilities, Individuals with intellectual, developmental, or physical disabilities. HOME and HTF application processes include incentive points for applicants that dedicate a percentage of rental units to serve ELI and low-income individuals with serious mental illness. Units assisted by HTF will target extremely low-income households at 30% of AMI. A portion of ESG funds support activities connecting persons with Serious Mental Illness to housing and services.
- HOME funds for homeowner repair includes incentive points that will reward communities that connect homeowner repair activities with areas undergoing concerted revitalization. MHC also including incentive points for connecting supportive services, such as GED programs, financial counseling, health and wellness, with homeowners who are being assisted by homeowner or housing replacement activity.

The increased costs associated with higher inflation and interest rates have limited the number of units that can be constructed with the same amount of funding as in previous years. This is currently the major barrier to producing affordable housing to meet documented needs from both the public and private sectors. As a result, private markets have limited the availability of private funds. Also, the lack of sufficient household income for affordable housing results in non-activity by developers, unless federal funds, state dollars, or other incentives are offered such as down-payment assistance. In addition, the lack of infrastructure in rural areas is considered a barrier due to the fact that development is controlled primarily by the availability of water, sewer, and electricity. Costs becomes a major factor in affordable housing production as a result.

The tax structure for the State allows homeowners to file and receive Homestead Exemption, lowering monthly mortgage payment considerably, taxes are assessed at a rate lower than that of rental or commercial properties. The higher assessment rate on rental properties is normally incorporated into the monthly rental fee. This tax structure directly affects the return on residential investment and serves as a disincentive to the production of affordable rental property.

## Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The State of Mississippi continues to serve underserved households by providing financing for the ongoing development of affordable housing as well as financing the rehabilitation of homes for people and families who are low- income, elderly, and persons with disabilities.

The availability of funding is an obstacle that limits the ability of the State to meet all underserved needs. In the CDBG Program within the public facilities activity, the funding is divided between "small government" and "regular government". This allows those with a certain number in population to compete against jurisdictions of the same size. Also, there is a difference in "match requirement" for each of these categories.

HOME, ESG, HOPWA, and HTF funds were used to help ameliorate barriers that make it difficult for low and extremely low individuals to access affordable housing. During the application process, MHC provides incentive points for connecting supportive services to homeowner rehabilitation activities where areas are undergoing concerted revitalization. MHC will set aside a portion of HOME funds to assist in meeting the housing needs for people with disabilities. These funds will be available state-wide to assist in promoting homeownership by providing DPA and closing cost. HOME and HTF Programs provide incentive points for dedication of a portion of rental units for low and extremely low-income individuals at 30% AMI with serious mental illness.

ESG funds supported activities in Continua of Care that connected persons with Serious Mental Illness to housing and services. HOPWA Program addressed obstacles to meet housing needs for HIV/AIDS beneficiaries. TBRA, Permanent Supportive Housing, Transitional/Short-term Housing and Supportive Services were provided.

HOME and HTF funding along with LIHTC addressed obstacles in serving the "underserved", particularly ELI households, homeless, and persons with serious mental illness. MHC engaged participation of Public Housing Authorities and other entities through the development of the Annual Action Plan and participation in the MHC's Annual Advisory meeting. MHC and MDA worked along with Entitlements, PHAs to conduct a joint Analysis of Impediment (AI) for the State.

Services were also provided to the “underserved” through MHC's HUD Housing Counseling network. The network provided counseling and education services to households below 30% of AMI. Counseling agencies worked with PHAs and other social service organizations in providing one-on-one counseling and/or group education classes/workshops. Housing counseling and education services provided by our housing counseling network: Rental counseling, homebuyer counseling/education classes, post-purchase counseling and foreclosure prevention services. Financial literacy includes budgeting and credit counseling, which are elements of the counseling and education services provided.

## Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

Based on federal program requirements, the following actions are required to reduce lead-based paint hazards: 1) homeowner rehabilitation - remediation will take place as a result of testing performed to detect the presence and the action taken to reduce or eliminate the hazard through rehabilitation or reconstruction of the owner-occupied units built prior to 1978; 2) substantial rehabilitation of rental units - remediation will take place as a result of testing performed to detect the presence and the action taken to reduce or eliminate the hazard through rehabilitation; 3) ESG and HOPWA activities address lead based paint hazards on units built prior to 1978 and occupied by household members that are under 6 years of age, inspection is required and if present other housing would be located; 4) Homebuyer Assistance activities are subject to addressing lead based paint hazards on units built prior to 1978. In addition, the approach to implement lead hazard evaluation and reduction; Identify and stabilize deteriorated paint.

Through MHC's HUD Housing Counseling network, many agencies provided information on lead-based paint hazards during their housing counseling and education classes. HUD Housing Counseling awarded agencies that provide pre-purchase/homebuying, post-purchase, or rental counseling and education services are required to provide clients information on lead-based paint hazards. MHC also has a partnership with the Green and Healthy Homes Initiative to provide lead-based paint training to our counselors and provide awareness to households throughout the state. The Green and Healthy Homes Initiative provided a training at our Affordable Housing Conference during the period of performance on lead-based paint hazards and provided resources to those in attendance to distribute to households in their service area.

## Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

By addressing the housing needs of Mississippians who are low-income, the state is working to help reduce the number of poverty-level families. Numerous studies show that housing plays a critical role in providing stability to poor families.

HOPWA Addresses Poverty-Level Households: MHC's HOPWA program will aid in reducing the number of poverty-level households by increasing the availability of affordable housing and providing supportive services (case management, STRMU, TBRA, PHP, FB, and other eligible support) to those living with HIV with low income and their families and by providing HOPWA supportive services. Through HOPWA development, MHC seeks to support rehabilitation and construction projects (if available) that will target affordable units to the HOPWA population. While many HOPWA clients assisted may be at poverty-level, this is not a requirement under 24 CFR §574.3

ESG Addresses Poverty-Level Households: The ESG Program funds activities that provide shelter, housing, and essential services for homeless persons, as well as intervention services for persons threatened with homelessness. Essential services for homeless persons include medical and psychological counseling, employment counseling, substance abuse treatment, transportation, and other services. Through subgrantees, MHC assists households with rent, security and utility deposit assistance, case management, and other supportive services. Focusing on Housing First, but not only, ESG services can include job training and General Education Development ("GED") support to help individuals access and sustain housing and improve employment options and increase their economic independence and self-sufficiency. While MHC supports the use of ESG funds to help ESG clients lift themselves above the poverty line, it is not a specific initiative for which MHC earmarks ESG funding or that MHC monitors for the ESG Program.

For individuals threatened with homelessness, homelessness prevention funds can be used for short-term subsidies to defray rent and utility arrearages for households receiving late notices, and security deposits.

CDBG provides funding for economic development activities to create jobs made available to at least 51% low and moderate-income persons. This will help reduce the number of poverty-level families by providing economic opportunities and encouraging economic self-sufficiency. CDBG community development activities provide for improved viability of local units of government leading to continued future economic development.

MHC has set forth requirements in the Homeowner Rehabilitation, Home Rental/CHDOs and HTF applications process requiring supportive services are made available to those who benefit from federal funds. The focus is to provide asset and wealth building for these individuals and families. MHC's HUD Housing Counseling grant program worked with PHAs on funding homebuyer education activity for households eligible for Homeownership Vouchers. In addition, MHC's HUD Housing Counseling agencies are available to assist PHA's in preparing residents for homeownership through pre-purchase counseling and homebuyer education. Those participating in the Homeownership Voucher program are required to take an 8-hour homebuyer education class. The homebuyer education class provides information from the beginning to the end of the homebuying process. Also available to residents of PHAs are budgeting/financial counseling, credit counseling and rental counseling. All counseling and education services provided are designed to assist with asset and wealth building.

## Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The State of Mississippi does not provide funding for institutional structure activities.

## Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The State of Mississippi has not yet launched its homebuyer assistance program with HOME funds. When the State does, it will provide HOME funding for homebuyer assistance activities through eligible contractors and HUD approved housing counseling agencies. They will provide pre-purchase counseling and education services. These housing counseling agencies have established relationships with social service agencies, realtors, lenders and other governmental agencies. The coordination between these partners enhance the relationships between public and private housing and social service agencies. Through the homeownership couinseling grant, the State does provide funding for pre-purchase counseling.

In the homeowner rehabilitation category, coordination between the Mississippi Department of Health and local units of government assisted in the enhancement of providing adequate disposal systems as required by State Law. In all of the housing programs, coordination with social service agencies, housing authorities, other housing agencies, local governmental agencies, state governmental agencies, and federal governmental agencies is vital in completing task for federal programs.

**Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)**

The Mississippi Development Authority, Community Incentives Division (CiD) continues to Affirmatively Furthering Fair housing by sponsoring the HEED Conference annually. CID required all sub-recipients to adhere to the fair housing requirements by resolution, proclamation during fair housing month in April and conducting a fair housing activity.

The State of Mississippi's actions to overcome impediments to fair housing choice was addressed through educational outreach, public hearings, citizen participation, publications, compliance trainings, program implementation workshops and funding. Public hearings were held virtually and in-person statewide due to the COVID-19 pandemic. During these hearings, attendees were informed and provided material pertaining to FHEO requirements and the Affirmatively Furthering Fair Housing Rule.

An MHC staff member also serves as a board member for HEED. Through MHC's HUD Housing Counseling program, counseling agencies attempted to overcome the effects impediments to fair housing choice by educating buyers through credit counseling and home purchase training; provided training and information on how to establish and keep good credit, particularly for first time homebuyers. Fair housing Information was provided to individuals/families at various stages of the homeownership process, renters and homeowners trying to avoid foreclosure. Additionally, housing counselors provided clients information on their fair housing rights, protected classes, and AFFH.



OMB Control No: 2506-0117 (exp. 09/30/2021)

## CR-40 - Monitoring 91.220 and 91.230

**Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements**

**Citizen Participation Plan 91.105(d); 91.115(d)**

**Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports**.

The State of Mississippi's Public Notice for the 2023 Consolidated Annual Performance and Evaluation Review (CAPER)/Draft was published in The Clarion Ledger, Jackson Advocate, La Noticia, Mississippi, and the Sun Herald newspapers as part of the public input process for the development of the performance reports for the previous year. MDA mailed a statewide CSD Instruction and Program Bulletin was mailed statewide to all units of general local government and other interested parties of the availability of the CAPER for public comment. The 2023 CAPER Draft was made available on the Mississippi Home Corporation website at www.mshomecorp.com and the Mississippi Development Authority website at www.mississippi.org. Copies were made available upon request at Mississippi Home Corporation at 735 Riverside Drive, Jackson, Mississippi 39202 during the office hours of 8:00 a.m. to 5:00 p.m. Public access including the availability to persons with disabilities and non-English speaking persons were available upon request. The CAPER was available for the 15-day public comment period beginning Monday, September 16, 2024, through Monday September 30, 2024.

## CR-45 - CDBG 91.520(c)

**Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.**

**Community Development Block Grant (CDBG)-** The state continues to use Community Development Block Grant (CDBG) funding for economic development and community development activities to enhance the growth and development of local communities with a direct benefit for low to moderate income citizens.

**Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?**

No

**[BEDI grantees] Describe accomplishments and program outcomes during the last year.**

## CR-50 - HOME 24 CFR 91.520(d)

### Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in 24 CFR §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

Please see attached list of the on-site inspections. Some projects were not inspected due to staff turnover during the time period of the CAPER's Program Year. MHC will continue with the inspection of these missed projects in a timely manner to: 1) eliminate a gap in the inspection of projects and activities in order to reduce risk associated with projects; 2) continue to track performance; 3) monitor the period of affordability, and; 4) adhere to regulation at 92.04 (d).

**7/1/2023-6/30/2024**

| Grant Recipient | Project Name | Inspected? | Explanation/Remedy |
|---|---|---|---|
| Haven Apartments, LP | Haven Apartments | yes | 8/3/2023 |
| Iuka, Town of | Iuka Elderly Apartments | no | will be inspected |
| Panola County Board of Supervisor | Stewart Manor III (formerly Batesville IV) | no | will be inspected |
| Rosedale, City of | Rosedale Apartments | no | will be inspected |
| Windale Apartments II | Windale Apartment Associate LP | no | will be inspected |
| Greater Greenville Housing and Revitalization | Port City Villas | No | Will be inspected |
| Miss Regional Housing Authority VI | Tchula Townhome Apartments | No | Will be inspected |
| Mississippi Housing Development | Fayette X | No | Will be inspected |
| Mississippi Housing Development | Fayette VI | No | Will be inspected |
| New Hope Mississionary Baptist Church | Washington Apartment Homes, LLC | No | Will be inspected |
| New Hope Mississionary Baptist Church - AKA New Hope The Vision Center | Washington Apartments | No | Will be inspected |
| Southeastern Development Opp, Inc. | Hollandale Apt Home | No | Will be inspected |
| Southeastern Development Opp, Inc. | Isola Apartments III | No | Will be inspected |

Long-term affordability monitoring for multifamily projects follows the HOME and HTF Compliance Monitoring manual. Multifamily compliance includes annual review of owner certification, submission of tenant incomes, rent, and occupancy data. Annual rents are approved for HOME and HTF projects. Onsite physical inspection and tenant file review follows a 3-year cycle, however MHC did not fully inspect all HOME projects due to staff turnover. Currently HOME and HTF onsite inspections use UPCS inspection protocol but will be transitioning to NSPIRE when required, currently in October 2025. MBE/WBE outreach is incorporated into the Section 3 Compliance Plan for HOME and HTF programs.

**2023 CAPER Inspection List**

### Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 24 CFR 91.520(e) and 24 CFR 92.351(a)

The State of Mississippi enforces affirmative marketing actions to include methods of informing the public about fair housing laws by presenting information at federal programs workshops, setting up booths and distributing FHEO material. Incorporating the Fair Housing logo on documentation and material distributed, Ensuring the posting of Fair Housing posters in English and Spanish and in areas that are concentrated with Vietnamese speaking persons. Pre-homebuyer counseling is required for applicants seeking homebuyer assistance funding. During the counseling session, affirmatively marketing is addressed. Throughout the year, MHC actively promotes fair housing to ensure citizens awareness of opportunities that exist. Project signs disclosing FHEO logo are required on rental properties. Affirmative Marketing plans are required by all HOME grant recipients to encourage outreach to those persons who are not likely to apply for housing assistance. The outreach to minority and women owned businesses is encouraged in the HOME Homeowner Rehabilitation and Rental activities. This outreach is vital to recipients of the HOME funding because future application rating factors include the use of minority/women owned businesses on previous awards. During the monitoring process, the State verifies solicitation for services/contractors to minority/women owned businesses and Section 3 requirements. MHC finalizes the collaboration efforts with the State's Public Housing Authorities and Entitlement communities in preparation of a joint/regional Analysis of Impediment. As a result, the collaboration effort enhanced the ability to conduct affirmative outreach, identify barriers and the needs of housing statewide. MHC made effort to adhere to 92.351 (b) by conducting outreach during virtual public hearings held. In addition, outreach was conducted by advertising virtual public hearings on MHC's website and in newspapers state-wide. MHC also conducted outreach among Limited English Proficency populations to ensure knowledge and federal programs availability.

HUD approved housing counseling agencies are also required to display Fair Housing posters within their lobby and counseling areas. Additionally, MHC included the Fair Housing poster in English within homebuyer's guidebooks, which are distributed throughout the state to those interested in homeownership.

As a requirement for homebuyer assistance funding under the HOME program, applicants must attend an 8-hour homebuyer education course from a HUD approved housing counseling agency. During the homebuyer education course, housing counselors provide information on the homeownership process as well as fair housing rights, protected classes, and AFFH.

Throughout the year MHC’s counseling network will address affirmative marketing through homebuyer fairs, resource materials, education classes, and counseling services. An example of fair housing information that is distributed is HUD’s Fair Housing – Equal Opportunity for All booklet. These affirmative marketing actions not only promote fair housing but also ensures citizens are aware of the opportunities that exist.

**Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics**

Total amount expended during reporting period was $8,886.00. Funds were used to assist in funding (2) Homeowner Occupied Rehabilitation acitvities that befitted (1) 1-person elderly household and (1) 3-person family household.

**Describe other actions taken to foster and maintain affordable housing. 24 CFR 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 24 CFR 91.320(j)**

The State of Mississippi will directly allocate funding to eligible entities to provide funding to non-profits and for-profit entities to construct and/or rehab rental housing for income eligible residents throughout the state. This set-aside provides for long-term affordable housing for very-low and extremely low-income households. Applicants will receive in-depth technical assistance before and after loan closings. Eligible entities will promote fair housing and ensure citizens are aware of these opportunities.

During the reporting period, the State received an allocation for providing and maintaining affordable rental housing for extremely low-income households under the National Housing Trust Fund Program (HTF). This program is designed to include the coordination of LIHTC for the development of affordable housing. Incentives are offered for LIHTC Developers to construct and rehab developments for the extremely low-income households, which are inclusive of homeless and serious mental ill populations. In addition, HOME Funds are available for Rental Housing set-aside and Community Housing Development Organizations (CHDO) Developments and these activities are also coordinated to work in conjunction with LIHTC developments. The State of Mississippi will continue coordinating HOME and HTF funds with LIHTC.

# CR-55 - HOPWA 91.520(e)

## Identify the number of individuals assisted and the types of assistance provided

Table for report on the one-year goals for the number of households provided housing through the use of HOPWA activities for: short-term rent, mortgage, and utility assistance payments to prevent homelessness of the individual or family; tenant-based rental assistance; and units provided in housing facilities developed, leased, or operated with HOPWA funds.

| Number of Households Served Through: | One-year Goal | Actual |
|---|---|---|
| Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family | 94 | 102 |
| Tenant-based rental assistance | 214 | 205 |
| Units provided in permanent housing facilities developed, leased, or operated with HOPWA funds | 37 | 39 |
| Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds | 0 | 0 |
| | | |

**Table 14 – HOPWA Number of Households Served**

## Narrative

The HOPWA data presented above reflects the number of head of households, not the total number of clients served.

The state surpassed its TBRA goal by serving 9 additional households this program year, largely due to agencies prioritizing the transition of individuals from PHP and STRMU into permanent housing.

The state also exceeded its STRMU goal by serving 8 more households. This increase is attributed to rising rent costs across Mississippi, leading to a higher demand for homelessness prevention assistance.

Facility-Based housing goals were also surpassed, driven by the growing need for long-term housing support as rental costs continue to rise.

## CR-56 - HTF 91.520(h)

**Describe the extent to which the grantee complied with its approved HTF allocation plan and the requirements of 24 CFR part 93.**

Prior to commitment of HTF funds, all projects complied with the environmental provisions of 24 CFR 93.301. HTF funds assisted multifamily rental projects that will service the extremely low-income tenant population for a minimum 30-year affordability period. MHC complied with HUD maximum per-unit subsity limits. Projects were awarded to developers/owners who demostrated appropriate qualifications and experience and capacity to own, construct, manage and operate an affordable multifamily residential rental project that included HTF units. Developers and owners demonstrated the ability to understand and manage practices related to leasing to tenant populations at or below 30% AMI.

| Tenure Type | 0 – 30% AMI | 0% of 30+ to poverty line (when poverty line is higher than 30% AMI) | % of the higher of 30+ AMI or poverty line to 50% AMI | Total Occupied Units | Units Completed, Not Occupied | Total Completed Units |
|---|---|---|---|---|---|---|
| Rental | 39 | 1 | 0 | 40 | 0 | 40 |
| Homebuyer | 0 | 0 | 0 | 0 | 0 | 0 |

**Table 15 - CR-56 HTF Units in HTF activities completed during the period**

## CR-58 – Section 3

### Identify the number of individuals assisted and the types of assistance provided

| Total Labor Hours | CDBG | HOME | ESG | HOPWA | HTF |
|---|---|---|---|---|---|
| Total Number of Activities | 58 | 1 | 0 | 0 | 2 |
| Total Labor Hours | 96,762 | 2,999 | | | 7,800 |
| Total Section 3 Worker Hours | 11,129 | 839 | | | 0 |
| Total Targeted Section 3 Worker Hours | 2,807 | 0 | | | 0 |

**Table 15 – Total Labor Hours**

| Qualitative Efforts - Number of Activities by Program | CDBG | HOME | ESG | HOPWA | HTF |
|---|---|---|---|---|---|
| Outreach efforts to generate job applicants who are Public Housing Targeted Workers | 22 | 1 | | | 1 |
| Outreach efforts to generate job applicants who are Other Funding Targeted Workers. | 23 | 1 | | | 2 |
| Direct, on-the job training (including apprenticeships). | 1 | | | | |
| Indirect training such as arranging for, contracting for, or paying tuition for, off-site training. | | | | | |
| Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching). | 2 | | | | |
| Outreach efforts to identify and secure bids from Section 3 business concerns. | 32 | 1 | | | 2 |
| Technical assistance to help Section 3 business concerns understand and bid on contracts. | 11 | 1 | | | |
| Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns. | 8 | | | | |
| Provided or connected residents with assistance in seeking employment including: drafting resumes,preparing for interviews, finding job opportunities, connecting residents to job placement services. | | | | | |
| Held one or more job fairs. | | 1 | | | |
| Provided or connected residents with supportive services that can provide direct services or referrals. | | | | | |
| Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation. | | | | | |
| Assisted residents with finding child care. | | | | | |
| Assisted residents to apply for, or attend community college or a four year educational institution. | | | | | |
| Assisted residents to apply for, or attend vocational/technical training. | | | | | |
| Assisted residents to obtain financial literacy training and/or coaching. | | | | | |
| Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns. | | | | | |
| Provided or connected residents with training on computer use or online technologies. | | | | | |
| Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses. | | 1 | | | |
| Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act. | | | | | |

| | | | | | |
|---|---|---|---|---|---|
| Other. | 15 | 1 | | | |

**Table 16 – Qualitative Efforts - Number of Activities by Program**

## Narrative

Other-Qualitative Efforts included publishing ad in local newspapers.

IDIS-PR28

# Attachment

# CDBG PR28 Reports

U.S.DepartmentofHousing andUrbanDevelopment
Office of Community Planning and Development
Integrated Disbursement and Information System
State of Mississippi
PerformanceandEvaluationReport
ForGrantYear2015
Asof09/17/2024

## *PartI:FinancialStatus*

GrantNumberB15DC280001

**A. SourcesofStateCDBGFunds**

1) StateAllocation

2) ProgramIncome



OMB Control No: 2506-0117 (exp. 09/30/2021)

$23,051,271.00

GrantNumberB15DC280001

| | | |
|---|---|---|
| 3) | Programincome receiptedinIDIS | $852,000.00 |
| 3a) | Program incomereceiptedfromSection108Projects(for SItype) | $0.00 |
| 4) | Adjustmenttocomputetotalprogramincome | $0.00 |
| 5) | Totalprogramincome(sumoflines3and4) | $852,000.00 |
| 6) | Section108LoanFunds | $0.00 |
| 7) | TotalStateCDBGResources(sumoflines1,5and6) | $23,903,271.00 |

**B. StateCDBGResourcesbyUse**

| | | |
|---|---|---|
| 8) | StateAllocation | |
| 9) | Obligatedtorecipients | $23,051,271.00 |
| 10) | Adjustmenttocomputetotalobligatedtorecipients | -$3,413,433.00 |
| 11) | Totalobligatedtorecipients(sumoflines9and10) | $19,637,838.00 |
| 12) | Setaside for StateAdministration | $791,500.00 |
| 13) | Adjustmenttocomputetotal setasideforStateAdministration | $0.00 |
| 14) | TotalsetasideforStateAdministration(sum oflines12and13) | $791,500.00 |
| 15) | SetasideforTechnicalAssistance | |
| 16) | AdjustmenttocomputetotalsetasideforTechnicalAssistance | $0.00 |
| 17) | TotalsetasideforTechnicalAssistance(sumoflines15and16) | |
| 18) | StatefundssetasideforStateAdministrationmatch | $660,000.00 |

| | | |
|---|---|---|
| 19) | ProgramIncome | |
| 20) | Returnedto thestateandredistributed | |
| 20a) | Section 108programincomeexpended fortheSection108repayment | |
| 21) | Adjustmenttocomputetotalredistributed | $852,000.00 |
| 22) | Totalredistributed(sumoflines20and21) | $852,000.00 |
| 23) | Returnedtothestateandnotyetredistributed | $852,000.00 |
| 23a) | Section108programincomenotyetdisbursed | $0.00 |
| 24) | Adjustmenttocomputetotalnotyetredistributed | -$852,000.00 |
| 25) | Totalnotyetredistributed(sumoflines23and24) | $0.00 |
| 26) | Retainedbyrecipients | $0.00 |
| 27) | Adjustmenttocomputetotalretained | $0.00 |
| 28) | Totalretained(sumoflines26and27) | $0.00 |

**C. ExpendituresofStateCDBGResources**

| | | |
|---|---|---|
| 29) | DrawnforStateAdministration | $791,500.00 |
| 30) | AdjustmenttoamountdrawnforStateAdministration | $0.00 |
| 31) | TotaldrawnforStateAdministration | $791,500.00 |
| 32) | DrawnforTechnicalAssistance | $0.00 |
| 33) | Adjustmenttoamountdrawnfor TechnicalAssistance | $0.00 |
| 34) | TotaldrawnforTechnicalAssistance | $0.00 |
| 35) | DrawnforSection108Repayments | $0.00 |
| 36) | AdjustmenttoamountdrawnforSection108Repayments | $0.00 |
| 37) | TotaldrawnforSection108Repayments | $0.00 |
| 38) | Drawnforallotheractivities | $22,690,579.05 |
| 39) | Adjustmenttoamountdrawnforallotheractivities | -$1,222,308.05 |
| 40) | Totaldrawnforallotheractivities | $21,468,271.00 |


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## D. CompliancewithPublicService{PS)Cap

| | | |
|---|---|---|
| 41) | DisbursedinIDISforPS | $0.00 |
| 42) | AdjustmenttocomputetotaldisbursedforPS | $0.00 |
| 43) | TotaldisbursedforPS (sumoflines41and42) | $0.00 |
| 44) | AmountsubjecttoPScap | |
| 45) | StateAllocation(line1) | $23,051,271.00 |
| 46) | ProgramIncomeReceived(line5) | $852,000.00 |
| 47) | Adjustmenttocomputetotalsubjectto PScap | $0.00 |
| 48) | TotalsubjecttoPScap(sumoflines45-47) | $23,903,271.00 |
| 49) | Percent offundsdisbursedtodateforPS(line43/line48) | 0.00% |

## E. CompliancewithPlanningandAdministration{P/A)Cap

| | | |
|---|---|---|
| 50) | DisbursedinIDISforP/A fromallfundtypes-Combined | $2,546,592.05 |
| 51) | Adjustmentto computetotaldisbursedforP/A | $0.00 |
| 52) | TotaldisbursedforP/A(sum oflines50and51) | $2,546,592.05 |
| 53) | AmountsubjecttoCombinedExpenditureP/Acap | |
| 54) | StateAllocation(line1) | $23,051,271.00 |
| 55) | ProgramIncomeReceived(line5) | $852,000.00 |
| 56) | AdjustmenttocomputetotalsubjecttoP/Acap | $0.00 |
| 57) | TotalsubjecttoP/A cap(sumoflines54-56) | $23,903,271.00 |
| 58) | PercentoffundsdisbursedtodateforP/A(line52/line57)CombinedCap | 10.65% |
| 59) | DisbursedinIDIS forP/AfromAnnualGrantOnly | $2,511,930.00 |
| 60) | AmountsubjecttheAnnualGrantP/Acap | |
| 61) | StateAllocation | $23,051,271.00 |
| 62) | PercentoffundsdisbursedtodateforP/A(line59/line61)AnnualGrantCap | 10.90% |


OMB Control No: 2506-0117 (exp. 09/30/2021)

State of Mississippi
PerformanceandEvaluationReport
ForGrantYear2015
Asof09/17/2024

GrantNumberB15DC280001

**PartII:CompliancewithOverallLowandModerateIncomeBenefit**

63) Periodspecifiedforbenefit:grantyears_ 2013 - 2015

64) Final PERforcompliancewiththeoverallbenefittest:[ **Yes**

| GrantYear | 2013 | 2014 | 2015 | Total |
|---|---|---|---|---|
| 65)BenefitLMIpersonsand households(1) | 35,743,581.63 | 22,896,264.52 | 20,935,487.00 | **79,575,333.15** |
| 66)BenefitLMI,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 67)BenefitLMI,otheradjustments | 0.00 | 0.00 | 0.00 | **0.00** |
| 68)Total,BenefitLMI(sumoflines65-67) | 35,743,581.63 | 22,896,264.52 | 20,935,487.00 | **79,575,333.15** |
| 69)Prevent/EliminateSlum/Blight | 0.00 | 0.00 | 0.00 | **0.00** |
| 70)PreventSlum/Blight,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 71)Total,PreventSlum/Blight(sumof lines69 and70) | 0.00 | 0.00 | 0.00 | **0.00** |
| 72)MeetUrgentCommunityDevelopmentNeeds | 0.00 | 0.00 | 0.00 | **0.00** |
| 73)MeetUrgentNeeds,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 74)Total,MeetUrgentNeeds(sumof lines72and73) | 0.00 | 0.00 | 0.00 | **0.00** |
| 75)Acquisition,NewConstruction,Rehab/SpecialAreasnoncountable | 0.00 | 0.00 | 0.00 | **0.00** |
| 76)TotaldisbursementssubjecttooverallLMIbenefit(sumoflines68,71,74,and75) | 35,743,581.63 | 22,896,264.52 | 20,935,487.00 | **79,575,333.15** |
| 77)Lowandmoderateincomebenefit(line68/line76) | 1.00 | 1.00 | 1.00 | **1.00** |
| 78)OtherDisbursements | 1.00 | 1.00 | 1.00 | **3.00** |
| 79)StateAdministration | 835,139.00 | 819,300.63 | 791,500.00 | **2,445,939.63** |
| 80)TechnicalAssistance | 0.00 | 0.00 | 0.00 | **0.00** |
| 81)LocalAdministration | 2,732,471.00 | 1,663,279.95 | 1,755,092.05 | **6,150,843.00** |
| 82)Section108repayments | 0.00 | 0.00 | 0.00 | **0.00** |

U.S.DepartmentofHousingandUrbanDevelopment
Office of Community Planning and Development
Integrated Disbursement and Information System
State of
MississippiPerformance andEvaluation
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ForGrantYear2017
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## PartI:FinancialStatus

| | | |
|---|---|---|
| **A.** | **SourcesofStateCDBGFunds** | |
| 1) | StateAllocation | $22,802,114.00 |
| 2) | ProgramIncome | |
| 3) | ProgramincomereceiptedinIDIS | $622,063.02 |
| 3a) | Program income receiptedfromSection108Projects(for SItype) | $0.00 |
| 4) | Adjustmenttocomputetotalprogramincome | $0.00 |
| 5) | Totalprogramincome(sumoflines3and4) | $622,063.02 |
| 6) | Section108LoanFunds | $0.00 |
| 7) | TotalStateCDBGResources (sumoflines1,5and6) | $23,424,177.02 |
| **B.** | **StateCDBGResourcesbyUse** | |
| 8) | StateAllocation | |
| 9) | Obligatedtorecipients | $22,802,114.00 |
| 10) | Adjustmenttocomputetotalobligatedtorecipients | -$1,340,577.16 |
| 11) | Totalobligatedto recipients(sumoflines9and10) | $21,461,536.84 |
| 12) | SetasideforStateAdministration | $761,653.54 |
| 13) | AdjustmenttocomputetotalsetasideforStateAdministration | $0.00 |
| 14) | TotalsetasideforStateAdministration(sumoflines 12and13) | $761,653.54 |
| 15) | SetasideforTechnicalAssistance | |
| 16) | AdjustmenttocomputetotalsetasideforTechnicalAssistance | $0.00 |
| 17) | TotalsetasideforTechnicalAssistance (sumoflines15and16) | |
| 18) | StatefundssetasideforStateAdministrationmatch | $640,000.00 |



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| | | |
|---|---|---|
| 19) | ProgramIncome | |
| 20) | Returnedtothe stateandredistributed | $7,861,742.27 |
| 20a) | Section108programincomeexpendedfor theSection108repayment | |
| 21) | Adjustmenttocomputetotalredistributed | -$7,239,679.25 |
| 22) | Totalredistributed(sumof lines20 and21) | $622,063.02 |
| 23) | Returnedtothestateandnot yetredistributed | -$7,861,742.27 |
| 23a) | Section108programincomenot yetdisbursed | $0.00 |
| 24) | Adjustmenttocomputetotalnotyetredistributed | $7,861,742.27 |
| 25) | Totalnotyetredistributed(sumoflines23and24) | $0.00 |
| 26) | Retainedbyrecipients | $622,063.02 |
| 27) | Adjustmenttocomputetotalretained | -$622,063.02 |
| 28) | Totalretained(sumoflines26and27) | $0.00 |

## C. ExpendituresofStateCDBGResources

| | | |
|---|---|---|
| 29) | DrawnforStateAdministration | $761,653.54 |
| 30) | AdjustmenttoamountdrawnforStateAdministration | $0.00 |
| 31) | TotaldrawnforStateAdministration | $761,653.54 |
| 32) | Drawn forTechnicalAssistance | $0.00 |
| 33) | AdjustmenttoamountdrawnforTechnicalAssistance | $0.00 |
| 34) | TotaldrawnforTechnicalAssistance | $0.00 |
| 35) | DrawnforSection108Repayments | $0.00 |
| 36) | Adjustmentto amountdrawnforSection108Repayments | $0.00 |
| 37) | Totaldrawn forSection108Repayments | $0.00 |
| 38) | Drawnforallotheractivities | $23,555,719.01 |
| 39) | Adjustmenttoamountdrawnforallotheractivities | -$1,515,258.55 |
| 40) | Totaldrawnforallotheractivities | $22,040,460.46 |


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State of
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**D. Compliance withPublicSeavice(PS)Cap**

| | | |
|---|---|---|
| 41) | DisbursedinIDISforPS | $0.00 |
| 42) | AdjustmenttocomputetotaldisbursedforPS | $0.00 |
| 43) | TotaldisbursedforPS(sumoflines41and42) | $0.00 |
| 44) | Amount subjecttoPScap | |
| 45) | StateAllocation(line1) | $22,802,114.00 |
| 46) | ProgramIncomeReceived(line5) | $622,063.02 |
| 47) | Adjustmenttocomputetotalsubjectto PScap | $0.00 |
| 48) | TotalsubjecttoPScap (sumoflines45-47) | $23,424,177.02 |
| 49) | Percent offundsdisbursed todateforPS(line43/line48) | 0.00% |

## E. CompliancewithPlanningandAdministration(P/A)Cap

| | | |
|---|---|---|
| 50) | Disbursedin!DISforP/Afromallfundtypes-Combined | $2,342,219.54 |
| 51) | AdjustmenttocomputetotaldisbursedforP/A | -$339,342.73 |
| 52) | TotaldisbursedforP/A(sumoflines50and51) | $2,002,876.81 |
| 53) | AmountsubjecttoCombinedExpenditureP/Acap | |
| 54) | State Allocation (line1) | $22,802,114.00 |
| 55) | ProgramIncomeReceived(line5) | $622,063.02 |
| 56) | AdjustmenttocomputetotalsubjecttoP/Acap | $0.00 |
| 57) | TotalsubjecttoP/Acap(sumoflines54-56) | $23,424,177.02 |
| 58) | Percentoffundsdisbursedtodate forP/A (line 52/line57)CombinedCap | 8.55% |
| 59) | Disbursedin!DISforP/AfromAnnualGrantOnly | $2,232,699.54 |
| 60) | AmountsubjecttheAnnualGrantP/Acap | |
| 61) | StateAllocation | $22,802,114.00 |
| 62) | PercentoffundsdisbursedtodateforP/A(line59/line61)AnnualGrantCap | 9.79% |



OMB Control No: 2506-0117 (exp. 09/30/2021)

**PartII:CompliancewithOverallLowandModerateIncomeBenefit**

63) Periodspecifiedforbenefit:grantyears 2016 - 2018

64) FinalPERforcompliancewiththeoverallbenefittest:[ **Yes** ]

| GrantYear | 2016 | 2017 | 2018 | **Total** |
|---|---|---|---|---|
| 65)Benefit LMIpersons andhouseholds(1) | 20,964,781.99 | 21,975,153.01 | 22,778,066.86 | **65,718,001.86** |
| 66)BenefitLMI,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 67)BenefitLMI,otheradjustments | 0.00 | 0.00 | 0.00 | **0.00** |
| 68)Total,BenefitLMI (sumoflines65-67) | 20,964,781.99 | 21,975,153.01 | 22,778,066.86 | **65,718,001.86** |
| 69)Prevent/EliminateSlum/Blight | 0.00 | 0.00 | 0.00 | **0.00** |
| 70)PreventSlum/Blight,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 71)Total, PreventSlum/Blight(sumoflines69and70) | 0.00 | 0.00 | 0.00 | **0.00** |
| 72)MeetUrgentCommunityDevelopmentNeeds | 0.00 | 0.00 | 0.00 | **0.00** |
| 73)MeetUrgent Needs, 108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 74)Total,MeetUrgentNeeds(sumof lines72and73) | 0.00 | 0.00 | 0.00 | **0.00** |
| 75)Acquisition,NewConstruction,Rehab/SpecialAreasnoncountable | 0.00 | 0.00 | 0.00 | **0.00** |
| 76)TotaldisbursementssubjecttooverallLMI benefit(sumoflines68,71,74,and75) | 20,964,781.99 | 21,975,153.01 | 22,778,066.86 | **65,718,001.86** |
| 77)Lowandmoderateincomebenefit(line68/line76) | 1.00 | 1.00 | 1.00 | **1.00** |
| 78)otherDisbursements | 1.00 | 1.00 | 1.00 | **3.00** |
| 79)StateAdministration | 787,582.20 | 761,653.54 | 749,814.86 | **2,299,050.60** |
| 80)TechnicalAssistance | 0.00 | 0.00 | 0.00 | **0.00** |
| 81)LocalAdministration | 1,921,890.00 | 1,580,566.00 | 2,020,948.00 | **5,523,404.00** |
| 82)Section108repayments | 0.00 | 0.00 | 0.00 | **0.00** |



OMB Control No: 2506-0117 (exp. 09/30/2021)

State of
MississippiPerformanceandEvaluation
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ForGrantYear2018
Asof09/19/2024

# PartI:FinancialStatus

**A. SourcesofStateCDBGFunds**

| | | |
|---|---|---|
| 1) | StateAllocation | $24,891,669.00 |
| 2) | ProgramIncome | |
| 3) | ProgramincomereceiptedinIDIS | $0.00 |
| 3a) | ProgramincomereceiptedfromSection108Projects(forSItype) | $0.00 |
| 4) | Adjustmenttocomputetotalprogramincome | $600,000.00 |
| 5) | Totalprogramincome(sumoflines3and4) | $600,000.00 |
| 6) | Section108LoanFunds | $0.00 |
| 7) | TotalStateCDBGResources(sumoflines1,5and6) | $25,491,669.00 |

**B. StateCDBGResourcesbyUse**

| | | |
|---|---|---|
| 8) | StateAllocation | |
| 9) | Obligatedtorecipients | **$24,883,669.00** |
| 10) | Adjustmenttocomputetotalobligatedtorecipients | **-$741,814.86** |
| 11) | Totalobligatedtorecipients(sumoflines9and10) | **$24,141,854.14** |
| **12)** | SetasideforStateAdministration | **$749,814.86** |
| 13) | AdjustmenttocomputetotalsetasideforStateAdministration | **$0.00** |
| 14) | TotalsetasideforStateAdministration(sumof lines 12and13) | **$749,814.86** |
| 15) | SetasideforTechnicalAssistance | |
| 16) | AdjustmenttocomputetotalsetasideforTechnicalAssistance | **$0.00** |
| **17)** | TotalsetasideforTechnicalAssistance(sumoflines15and16) | |
| **18)** | StatefundssetasideforStateAdministrationmatch | **$700,000.00** |

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| | | |
|---|---|---|
| 19) | ProgramIncome | |
| 20) | Returnedto thestateandredistributed | $1,342,621.00 |
| 20a) | Section108programincomeexpendedfortheSection108repayment | |
| 21) | Adjustmenttocomputetotalredistributed | -$742,621.00 |
| 22) | Totalredistributed(sumoflines20and21) | $600,000.00 |
| 23) | Returnedtothe state andnotyetredistributed | -$1,342,621.00 |
| 23a ) | Section108programincomenotyetdisbursed | $0.00 |
| 24) | Adjustmenttocomputetotalnotyetredistributed | $0.00 |
| 25) | Totalnotyetredistributed(sumoflines23and24) | -$1,342,621.00 |
| 26) | Retained byrecipients | $0.00 |
| 27) | Adjustmenttocomputetotalretained | $0.00 |
| 28) | Totalretained(sumof lines26 and27) | $0.00 |

**C. ExpendituresofStateCDBGResources**

| | | |
|---|---|---|
| 29) | Drawnfor StateAdministration | $749,814.86 |
| 30) | AdjustmenttoamountdrawnforStateAdministration | $0.00 |
| 31) | TotaldrawnforStateAdministration | $749,814.86 |
| 32) | DrawnforTechnicalAssistance | $0.00 |
| 33) | AdjustmenttoamountdrawnforTechnicalAssistance | $0.00 |
| 34) | TotaldrawnforTechnicalAssistance | $0.00 |
| 35) | DrawnforSection108Repayments | $0.00 |
| 36) | AdjustmenttoamountdrawnforSection108Repayments | $0.00 |
| 37) | TotaldrawnforSection108Repayments | $0.00 |
| 38) | Drawnforallotheractivities | $24,799,014.86 |
| 39) | Adjustmenttoamountdrawnforallotheractivities | -$1,088,260.86 |
| 40) | Totaldrawnforallotheractivities | $23,710,754.00 |



OMB Control No: 2506-0117 (exp. 09/30/2021)

**D. CompliancewithPublicService(PS)Cap**

| | | |
|---|---|---|
| 41) | DisbursedinIDISforPS | $0.00 |
| 42) | AdjustmenttocomputetotaldisbursedforPS | $0.00 |
| 43) | Total disbursedforPS(sumoflines41and42) | $0.00 |
| 44) | Amount subjecttoPScap | |
| 45) | StateAllocation(line1) | $24,891,669.00 |
| 46) | ProgramIncomeReceived(line5) | $600,000.00 |
| 47) | Adjustmenttocomputetotal subject toPScap | $0.00 |
| 48) | TotalsubjecttoPScap(sumoflines45-47) | $25,491,669.00 |
| 49) | Percentoffundsdisbursedtodate forPS(line 43/line48) | 0.00% |

## *E. CompliancewithPlanningandAdministration(P/A)Cap*

| | | |
|---|---|---|
| 50) | DisbursedinIDISforP/Afromallfundtypes-Combined | $2,770,762.86 |
| 51) | AdjustmenttocomputetotaldisbursedforP/A | $0.00 |
| 52) | TotaldisbursedforP/A(sumoflines50and51) | $2,770,762.86 |
| 53) | AmountsubjecttoCombinedExpenditureP/Acap | |
| 54) | StateAllocation(line1) | $24;891,669.00 |
| 55) | ProgramIncomeReceived(line5) | $600,000.00 |
| 56) | AdjustmenttocomputetotalsubjecttoP/Acap | $0.00 |
| 57) | TotalsubjecttoP/Acap(sumoflines54-56) | $25,491,669.00 |
| 58) | PercentoffundsdisbursedtodateforP/A(line52/line57)CombinedCap | 10.87% |
| 59) | DisbursedinIDISforP/AfromAnnualGrantOnly | $2,711,062.86 |
| 60) | AmountsubjecttheAnnualGrant P/Acap | |
| 61) | StateAllocation | $24,891,669.00 |
| 62) | PercentoffundsdisbursedtodateforP/A (line59/line 61)AnnualGrantCap | 10.89% |



OMB Control No: 2506-0117 (exp. 09/30/2021)

State of
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ForGrantYear2018
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**PartII:CompliancewithOverallLowandModerateIncomeBenefit**

63) Periodspecifiedforbenefit:grantyears 2016 - 2018

64) FinalPERforcompliancewiththeoverallbenefittest:[ **Yes** ]

| GrantYear | 2016 | 2017 | 2018 | Total |
|---|---|---|---|---|
| 65)BenefitLMIpersonsandhouseholds(1) | 20,964,781.99 | 21,975,153.01 | 22,778,066.86 | **65,718,001.86** |
| 66)BenefitLMI,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 67)BenefitLMI,otheradjustments | 0.00 | 0.00 | 0.00 | **0.00** |
| 68)Total,BenefitLMI(sumoflines65-67) | 20,964,781.99 | 21,975,153.01 | 22,778,066.86 | **65,718,001.86** |
| 69)Prevent/EliminateSlum/Blight | 0.00 | 0.00 | 0.00 | **0.00** |
| **70)**PreventSlum/Blight,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 71)Total,PreventSlum/Blight(sumoflines 69and70) | 0.00 | 0.00 | 0.00 | **0.00** |
| 72)MeetUrgent CommunityDevelopmentNeeds | 0.00 | 0.00 | 0.00 | **0.00** |
| **73)**MeetUrgentNeeds,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 74)Total,MeetUrgentNeeds(sumoflines72and73) | 0.00 | 0.00 | 0.00 | **0.00** |
| 75)Acquisition,NewConstruction,Rehab/Special Areasnoncountable | 0.00 | 0.00 | 0.00 | **0.00** |
| 76)TotaldisbursementssubjecttooverallLMIbenefit(sumoflines68,71,74,and75) | 20,964,781.99 | 21,975,153.01 | 22,778,066.86 | **65,718,001.86** |
| 77)Lowandmoderateincomebenefit(line68/line76) | 1.00 | 1.00 | 1.00 | **1.00** |
| **78)**otherDisbursements | 1.00 | 1.00 | 1.00 | **3.00** |
| 79)StateAdministration | 787,582.20 | 761,653.54 | 749,814.86 | **2,299,050.60** |
| 80)TechnicalAssistance | 0.00 | 0.00 | 0.00 | **0.00** |
| 81)LocalAdministration | 1,921,890.00 | 1,580,566.00 | 2,020,948.00 | **5,523,404.00** |
| 82)Section108repayments | 0.00 | 0.00 | 0.00 | **0.00** |



OMB Control No: 2506-0117 (exp. 09/30/2021)

U.S.DepartmentofHousingandUrbanDevelopment
Office of Community Planning and Development
Integrated Disbursement and Information System
State of
MississippiPerformanceandEvaluation
Report
ForGrantYear2019
Asof09/23/2024

**DATE:** 09-23-24

**TIME:** 18:48

## *PartI:FinancialStatus*

| | | |
|---|---|---|
| **A.** | **SourcesofStateCDBGFunds** | |
| 1) | StateAllocation | |
| 2) | ProgramIncome | |
| | | **$24,939,374.00** |
| 3) | ProgramincomereceiptedinIDIS | **$672,764.44** |
| 3a) | ProgramincomereceiptedfromSection 108Projects(forSItype) | **$0.00** |
| 4) | Adjustmenttocomputetotalprogramincome | **-$481,128.81** |
| 5) | Totalprogramincome(sumoflines3and4) | **$191,635.63** |
| 6) | Section108LoanFunds | **$0.00** |
| 7) | TotalStateCDBGResources(sumoflines1,5and6) | **$25,131,009.63** |
| **B.** | **StateCDBGResourcesbyUse** | |
| 8) | StateAllocation | |
| 9) | Obligatedtorecipients | **$24,939,374.00** |
| 10) | Adjustmenttocomputetotalobligatedtorecipients | **-$783,566.93** |
| 11) | Totalobligatedto recipients(sumof lines9and10) | **$24,155,807.07** |
| 12) | SetasideforStateAdministration | **$783,566.93** |
| 13) | Adjustmenttocomputetotal setasideforStateAdministration | **$0.00** |
| 14) | Totalset asideforStateAdministration(sumoflines12and13) | **$783,566.93** |
| 15) | SetasideforTechnicalAssistance | |
| 16) | Adjustmenttocomputetotal setasideforTechnicalAssistance | $0.00 |
| 17) | TotalsetasideforTechnicalAssistance(sumoflines15and16) | |
| 18) | Statefundssetasidefor StateAdministrationmatch | $700,000.00 |

| | | |
|---|---|---|
| 19) | ProgramIncome | |
| 20) | Returnedtothestateandredistributed | |
| 20a) | Section108programincomeexpendedfortheSection108repayment | |
| 21) | Adjustmenttocomputetotalredistributed | $191,635.63 |
| 22) | Totalredistributed(sumoflines20and21) | $191,635.63 |
| 23) | Returnedtothestateandnotyetredistributed | $689,659.44 |
| 23a) | Section108programincomenotyetdisbursed | $0.00 |
| 24) | Adjustmenttocomputetotalnotyetredistributed | -$691,786.81 |
| 25) | Totalnotyetredistributed(sumoflines23and24) | -$2,127.37 |
| 26) | Retainedbyrecipients | $0.00 |
| 27) | Adjustmenttocomputetotalretained | $0.00 |
| 28) | Totalretained(sumof lines26and27) | $0.00 |

**C. ExpendituresofStateCDBGResources**

| | | |
|---|---|---|
| 29) | DrawnforStateAdministration | $404,943.86 |
| 30) | Adjustmentto amountdrawnforStateAdministration | $0.00 |
| 31) | TotaldrawnforStateAdministration | $404,943.86 |
| 32) | DrawnforTechnicalAssistance | $0.00 |
| 33) | Adjustmentto amountdrawnforTechnicalAssistance | $0.00 |
| 34) | TotaldrawnforTechnicalAssistance | $0.00 |
| 35) | DrawnforSection108Repayments | $0.00 |
| 36) | AdjustmenttoamountdrawnforSection108Repayments | $0.00 |
| 37) | Totaldrawnfor Section108Repayments | $0.00 |
| 38) | Drawnforallotheractivities | $23,468,370.08 |
| 39) | Adjustmenttoamountdrawnforallotheractivities | -$1,399,472.76 |
| 40) | Totaldrawnforallotheractivities | $22,068,897.32 |

**D. CompliancewithPublicService(PS)Cap**

| | | |
|---|---|---|
| 41) | DisbursedinIDISforPS | $0.00 |
| 42) | AdjustmenttocomputetotaldisbursedforPS | $0.00 |
| 43) | TotaldisbursedforPS(sumoflines41and42) | $0.00 |
| 44) | AmountsubjecttoPScap | |
| 45) | StateAllocation(line1) | $24,939,374.00 |
| 46) | ProgramIncomeReceived(line5) | $191,635.63 |
| 47) | Adjustmentto computetotalsubjecttoPScap | $0.00 |
| 48) | TotalsubjecttoPScap(sumoflines45-47) | $25,131,009.63 |
| 49) | Percent offundsdisbursedtodatefor PS(line43/line48) | 0.00% |

## E. Compliancewith PlanningandAdministration(P/A)Cap

| | | |
|---|---|---|
| 50) | DisbursedinIDISforP/Afromallfundtypes-Combined | $2,238,294.44 |
| 51) | AdjustmenttocomputetotaldisbursedforP/A | $0.00 |
| 52) | TotaldisbursedforP/A(sumoflines50and51) | $2,238,294.44 |
| 53) | Amountsubjectto CombinedExpenditureP/Acap | |
| 54) | StateAllocation(line1) | $24,939,374.00 |
| 55) | ProgramIncomeReceived(line5) | $191,635.63 |
| 56) | AdjustmenttocomputetotalsubjecttoP/Acap | $0.00 |
| 57) | TotalsubjecttoP/Acap(sumoflines54-56) | $25,131,009.63 |
| 58) | PercentoffundsdisbursedtodateforP/A(line52/line57)CombinedCap | 8.91% |
| 59) | DisbursedinIDISforP/AfromAnnualGrantOnly | $2,230,294.44 |
| 60) | AmountsubjecttheAnnualGrantP/Acap | |
| 61) | StateAllocation | $24,939,374.00 |
| 62) | Percentoffunds disbursedtodateforP/A(line59 /line61)AnnualGrantCap | 8.94% |

**PartII:CompliancewithOverallLowandModerate IncomeBenefit**

63) Period specifiedforbenefit:grantyears 2019- 2021

64) Final PERforcompliancewiththeoverallbenefittest:[ **Yes** ]

| GrantYear | 2019 | 2020 | 2021 | Total |
|---|---|---|---|---|
| 65)BenefitLMIpersonsandhouseholds(1) | 21,635,019.50 | 19,373,224.44 | 17,196,101.48 | **58,204,345.42** |
| 66)BenefitLMI,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 67)BenefitLMI,otheradjustments | 0.00 | 0.00 | 0.00 | **0.00** |
| 68)Total,BenefitLMI(sumoflines65-67) | 21,635,019.50 | 19,373,224.44 | 17,196,101.48 | **58,204,345.42** |
| 69)Prevent/EliminateSlum/Blight | 0.00 | 0.00 | 0.00 | **0.00** |
| 70)PreventSlum/Blight,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 71)Total,PreventSlum/Blight(sumof lines69and70) | 0.00 | 0.00 | 0.00 | **0.00** |
| 72)MeetUrgent CommunityDevelopmentNeeds | 0.00 | 0.00 | 0.00 | **0.00** |
| **73)**MeetUrgent Needs,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 74)Total, MeetUrgentNeeds(sumoflines 72and73) | 0.00 | 0.00 | 0.00 | **0.00** |
| 75)Acquisition,NewConstruction, Rehab/SpecialAreasnoncountable | 0.00 | 0.00 | 0.00 | **0.00** |
| 76)TotaldisbursementssubjecttooverallLMI benefit(sumoflines68,71,74,and75) | 21,635,019.50 | 19,373,224.44 | 17,196,101.48 | **58,204,345.42** |
| 77)Lowandmoderateincomebenefit(line68/line76) | 1.00 | 1.00 | 1.00 | **1.00** |
| 78)OtherDisbursements | 1.00 | 1.00 | 1.00 | **3.00** |
| 79)StateAdministration | 404,943.86 | 2,883.17 | 0.00 | **407,827.03** |
| 80)TechnicalAssistance | 0.00 | 0.00 | 0.00 | **0.00** |
| 81)LocalAdministration | 1,833,350.58 | 1,547,060.00 | 1,493,190.09 | **4,873,600.67** |
| 82)Section108repayments | 0.00 | 0.00 | 0.00 | **0,00** |



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## PartI:FinancialStatus

### A. SourcesofStateCDBGFunds

| | | |
|---|---|---|
| 1) | StateAllocation | $25,614,222.00 |
| 2) | ProgramIncome | |
| 3) | ProgramincomereceiptedinIDIS | $0.00 |
| 3a) | ProgramincomereceiptedfromSection108Projects(forSItype) | $0.00 |
| 4) | Adjustmenttocomputetotalprogramincome | $1,006,566.69 |
| 5) | Totalprogramincome(sumof lines3and4) | $1,006,566.69 |
| 6) | Section108LoanFunds | $0.00 |
| 7) | TotalStateCDBGResources (sumoflines1,5and6) | $26,620,788.69 |

### B. StateCDBGResourcesbyUse

| | | |
|---|---|---|
| 8) | StateAllocation | |
| 9) | Obligatedtorecipients | $25,588,757.43 |
| 10) | Adjustmenttocomputetotalobligatedtorecipients | -$800,000.00 |
| 11) | Totalobligatedtorecipients(sumoflines9and10) | $24,788,757.43 |
| 12) | Setaside forStateAdministration | $800,000.00 |
| 13) | AdjustmenttocomputetotalsetasideforStateAdministration | $0.00 |
| 14) | TotalsetasideforStateAdministration(sumoflines12and13) | $800,000.00 |
| 15) | SetasideforTechnicalAssistance | |
| 16) | AdjustmenttocomputetotalsetasideforTechnicalAssistance | $0.00 |
| 17) | Totalsetaside forTechnicalAssistance(sumoflines15and16) | |
| 18) | StatefundssetasideforStateAdministrationmatch | $700,000.00 |



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| | | |
|---|---|---|
| 19) | ProgramIncome | |
| 20) | Returnedto thestateandredistributed | $506,699.32 |
| 20a) | Section108programincomeexpendedfortheSection108repayment | |
| 21) | Adjustmenttocomputetotalredistributed | $499,867.37 |
| 22) | Totalredistributed(sumof lines20and21) | $1,006,566.69 |
| 23) | Returnedtothestateandnotyetredistributed | $490,589.68 |
| 23a) | Section108programincomenotyetdisbursed | $0.00 |
| 24) | Adjustmenttocomputetotalnotyetredistributed | -$490,589.68 |
| 25) | Totalnot yetredistributed(sumoflines23and24) | $0.00 |
| 26) | Retained byrecipients | $0.00 |
| 27) | Adjustmenttocomputetotalretained | $0.00 |
| 28) | Totalretained(sumoflines26and27) | $0.00 |

**C. ExpendituresofStateCDBGResources**

| | | |
|---|---|---|
| 29) | Drawnfor StateAdministration | $2,883.17 |
| 30) | AdjustmenttoamountdrawnforStateAdministration | -$2,883.17 |
| 31) | TotaldrawnforStateAdministration | $0.00 |
| 32) | Drawn forTechnicalAssistance | $0.00 |
| 33) | Adjustmenttoamount drawnforTechnicalAssistance | $0.00 |
| 34) | TotaldrawnforTechnicalAssistance | $0.00 |
| 35) | DrawnforSection108Repayments | $0.00 |
| 36) | Adjustmentto amountdrawnfor Section108Repayments | $0.00 |
| 37) | TotaldrawnforSection108Repayments | $0.00 |
| 38) | Drawnforallotheractivities | $20,920,284.44 |
| 39) | Adjustmenttoamountdrawnforallotheractivities | -$612,134.08 |
| 40) | Totaldrawnforallotheractivities | $20,308,150.36 |

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| | | |
|---|---|---|
| **D.** | **CompliancewithPublicService(PS)Cap** | |
| 41) | DisbursedinIDISforPS | $0.00 |
| 42) | AdjustmenttocomputetotaldisbursedforPS | $0.00 |
| 43) | Totaldisbursedfor PS (sumoflines41and42) | $0.00 |
| 44) | AmountsubjecttoPScap | |
| 45) | StateAllocation(line1) | $25,614,222.00 |
| 46) | ProgramIncomeReceived(line5) | $1,006,566.69 |
| 47) | AdjustmenttocomputetotalsubjecttoPScap | $0.00 |
| 48) | TotalsubjecttoPS cap(sumoflines45-47) | $26,620,788.69 |
| 49) | Percentoffundsdisbursedtodate forPS(line 43/line48) | 0.00% |
| **E.** | **CompliancewithPlanningandAdministration(P/A)Cap** | |
| 50) | DisbursedinIDISforP/Afromallfundtypes-Combined | $1,549,943.17 |
| 51) | Adjustmentto computetotaldisbursedforP/A | $0.00 |
| 52) | TotaldisbursedforP/A(sumoflines50and51) | $1,549,943.17 |
| 53) | AmountsubjecttoCombinedExpenditure P/Acap | |
| 54) | StateAllocation(line1) | $25,614,222.00 |
| 55) | ProgramIncomeReceived(line5) | $1,006,566.69 |
| 56) | AdjustmenttocomputetotalsubjecttoP/Acap | $0.00 |
| 57) | TotalsubjecttoP/Acap(sumof lines54-56) | $26,620,788.69 |
| 58) | Percent offundsdisbursedtodateforP/A(line52/line57) CombinedCap | 5.82% |
| 59) | DisbursedinIDISforP/AfromAnnualGrantOnly | $1,531,548.17 |
| 60) | AmountsubjecttheAnnual GrantP/Acap | |
| 61) | StateAllocation | $25,614,222.00 |
| 62) | Percentoffunds disbursedtodateforP/A(line59/line61)AnnualGrantCap | 5.98% |


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## *PartII:CompliancewithOverallLowandModerateIncomeBenefit*

63) Periodspecifiedforbenefit:grantyears 2019-
2021

64) FinalPERforcompliancewiththeoverallbenefittest:[ **Yes** ]

| GrantYear | 2019 | 2020 | 2021 | **Total** |
|---|---|---|---|---|
| 65)BenefitLMIpersonsandhouseholds(1) | 21,635,019.50 | 19,373,224.44 | 17,208,234.22 | **58,216,478.16** |
| 66)BenefitLMI,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 67)BenefitLMI,otheradjustments | 0.00 | 0.00 | 0.00 | **0.00** |
| 68)Total,BenefitLMI(sumoflines65-67) | 21,635,019.50 | 19,373,224.44 | 17,208,234.22 | **58,216,478.16** |
| 69)Prevent/EliminateSlum/Blight | 0.00 | 0.00 | 0.00 | **0.00** |
| 70)PreventSlum/Blight,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 71)Total,PreventSlum/Blight(sumoflines69 and70) | 0.00 | 0.00 | 0.00 | **0.00** |
| 72)MeetUrgentCommunityDevelopmentNeeds | 0.00 | 0.00 | 0.00 | **0.00** |
| 73)MeetUrgentNeeds, 108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 74)Total,MeetUrgentNeeds(sumoflines72and73) | 0.00 | 0.00 | 0.00 | **0.00** |
| 75)Acquisition,NewConstruction,Rehab/SpecialAreasnoncountable | 0.00 | 0.00 | 0.00 | **0.00** |
| 76)Totaldisbursementssubject tooverallLMIbenefit(sumoflines68,71,74,and75) | 21,635,019.50 | 19,373,224.44 | 17,208,234.22 | **58,216,478.16** |
| 77)Lowandmoderateincomebenefit(line68/line76) | 1.00 | 1.00 | 1.00 | **1.00** |
| 78)OtherDisbursements | 1.00 | 1.00 | 1.00 | **3.00** |
| 79)StateAdministration | 427,472.79 | 2,883.17 | 0.00 | **430,355.96** |
| 80)TechnicalAssistance | 0.00 | 0.00 | 0.00 | **0.00** |
| **81)**LocalAdministration | 1,833,350.58 | 1,547,060.00 | 1,495,690.09 | **4,876,100.67** |
| **82)**Section108repayments | 0.00 | 0.00 | 0.00 | **0.00** |

## PartI:FinancialStatus

**A. SourcesofStateCDBGFunds**

| | | |
|---|---|---|
| 1) | StateAllocation | $25,983,611.00 |
| 2) | ProgramIncome | |
| 3) | Programincome receiptedinIDIS | $0.00 |
| 3a) | ProgramincomereceiptedfromSection 108Projects(for SItype) | $0.00 |
| 4) | Adjustmenttocomputetotalprogramincome | $0.00 |
| 5) | Totalprogramincome(sumoflines3and4) | $0.00 |
| 6) | Section108LoanFunds | $0.00 |
| 7) | TotalStateCDBGResources (sumoflines1,5and6) | $25,983,611.00 |

**B. StateCDBGResourcesbyUse**

| | | |
|---|---|---|
| 8) | StateAllocation | |
| 9) | Obligatedtorecipients | $25,331,011.10 |
| 10) | Adjustmenttocomputetotalobligatedtorecipients | -$799,630.00 |
| 11) | Totalobligatedto recipients(sumof lines9and10) | $24,531,381.10 |
| 12) | Setasidefor StateAdministration | $800,000.00 |
| 13) | AdjustmenttocomputetotalsetasideforStateAdministration | $0.00 |
| 14) | TotalsetasideforStateAdministration(sumoflines12 and13) | $800,000.00 |
| 15) | SetasideforTechnicalAssistance | |
| 16) | AdjustmenttocomputetotalsetasideforTechnicalAssistance | $0.00 |
| 17) | Totalsetaside forTechnicalAssistance(sumoflines15and16) | |
| 18) | StatefundssetasideforStateAdministrationmatch | $700,000.00 |



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| | | |
|---|---|---|
| 19) | ProgramIncome | |
| 20) | Returnedtothestateandredistributed | $672,764.44 |
| 20a ) | Section108programincomeexpendedfortheSection 108repayment | |
| 21) | Adjustment tocomputetotalredistributed | -$672,764.44 |
| 22) | Totalredistributed(sumof lines20 and21) | $0.00 |
| 23) | Returnedtothe stateandnotyetredistributed | -$672,764.44 |
| 23a ) | Section108 programincomenotyetdisbursed | $0.00 |
| 24) | Adjustmenttocomputetotalnotyetredistributed | $0.00 |
| 25) | Totalnotyetredistributed(sumoflines23and24) | -$672,764.44 |
| 26) | Retainedbyrecipients | $0.00 |
| 27) | Adjustmenttocomputetotalretained | $0.00 |
| 28) | Totalretained(sumoflines26 and27) | $0.00 |

**C. ExpendituresofStateCDBGResources**

| | | |
|---|---|---|
| 29) | Drawnfor StateAdministration | $0.00 |
| 30) | AdjustmenttoamountdrawnforStateAdministration | $0.00 |
| 31) | TotaldrawnforStateAdministration | $0.00 |
| 32) | DrawnforTechnicalAssistance | $0.00 |
| 33) | Adjustmentto amountdrawnforTechnicalAssistance | $0.00 |
| 34) | TotaldrawnforTechnicalAssistance | $0.00 |
| 35) | DrawnforSection108Repayments | $0.00 |
| 36) | AdjustmenttoamountdrawnforSection108Repayments | $0.00 |
| 37) | Totaldrawnfor Section108Repayments | $0.00 |
| 38) | Drawnforallotheractivities | $18,703,924.31 |
| 39) | Adjustmenttoamountdrawnforallotheractivities | -$890,237.51 |
| 40) | Totaldrawnforallotheractivities | $17,813,686.80 |

## D. CompliancewithPublicService(PS)Cap

| | | |
|---|---|---|
| 41) | DisbursedinIDIS forPS | $0.00 |
| 42) | AdjustmenttocomputetotaldisbursedforPS | $0.00 |
| 43) | Totaldisbursedfor PS(sumoflines41and42) | $0.00 |
| 44) | AmountsubjecttoPScap | |
| 45) | State Allocation (line1) | $25,983,611.00 |
| 46) | ProgramIncomeReceived(line5) | $0.00 |
| 47) | AdjustmenttocomputetotalsubjecttoPScap | $0.00 |
| 48) | TotalsubjecttoPScap(sumoflines45-47) | $25,983,611.00 |
| 49) | Percentoffundsdisbursedtodate forPS(line 43/line48) | 0.00% |

## E. CompliancewithPlanningandAdministration(P/A)Cap

| | | |
|---|---|---|
| 50) | DisbursedinIDISforP/Afromallfundtypes-Combined | $1,495,690.09 |
| 51) | AdjustmenttocomputetotaldisbursedforP/A | $0.00 |
| 52) | TotaldisbursedforP/A(sumoflines50and51) | $1,495,690.09 |
| 53) | AmountsubjecttoCombinedExpenditure P/Acap | |
| 54) | StateAllocation(line1) | $25,983,611.00 |
| 55) | ProgramIncomeReceived(line5) | $0.00 |
| 56) | AdjustmenttocomputetotalsubjecttoP/Acap | $0.00 |
| 57) | TotalsubjecttoP/Acap(sumoflines54-56) | $25,983,611.00 |
| 58) | PercentoffundsdisbursedtodateforP/A (line52/line57)CombinedCap | 5.76% |
| 59) | DisbursedinIDISforP/AfromAnnualGrantOnly | $1,495,690.09 |
| 60) | AmountsubjecttheAnnualGrantP/Acap | |
| 61) | StateAllocation | $25,983,611.00 |
| 62) | Percentoffunds disbursedtodateforP/A(line59/line61)Annual GrantCap | 5.76% |



OMB Control No: 2506-0117 (exp. 09/30/2021)

**PartII:CompliancewithOverallLowandModerateIncomeBenefit**

63) Periodspecifiedfor benefit:grantyears 2019 - 2021

64) Final PERforcompliancewiththeoverallbenefittest:[ **Yes** ]

| GrantYear | 2019 | 2020 | 2021 | **Total** |
|---|---|---|---|---|
| 65)BenefitLMIpersonsandhouseholds(1) | 21,635,019.50 | 19,373,224.44 | 17,208,234.22 | **58,216,478.16** |
| 66)BenefitLMI,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 67)BenefitLMI,otheradjustments | 0.00 | 0.00 | 0.00 | **0.00** |
| 68)Total,BenefitLMI(sumoflines65-67) | 21,635,019.50 | 19,373,224.44 | 17,208,234.22 | **58,216,478.16** |
| 69)Prevent/EliminateSlum/Blight | 0.00 | 0.00 | 0.00 | **0.00** |
| 70)PreventSlum/Blight,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 71)Total,PreventSlum/Blight(sumoflines69and70) | 0.00 | 0.00 | 0.00 | **0.00** |
| 72)MeetUrgent CommunityDevelopmentNeeds | 0.00 | 0.00 | 0.00 | **0.00** |
| 73)MeetUrgent Needs,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 74)Total,MeetUrgentNeeds(sumoflines72and73) | 0.00 | 0.00 | 0.00 | **0.00** |
| 75)Acquisition,NewConstruction,Rehab/SpecialAreasnoncountable | 0.00 | 0.00 | 0.00 | **0.00** |
| 76)TotaldisbursementssubjecttooverallLMI benefit(sumoflines68,71,74,and75) | 21,635,019.50 | 19,373,224.44 | 17,208,234.22 | **58,216,478.16** |
| 77)Lowandmoderateincomebenefit(line68/line76) | 1.00 | 1.00 | 1.00 | **1.00** |
| 78)otherDisbursements | 1.00 | 1.00 | 1.00 | **3.00** |
| 79)StateAdministration | 427,472.79 | 2,883.17 | 0.00 | **430,355.96** |
| 80)TechnicalAssistance | 0.00 | 0.00 | 0.00 | **0.00** |
| 81)LocalAdministration | 1,833,350.58 | 1,547,060.00 | 1,495,690.09 | **4,876,100.67** |
| 82)Section108repayments | 0.00 | 0.00 | 0.00 | **0.00** |



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## *PartI:FinancialStatus*

**A. SourcesofStateCDBGFunds**

| | | |
|---|---|---|
| 1) | StateAllocation | $24,914,008.00 |
| 2) | ProgramIncome | |
| 3) | ProgramincomereceiptedinIDIS | $88,339.00 |
| 3a) | ProgramincomereceiptedfromSection 108Projects(forSItype) | $0.00 |
| 4) | Adjustmenttocomputetotalprogramincome | -$88,339.00 |
| 5) | Totalprogramincome(sumoflines3and4) | $0.00 |
| 6) | Section108LoanFunds | $0.00 |
| 7) | TotalStateCDBGResources(sumoflines1,5and6) | $24,914,008.00 |

**B. StateCDBGResourcesbyUse**

| | | |
|---|---|---|
| 8) | StateAllocation | |
| 9) | Obligatedtorecipients | $24,828,071.95 |
| 10) | Adjustmenttocomputetotalobligatedtorecipients | -$744,637.60 |
| 11) | Totalobligatedtorecipients(sumoflines9and10) | $24,083,434.35 |
| 12) | SetasideforStateAdministration | $800,000.00 |
| 13) | AdjustmenttocomputetotalsetasideforStateAdministration | $0.00 |
| 14) | Totalset asideforStateAdministration(sumoflines12and13) | $800,000.00 |
| 15) | SetasideforTechnicalAssistance | |
| 16) | AdjustmenttocomputetotalsetasideforTechnicalAssistance | $0.00 |
| 17) | TotalsetasideforTechnicalAssistance(sumoflines15and16) | |
| 18) | StatefundssetasideforStateAdministrationmatch | $700,000.00 |

| | | |
|---|---|---|
| 19) | ProgramIncome | |
| 20) | Returnedto thestateandredistributed | |
| 20a) | Section 108programincomeexpendedfortheSection108repayment | |
| 21) | Adjustmenttocomputetotalredistributed | -$124,605.63 |
| 22) | Totalredistributed(sumof lines20 and21) | -$124,605.63 |
| 23) | Returnedtothestateandnotyetredistributed | $124,605.63 |
| 23a ) | Section108programincomenotyetdisbursed | $0.00 |
| 24) | Adjustmenttocomputetotalnotyetredistributed | -$124,605.63 |
| 25) | Totalnotyetredistributed(sumoflines23and24) | $0.00 |
| 26) | Retainedbyrecipients | $0.00 |
| 27) | Adjustmenttocomputetotalretained | $0.00 |
| 28) | Totalretained(sumoflines26and27) | $0.00 |

**C. ExpendituresofStateCDBGResources**

| | | |
|---|---|---|
| 29) | DrawnforStateAdministration | $0.00 |
| 30) | AdjustmenttoamountdrawnforStateAdministration | $0.00 |
| 31) | TotaldrawnforStateAdministration | $0.00 |
| 32) | DrawnforTechnicalAssistance | $0.00 |
| 33) | AdjustmenttoamountdrawnforTechnicalAssistance | $0.00 |
| 34) | TotaldrawnforTechnicalAssistance | $0.00 |
| 35) | DrawnforSection108Repayments | $0.00 |
| 36) | Adjustmenttoamountdrawnfor Section108Repayments | $0.00 |
| 37) | TotaldrawnforSection108Repayments | $0.00 |
| 38) | Drawnforallotheractivities | $7,185,748.01 |
| 39) | Adjustmenttoamountdrawnforallotheractivities | -$3,254,529.62 |
| 40) | Totaldrawnforallotheractivities | $3,931,218.39 |

## D. CompliancewithPublicService (PS)Cap

| | | |
|---|---|---|
| 41) | DisbursedinIDISforPS | $0.00 |
| 42) | AdjustmenttocomputetotaldisbursedforPS | $0.00 |
| 43) | TotaldisbursedforPS(sumoflines41and42) | $0.00 |
| 44) | AmountsubjecttoPScap | |
| 45) | StateAllocation(line1) | $24,914,008.00 |
| 46) | ProgramIncomeReceived(line5) | $0.00 |
| 47) | Adjustmentto computetotalsubjecttoPScap | $0.00 |
| 48) | TotalsubjecttoPScap(sumoflines45-47) | $24,914,008.00 |
| 49) | PercentoffundsdisbursedtodateforPS(line 43/line48) | 0.00% |

## E. CompliancewithPlanningandAdministration(P/A)Cap

| | | |
|---|---|---|
| 50) | DisbursedinIDISforP/Afromallfundtypes-Combined | $449,478.95 |
| 51) | Adjustmentto computetotaldisbursedforP/A | $0.00 |
| 52) | TotaldisbursedforP/A(sumoflines50and51) | $449,478.95 |
| 53) | AmountsubjecttoCombinedExpenditureP/Acap | |
| 54) | StateAllocation(line1) | $24,914,008.00 |
| 55) | ProgramIncomeReceived(line5) | $0.00 |
| 56) | AdjustmenttocomputetotalsubjecttoP/Acap | $0.00 |
| 57) | TotalsubjecttoP/A cap(sumoflines54-56) | $24,914,008.00 |
| 58) | Percentoffundsdisbursedtodatefor P/A(line52/line57)Combinedcap | 1.80% |
| 59) | DisbursedinIDISforP/AfromAnnual GrantOnly | $449,478.95 |
| 60) | AmountsubjecttheAnnualGrantP/Acap | |
| 61) | StateAllocation | $24,914,008.00 |
| 62) | Percentoffundsdisbursedtodatefor P/A(line59 /line61)AnnualGrantCap | 1.80% |

## *PartII:CompliancewithOverallLowandModerateIncomeBenefit*

63) Periodspecifiedforbenefit:grantyears 2022 - 2024

64) FinalPERforcompliancewiththeoveralbenefittest:[ **Yes**

| GrantYear | 2022 | 2023 | 2024 | Total |
|---|---|---|---|---|
| 65)BenefitLMIpersonsandhouseholds(1) | 6,736,269.06 | 143,099.06 | 0.00 | **6,879,368.12** |
| 66)BenefitLMI,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 67)BenefitLMI,otheradjustments | 0.00 | 0.00 | 0.00 | **0.00** |
| 68)Total,BenefitLMI(sumoflines65-67) | 6,736,269.06 | 143,099.06 | 0.00 | **6,879,368.12** |
| 69)Prevent/EliminateSlum/Blight | 0.00 | 0.00 | 0.00 | **0.00** |
| 70)PreventSlum/Blight,108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 71)Total,PreventSlum/Blight(sumoflines69and70) | 0.00 | 0.00 | 0.00 | **0.00** |
| 72)MeetUrgentCommunityDevelopmentNeeds | 0.00 | 0.00 | 0.00 | **0.00** |
| 73)MeetUrgentNeeds, 108activities | 0.00 | 0.00 | 0.00 | **0.00** |
| 74)Total,Meet UrgentNeeds(sumoflines72and73) | 0.00 | 0.00 | 0.00 | **0.00** |
| 75)Acquisition,NewConstruction,Rehab/SpecialAreasnoncountable | 0.00 | 0.00 | 0.00 | **0.00** |
| 76)TotaldisbursementssubjecttooverallLMI benefit(sumoflines68,71,74,and75) | 6,736,269.06 | 143,099.06 | 0.00 | **6,879,368.12** |
| 77)Lowandmoderateincomebenefit(line68/line76) | 1.00 | 1.00 | 0.00 | **1.00** |
| **78)**otherDisbursements | 1.00 | 1.00 | 1.00 | **3.00** |
| 79)StateAdministration | 0.00 | 0.00 | 0.00 | **0.00** |
| 80)TechnicalAssistance | 0.00 | 0.00 | 0.00 | **0.00** |
| **81)**LocalAdministration | 449,478.95 | 52,088.00 | 0.00 | **501,566.95** |
| 82)Section108repayments | 0.00 | 0.00 | 0.00 | **0.00** |



OMB Control No: 2506-0117 (exp. 09/30/2021)

## PartI:FinancialStatus

**A. SourcesofStateCDBGFunds**

| | | |
|---|---|---|
| 1) | StateAllocation | $24,335,266.00 |
| 2) | ProgramIncome | |
| 3) | ProgramincomereceiptedinIDIS | $0.00 |
| 3a) | Programincome receiptedfromSection 108Projects(forSItype) | $0.00 |
| 4) | Adjustmenttocomputetotalprogramincome | $0.00 |
| 5) | Totalprogramincome(sumoflines3 and4) | $0.00 |
| 6) | Section108LoanFunds | $0.00 |
| 7) | TotalStateCDBGResources(sumoflines1,5and6) | $24,335,266.00 |

**B.** ***StateCDBGResourcesbyUse***

| | | |
|---|---|---|
| 8) | StateAllocation | |
| 9) | Obligatedtorecipients | **$15,338,605.48** |
| **10)** | Adjustmenttocomputetotalobligatedtorecipients | **-$775,000.00** |
| 11) | Totalobligatedtorecipients(sumoflines9and10) | **$14,563,605.48** |
| **12)** | SetasideforStateAdministration | **$0.00** |
| 13) | AdjustmenttocomputetotalsetasideforStateAdministration | **$0.00** |
| **14)** | Totalset asideforStateAdministration(sumoflines12and13) | **$0.00** |
| **15)** | SetasideforTechnicalAssistance | |
| **16)** | AdjustmenttocomputetotalsetasideforTechnicalAssistance | **$0.00** |
| **17)** | TotalsetasideforTechnicalAssistance(sumoflines15and16) | |
| **18)** | StatefundssetasideforStateAdministrationmatch | **$0.00** |



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| | | |
|---|---|---|
| **19)** | ProgramIncome | |
| 20) | Returnedtothestateandredistributed | $88,339.00 |
| 20a ) | Section108programincomeexpendedfortheSection108repayment | |
| **21)** | Adjustmenttocomputetotalredistributed | -$88,339.00 |
| 22) | Totalredistributed(sumoflines20and21) | $0.00 |
| **23)** | Returnedtothestateandnotyetredistributed | -$88,339.00 |
| 23a ) | Section108programincomenotyetdisbursed | $0.00 |
| **24)** | Adjustmenttocomputetotalnotyetredistributed | $0.00 |
| **25)** | Totalnotyet redistributed(sumoflines23and24) | -$88,339.00 |
| 26) | Retainedbyrecipients | $0.00 |
| **27)** | Adjustmenttocomputetotalretained | $0.00 |
| **28)** | Totalretained(sumof lines26and27) | $0.00 |

**C. ExpendituresofStateCDBGResources**

| | | |
|---|---|---|
| 29) | Drawnfor StateAdministration | $0.00 |
| 30) | AdjustmenttoamountdrawnforStateAdministration | $0.00 |
| 31) | TotaldrawnforStateAdministration | $0.00 |
| 32) | DrawnforTechnicalAssistance | $0.00 |
| 33) | AdjustmenttoamountdrawnforTechnicalAssistance | $0.00 |
| 34) | TotaldrawnforTechnicalAssistance | $0.00 |
| 35) | DrawnforSection108Repayments | $0.00 |
| 36) | AdjustmenttoamountdrawnforSection108Repayments | $0.00 |
| 37) | TotaldrawnforSection108Repayments | $0.00 |
| 38) | Drawnforallotheractivities | $195,187.06 |
| 39) | Adjustmenttoamountdrawnforallotheractivities | -$154,687.06 |
| 40) | Totaldrawnforallotheractivities | $40,500.00 |

## D. Compliancewith PublicService(PS)Cap

| | | |
|---|---|---|
| 41) | DisbursedinIDISforPS | $0.00 |
| 42) | AdjustmenttocomputetotaldisbursedforPS | $0.00 |
| 43) | Totaldisbursedfor PS (sumoflines 41and42) | $0.00 |
| 44) | AmountsubjecttoPScap | |
| 45) | StateAllocation(line1) | $24,335,266.00 |
| 46) | ProgramIncomeReceived(line5) | $0.00 |
| 47) | AdjustmenttocomputetotalsubjecttoPScap | $0.00 |
| 48) | TotalsubjecttoPScap(sumoflines45-47) | $24,335,266.00 |
| 49) | PercentoffundsdisbursedtodateforPS (line43/line48) | 0.00% |

## *E. CompliancewithPlanningandAdministration(P/A)Cap*

| | | |
|---|---|---|
| SO) | DisbursedinIDISforP/Afromallfundtypes-Combined | $52,088.00 |
| 51) | AdjustmenttocomputetotaldisbursedforP/A | $0.00 |
| 52) | Totaldisbursed forP/A(sumoflinesSOand51) | $52,088.00 |
| 53) | Amountsubjectto CombinedExpenditureP/Acap | |
| 54) | StateAllocation(line1) | $24,335,266.00 |
| 55) | ProgramIncomeReceived(line5) | $0.00 |
| 56) | AdjustmenttocomputetotalsubjecttoP/Acap | $0.00 |
| 57) | TotalsubjecttoP/A cap(sumof lines54-56) | $24,335,266.00 |
| 58) | PercentoffundsdisbursedtodateforP/A(line52/line57)CombinedCap | 0.21% |
| 59) | DisbursedinIDISforP/AfromAnnualGrantOnly | $52,088.00 |
| 60) | AmountsubjecttheAnnualGrantP/Acap | |
| 61) | StateAllocation | $24,335,266.00 |
| 62) | Percentoffunds disbursedtodateforP/A(line59 /line61)AnnualGrantCap | 0.21% |

## *PartII:CompliancewithOverallLowandModerateIncomeBenefit*

63) Periodspecifiedforbenefit:grantyears_ 2022 - 2024

64) FinalPERforcompliancewiththeoverallbenefittest:[ **Yes** ]

| | GrantYear<br>2022<br>2023<br>2024<br>**Total** |
|---|---|
| 65)BenefitLMIpersonsandhouseholds(1) | 6,736,269.06 |
| 66)BenefitLMI,108activities | 0.00 |
| 67)BenefitLMI,otheradjustments | 0.00 |
| 68)Total,BenefitLMI(sumoflines65-67) | 6,736,269.06 |
| 69)Prevent/EliminateSlum/Blight | 0.00 |
| 70)PreventSlum/Blight,108activities | 0.00 |
| 71)Total, PreventSlum/Blight(sumoflines69and70) | 0.00 |
| 72)MeetUrgentCommunityDevelopmentNeeds | 0.00 |
| 73)MeetUrgentNeeds,108activities | 0.00 |
| 74)Total,MeetUrgentNeeds(sumof lines72and73) | 0.00 |
| 75)Acquisition,NewConstruction,Rehab/SpecialAreasnoncountable | 0.00 |
| 76)TotaldisbursementssubjecttooverallLMIbenefit(sumoflines68,71,74,and75) | 6,736,269.06 |
| 77)Lowandmoderateincomebenefit(line68 /line76) | 1.00 |
| 78)OtherDisbursements | 1.00 |
| 79)StateAdministration | 0.00 |
| 80)TechnicalAssistance | 0.00 |
| 81)LocalAdministration | 449,478.95 |
| 82)Section108repayments | 0.00 |

## Federal Programs Compliance Manuals

MISSISSIPPI HOME CORPORATION

# FEDERAL PROGRAMS COMPLIANCE MANUAL

**HOME Investment Partnerships Program**
**National Housing Trust Fund**

8/9/2024

# Article I. Key Terms and Concepts

## Section 1.01 Basic Concepts & Affordability Requirements

The U.S. Department of Housing and Urban Development (HUD) uses the term "low-income" for households at or below 80% area median income (AMI) and "very low-income" for households at or below 50% AMI. HOME Investment Partnerships Program (HOME) regulations allow for two types of HOME-assisted units:

- **High HOME** units are HOME-assisted units reserved for households at or below 80% AMI (for Mississippi Home Corporation (MHC), High HOME units are at 60% AMI at initial lease up).
- **Low HOME** units are HOME-assisted units reserved for households at or below 50% AMI.

In a funded application, an Owner must agree to meet additional state specific AMI levels. Such additional restrictions are codified in the restrictive covenant recorded against the property, and the owner must continue to meet these requirements throughout the project's affordability period and extended use period, if applicable.

- All units committed to serving households with incomes less than 30% AMI (Low HOME) must be rented to households with incomes less than or equal to 30% AMI at time of move-in. *NOTE: All Housing Trust Fund (HTF)-assisted units must be 30% AMI.
- All units committed to serving households with incomes less than 50% AMI (Low HOME) must be rented to households with incomes less than or equal to 50% AMI at time of move-in.
- All units committed to serving households with incomes less than 60% AMI (High HOME) must be rented to households with income less than or equal to 60% AMI at time of move-in.

HTF regulations require all HTF-assisted units to serve households with incomes at or below the 30% AMI limit for the HTF program. The HTF program uses different income and rent limits than the HOME program. All awards must be secured throughout the affordability period/extended use period by a written, legally binding, recorded declaration of restrictive covenants.

## Section 1.02 The HOME "Program Rule" and the "Project Rule"

**The HOME "Program Rule"** states that at initial occupancy, 90% of HOME-assisted units must be occupied by households with incomes at or below 60% of AMI. For MHC purposes, 100% of HOME-assisted units must be occupied by households with incomes at or below 60% of AMI at initial occupancy.

**The HOME "Project Rule"** states that all HOME developments with five or more HOME-assisted units must have at least 20% of the HOME-assisted units occupied by households at or below 50% of AMI for the duration of the affordability period.

## Section 1.03 Affordability Periods/Extended Use Periods

The length of time for which a project must continue to remain in program compliance and meet its specified requirements (as outlined in the application and restrictive covenants) is called the affordability period.

**The affordability period begins after project completion.** Project completion is defined as the date that all necessary title transfer requirements and construction work have been performed; the rehabilitation completed complies with the requirements and the property standards of 24 CFR 92.251 for HOME, 24 CFR 93.301 for HTF, and the stricter of the local rehabilitation standards or the International Building Code; the final drawdown has been disbursed for the project; and the project completion information has been entered into the disbursement and information system established by HUD.

The following chart defines the affordability periods that apply to HOME-funded projects. The affordability period for HTF-assisted units is always 30 years, regardless of the amount of assistance per unit.

| HOME award amount per unit | Affordability Period |
|---|---|
| Under $15,000 per unit | 5 years |
| $15,000 - $40,000 per unit | 10 years |
| Over $40,000 per unit – or – any rehabilitation/refinance combination activity | 15 years |
| New construction or acquisition of newly constructed housing | 20 years |

Note: An MHC award is made in the form of a loan. Prepayment or maturity of a loan before the end of the affordability period does not affect the affordability period end date. An Owner can agree to an **extended use period** after the HOME/HTF affordability period ends. In these cases, program compliance and monitoring continue throughout the end of the extended use period.

## Section 1.04 Fixed and Floating Units

A development's Regulatory Agreement will outline whether the project's program-assisted units are fixed or floating units. Currently, MHC only allows floating units for the HOME and HTF programs.

**Fixed units:** The program-assisted units remain the same throughout the affordability period. Specific units are designated as assisted units and those units will remain assisted throughout the affordability period. Any non-assisted units at a property with fixed program units will remain non-assisted and can be rented without regard to rent and income restrictions.

**Floating units:** The program-assisted units may change during the affordability period. The unit mix can be changed during the affordability period so that the total number of assisted units meets the requirements set out in the application and recorded declaration. Each substituted unit must be comparable in terms of size, features, and number of bedrooms to the originally designated program-assisted unit. Note: If all units in a property are program-assisted units, then the units are considered fixed units. In a property with a mix of program-assisted and non-assisted units, the assisted units may be fixed or floating.

## Section 1.05 Types of Rental Housing Projects

**Permanent Rental Housing**

The purpose of this activity is to provide funding for affordable long-term housing that will be rented to income-eligible households. Eligible activities include acquisition, rehabilitation, or new construction. Permanent rental housing units may not be used for temporary or emergency housing at any time. Each household moving into a permanent rental housing unit must be certified as income-eligible and must enter into a lease agreement. For more information on leases, see Section 5.06.

# Article II. Responsibilities

The entities involved in project compliance include MHC, the Owner, and the management company/agent including onsite management personnel. The various responsibilities for these entities are set forth below.

## Section 2.01 Responsibilities of MHC

MHC allocates and administers the HOME and HTF housing programs for the State of Mississippi. MHC's responsibilities are as follows:

### A. Review Annual Owner Certifications and Annual Financial Information

MHC will review an Annual Owner Certification for each development. For information on Annual Owner Certifications, see Section 6.05. In addition, for each HOME or HTF project with 10 or more units (total units, not assisted units), MHC must annually review the financial condition of the project to determine "the continued financial viability of the housing" following the Financial Oversight requirements of the HOME and HTF regulations. MHC must take actions, as feasible, to correct any problems identified through financial review. MHC staff will contact each affected property annually to request the necessary information. For additional information on Financial Review, see Section 6.06.

### B. Conduct File Monitoring and Physical Unit Inspections

All developments will be subject to tenant file monitoring and physical inspections once every three years, as further described in Section 6.06. However, MHC reserves the right to monitor/inspect more frequently, with or without notification to the Owner. Decisions to monitor/inspect more frequently may be based on tenant complaints or MHC's assessment that a project is high risk.

Tenant File Audits - Information to be reviewed will include, but is not limited to, annual Tenant Income Certifications, Income Questionnaire, documentation received to support those certifications (i.e., income and asset verifications), rent and utility allowance records, leases, tenant selection plans, etc. Owners must provide organized tenant files to MHC with documentation in chronological order. For more information on file audits, see Section 6.06

Physical Inspections – MHC staff or an MHC contractor will conduct a physical inspection to ensure that the development is suitable for occupancy. For information on maintaining a property in a condition that is suitable for occupancy, see Section 4.04.

MHC retains the right to perform a file review and/or physical inspection of any building and/or unit at any time during the Affordability Period, with or without notice to the Owner.

### C. Remedying Noncompliance

When noncompliance is discovered, MHC will work with the Owner and/or management agent to remedy the issue during a correction period. If necessary, MHC will recapture funds. For information on recapture, see Section 7.06.

### D. Suspension and Debarment

MHC may suspend or debar entities from participation in MHC programs if noncompliance issues are recurring or egregious, funds are misused, an entity engages in fraudulent activity, etc. Suspension or debarment from the program may not only affect the non-compliant award, but also other awards that the entity is currently associated with. Additionally, suspension or debarment will affect future applications submitted to MHC. For information on suspension and debarment, see Section 7.07.

### E. Conduct Training

MHC will conduct or arrange compliance training and will disseminate information regarding the dates and locations of such training to its partners.

### F. Possible Future Subcontracting of Functions

MHC may, in its sole discretion, decide to retain an agent or private contractor to perform some of the responsibilities listed above. Owners will be notified of the name and contact persons of the contractor.

**G. Approve HOME and HTF Rents**

MHC must approve, at least annually, the rents to be charged by all HOME- or HTF-assisted projects. See Section 3.02 for additional information on approval of rents for HOME-assisted units.

## Section 2.02 Responsibilities of the Owner

The Owner must certify that all program requirements have been met. Any violation of program requirements could result in the Owner being required to repay federal or state funds and may jeopardize future applications for MHC funding.

The responsibilities of Owners include, but are not limited to:

**A. Leasing units to eligible households in a non-discriminatory manner**

For more information on leasing requirements, see Section 5.06. For more information on fair housing and tenant selection plans, see Section 4.02.

**B. Charging no more than the maximum allowable rents (including utility allowances and non-optional fees)**

For more information on rent limits and maximum allowable rent, see Section 3.02.

**C. Maintaining the property in habitable condition**

The Owner is responsible for ensuring that the development is maintained in a decent, safe, and sanitary condition per appropriate standards. Failure to do so is an act of noncompliance. See Section 4.04.

**D. Record retention requirements**

Regulatory agreements must be retained for five years after the agreement terminates. Tenant files must be retained for the most recent five years throughout the affordability period, until five years after the end of the affordability period/extended use period (to determine the length of the affordability period, see Section 1.03). However, if any litigation, claim, negotiation, audit, monitoring, inspection, or other action has been started before the expiration of the required retention period, the records must be maintained until the completion of the action and resolution of all issues that arise from it, or until the end of the required period, whichever is later.

The records must include the following:

- The total number of residential rental units in the building (including the number of bedrooms and the size in square feet of each residential rental unit)
- The number of residential rental units that are program-assisted units and if those units are considered fixed or floating.
- The rent charged on each residential rental unit and the applicable utility allowance. Utility allowance records must include copies of the annual supporting calculations.
- The number of occupants in each program-assisted unit.
- The unit vacancies in the building, documentation of marketing efforts, and information that shows when and to whom the next available units were rented (this information must include the unit number, tenant name, move-in dates, and move-out dates for all tenants, including market-rate tenants)
- The Tenant Income Certification (TIC) and Income Questionnaires for each eligible household
- Documentation to support each eligible household's income certification.
- Any local health, safety, or building code violation reports or notices issued by the State or local government unit responsible for making local health, safety, or building code inspections.

**E. Being knowledgeable about:**

The Owner is expected to know and maintain records regarding:

- Expiration dates, closeout dates, and the duration of the affordability period
- The award number and address of each building in the development
- The applicable income and rent restriction for each unit
- Whether program-assisted units are considered fixed or floating units

- The terms under which the award was made and the requirements applicable to the funding policy under which the award was made
- Any restrictions required in the Regulatory Agreement and recorded restrictive covenant, including required amenities, services, design features, and special population targeting

The items listed above can be found in the application, Regulatory Agreement, recorded restrictive covenant, and/or the closeout letter for the project. To ensure compliance, it is important that the Owner and management agents have copies of these documents and are familiar with the terms defined within.

**F. Complying with the terms of the Application, Regulatory Agreement, and Restrictive Covenant**

In addition to meeting rent and income restrictions, this obligation includes providing the agreed upon services, amenities, design features, and any special population targeting throughout the affordability period/extended use period. MHC will monitor for compliance with these elections.

**G. Maintaining Insurance Requirements Following Project Completion**

Upon completion of the Project and at any time thereafter during the term of the affordability period/extended use period, the Owner shall, at its sole cost and expense, keep in full force and effect insurance coverage of the types and minimum limits as follows:

1. Comprehensive all-risk property insurance on the Improvements, building equipment, and personal property, including contingent liability from the operation of building laws, any demolition costs, and increased cost of construction endorsements, in each case:
   a. in an amount equal to one hundred percent (100%) of the "Full Replacement Cost," which for purposes of this Subsection shall mean actual replacement value (exclusive of costs of excavations, foundations, underground utilities, and footings) with a waiver of depreciation;
   b. containing an agreed-amount endorsement with respect to the Improvements and personal property waiving all co-insurance provisions;
   c. containing an endorsement providing for a deductible per loss of an amount not more than that which is reasonably required by MHC, but in no event in excess of Ten Thousand and No/100 Dollars ($10,000.00), except for the following:
      i. the deductible for flood shall be One Hundred Thousand and No/100 Dollars ($100,000.00);
      ii. the deductible for earthquake shall be One Hundred Thousand and No/100 Dollars ($100,000.00); and
      iii. the deductible for named windstorms shall be the greater of One Hundred Thousand and No/100 Dollars ($100,000.00) or five percent (5%) of total values at risk at the time of loss;
   d. containing an "Ordinance or Law Coverage" or "Enforcement" endorsement if any of the Improvements or the use of the Property shall at any time constitute legal non-conforming structures or uses; and
   e. the deductible for non-named windstorms and hail shall be Twenty-Five Thousand and No/100 Dollars ($25,000.00). In addition, the Owner shall obtain:
      i. (y) if any portion of the Improvements is currently or at any time in the future located in a Federally designated "special flood hazard area," flood hazard insurance in an amount equal to the lesser of:
         (1) the outstanding principal balance of the Note; or
         (2) the maximum amount of such insurance available under the National Flood Insurance Act of 1968 (42 U.S.C. § 4001 et seq.), Section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. § 4012a(a)), or the National Flood Insurance Reform Act of 1994 (42 U.S.C. § 4001 et seq.), as each may be amended; and
      ii. (z) earthquake insurance in amounts and in form and substance satisfactory to MHC in the event the Property is in an area with a high degree of seismic activity provided that the insurance pursuant to clauses (y) and (z) hereof shall be on terms consistent with the comprehensive all risk insurance Policy required under this Subsection;
2. Commercial general liability insurance against claims for personal injury, bodily injury, death, or property damage occurring upon, in, or about the Property, such insurance:
   a. to be on the so-called "occurrence" form with a combined limit, including umbrella coverage, of not less than One Million and No/100 Dollars ($1,000,000.00);
   b. to continue at not less than the limit described above until required to be changed by MHC in writing because of changed economic conditions making such protection inadequate; and

   c. to cover at least the following hazards:
      i. premises and operations;
      ii. products and completed operations on an "if any" basis;
      iii. independent contractors;
      iv. blanket contractual liability for all legal contracts; and
      v. contractual liability covering the indemnities contained in the Deed of Trust to the extent the same is available;
3. Business income or rental interruption insurance:
   a. with loss payable to MHC;
   b. covering all risks required to be covered by the insurance provided for in Subsection (1) above;
   c. with coverage for twelve (12) months from the date of casualty and containing an extended period of indemnity endorsement which provides that after the physical loss to the Improvements and personal property has been repaired, the continued loss of income will be insured until such income either returns to the same level it was at before the loss, or the expiration of sixty (60) days from the date that the Property is repaired or replaced and operations are resumed, whichever first occurs and notwithstanding that the Policy may expire before the end of such period; and
   d. in an amount equal to one hundred percent (100%) of the projected gross income from the Property for twelve (12) months. The amount of such business income insurance shall be determined prior to the date hereof and at least once each year thereafter based on the Owner's reasonable estimate of the gross income from the Property for the succeeding twelve (12) month period. All proceeds payable to MHC according to this Subsection shall be held by MHC and shall be applied first to the Indebtedness from time to time becoming due and payable hereunder and under the Note before the time that operations are resumed at the Property, and next, the balance to be paid to Owner; provided, however, that nothing herein contained shall be deemed to relieve Owner of its obligations to pay the Indebtedness on the respective dates of payment provided for in the Nate and the other Loan Documents except to the extent such amounts are paid out of the proceeds of such business income insurance;
4. At all times during which structural construction, repairs, or alterations are being made for the Improvements, and only if the Property coverage form does not otherwise apply,
   a. owner's contingent or protective liability insurance covering claims not covered by or under the terms or provisions of the above-mentioned commercial general liability insurance Policy; and
   b. the insurance provided for in Subsection (1) above written in a so- called builder's risk completed value form.
      i. on a non-reporting basis,
      ii. against all risks insured against,
      iii. including permission to occupy the Property, and
      iv. with an agreed amount endorsement waiving co-insurance provisions;
5. Automobile insurance, when vehicles owned or leased by the Owner or its employees, agents, subcontractors, or volunteers are used to provide services relative to this Agreement, with a limit of no less than One Million and No/100 Dollars ($1,000,000.00) as a combined single limit (for bodily injury and property damage);
6. Workers' compensation, subject to the statutory limits of the State where the Property is located, and medical, accident, or other insurance, if and as required by law, rules, or regulations, for all employees of contractors, sub-contractors, consultants, volunteers, and vendors engaged on or concerning the Property;
7. Umbrella liability insurance on terms consistent with the commercial general liability insurance policy required under Subsection (2) above;
8. Fidelity bonds for Owner's agents and employees who receive, deposit, or have access to HOME/HTF Funds, naming MHC as additional insured or loss payee;
9. Upon sixty (60) days' written notice, such other reasonable insurance and in such reasonable amounts as MHC from time to time may reasonably request against such other insurable hazards which at the time are commonly insured against for property similar to the Property located in or around the region in which the Property is located;

**Form of Policies and Ratings of Insurers:**

1. All insurance required by the Regulatory Agreement shall be obtained under valid and enforceable policies (collectively, the "Policies" or in the singular, the "Policy"), and shall be subject to the reasonable approval of MHC as to insurance companies, amounts, deductibles, loss payees and insureds. The Policies shall be issued by financially sound and

responsible insurance companies authorized to do business in the state of Mississippi and having A.M. Best's rating of "A".

2. All Policies provided for or contemplated herein shall name Owner, or the tenant, as the insured and MHC as additional insured, as its interests may appear, and in the case of property damage, flood, and earthquake insurance, shall contain a standard noncontributing mortgagee clause in favor of MHC providing, that the loss thereunder shall be payable to MHC.
3. If at any time MHC is not in receipt of written evidence that all insurance required hereunder is in full force and effect, MHC shall have the right, without notice to the Owner, to take such action as MHC deems necessary to protect its interest in the Property, including, without limitation, obtaining of such insurance coverage as MHC in its sole discretion deems appropriate. All premiums incurred by MHC in connection with such action or in obtaining such insurance and keeping it in effect shall be paid by the Owner to MHC upon demand and, until paid, shall be secured by the Deed of Trust and if not paid by the Owner within three (3) Business Days after demand by MHC shall bear interest at the Default Rate.

**Certificates. The Owner shall obtain the following Certificates:**

1. Owner shall deliver to MHC annually, concurrently with the renewal of the insurance policies required to be maintained hereunder, a certificate from the applicable insurance agent stating that the Policies required to be delivered to MHC by the Regulatory Agreement are maintained with insurers who comply with the terms of reporting requirements and recordkeeping, setting forth a schedule describing all premiums required to be paid to maintain the policies of insurance required hereunder, and stating that such premiums have been paid. ACCORD certificates of insurance with respect to all replacement policies shall be delivered to MHC not less than fifteen (15) Business Days prior to the expiration date of any of the insurance policies required to be maintained hereunder which certificates shall bear notations evidencing payment of applicable premiums.
2. If the Owner fails to maintain and deliver to MHC the certificates of insurance and certified copies or originals required by the Regulatory Agreement, upon five (5) Business Days' prior notice to the Owner, MHC may procure such insurance, and all costs thereof (and interest thereon at the Default Rate) shall be added to the Indebtedness. MHC shall not, by the fact of approving, disapproving, accepting, preventing, obtaining, or failing to obtain any insurance, incur any liability for or concerning the amount of insurance carried, the form or legal sufficiency of insurance contracts, solvency of insurance companies, or payment or defense of lawsuits, and Owner hereby expressly assumes full responsibility therefor and all liability, if any, with respect thereto.

**H. Reporting to MHC any changes in ownership or management of the property**

If a change in ownership is proposed, a detailed description of the change must be provided in writing to MHC for approval.

MHC must approve any change in ownership or transfer request that occurs before the expiration of the affordability period. If the request for an ownership change is on a HOME project that received HOME funds under the CHDO set-aside, MHC must ensure that the project will continue to meet the CHDO set-aside requirements.

If the new ownership will not maintain compliance for the duration of the affordability period/extended use period, the original award recipient will be subject to recapture. In addition, the Owner must notify MHC immediately in writing of any changes in ownership or management contact information including the contact person's name, address, e-mail address, and telephone number.

**I. Reporting tenant events and submitting Annual Owner Certifications**

The Owner must annually certify compliance to MHC, under penalty of perjury, for each year of the affordability period/extended use period. Complete submission includes the Owner Certification and finalization of tenant events. Projects with Housing Tax Credits must also submit payment of the annual LIHTC monitoring fee. The first annual owner certification is due the year following the year of the award's closeout date (i.e., the first year of the affordability period).

**J. Training onsite personnel**

The Owner must ensure that onsite property management agents know, understand, and comply with all applicable federal and state rules, regulations, and policies governing the development, including all elections made in the application, Regulatory Agreement, and restrictive covenant. As a best practice, MHC encourages the Owner to make certain that the development's property management and compliance personnel are familiar with the most current edition of the MHC

Compliance Manual, the compliance forms, and information.

**K. Notifying MHC of any noncompliance issues and replacing noncompliant units**

If the Owner determines that a unit, building, or an entire development is out of compliance with program requirements, MHC should be notified immediately. The Owner must formulate a plan to bring the development back into compliance and advise MHC in writing of such a plan. The Owner must keep documentation outlining: the nature of the noncompliance issue, the date the noncompliance issue was discovered, the date that the noncompliance issue was corrected, and a description and proof of the actions taken to correct the noncompliance. Additionally, for HOME compliance the Owner is responsible for replacing temporarily noncompliant units (units where the household exceeds 80% AMI) as per the guidelines in Section 3.01. This rule only applies to HOME-assisted units.

**L. Providing all pertinent property information to the management agent**

To ensure compliance, the Owner should provide the management agent with copies of at least the following documents: the application for rental housing financing, Regulatory Agreement, recorded restrictive covenant, closeout letter, and the MHC application policy under which the project was awarded funds. If there is a change in management companies, the Owner is responsible for providing all information and previous tenant files to the new management company. If there is a change in ownership, the existing/previous Owner is responsible for providing all award documentation and previous tenant files to the new Owner.

**M. Affirmative Fair Housing Marketing Plan and Required Fair Housing Documents**

1. Affirmative Fair Housing Marketing Plans

An Affirmative Fair Housing Marketing Plan (AFHMP) is required for all awards containing five (5) or more program-assisted units. The AFHMP must be created using HUD Form 935.2A to identify the populations least likely to apply for housing and the outreach/marketing efforts that will be utilized to reach that population.

For the programs covered by this compliance manual, HUD will not approve the AFHMP, and as such the AFHMP should **not** be submitted to HUD to review and sign. An AFHMP should only be submitted to HUD for review and approval if one of the following HUD funding sources is included in the development:

- Section 221 (d)(2) Homeownership Assistance
- Section 221(d)(3) Below-Market Interest Rate
- Sections 235 and 236
- Sections 232, 234(c) and 213 - Condominium and Cooperative Housing
- Section 232 - Nursing Homes and Intermediate Care Facilities
- Section 207 - Mobile Home Courts
- Sections 207, 220, 221(d)(3) and (4) – Multifamily Rental Housing Rental Assistance Payment (RAP) and Rent Supplement
- Section 8 Project-Based Assistance
- Section 202 Projects with Section 8 Assistance
- Rural Housing Section 515 Projects with Section 8 Assistance Loan Management Set Aside (LMSA)
- Property Disposition Set-Aside (PDSA)
- Section 202 with 162 Assistance – Project Assistance Grants (Section 202 PACs)
- Section 202 with Project Rental Assistance Contracts (Section 202 PRACs)
- Section 202 without Assistance (Income Limits Only)
- Section 203(b) and (1) - One-to-Four-Family Mortgage Insurance for Homeowners
- Section 811 with Project Rental Assistance Contracts (Section 811 PRACs)

The AFHMP must include the following information.

- What segment has been determined the least likely to apply based on market demographics?
  - Families with children
  - Persons with disabilities
  - Specific race, ethnic group, religion, etc.

- What residency preferences are in place for the property?
- What marketing efforts are being made to reach those least likely to apply and how are marketing activities evaluated to determine if they are successful?
- Are the Fair Housing and Equal Opportunity Employment posters prominently displayed and where are they displayed? Is the AFHMP made available for public inspection and where is it displayed? Does the project site sign contain the HUD approved Equal Housing Opportunity logo, slogan, or statement and where is the sign displayed?

AFHMPs must be updated at least once every five years or more frequently when there are significant changes in the demographics of the local housing market area as described in the instructions for Part 9 on Form 935.2A. All updated AFHMPs must be submitted to MHC with the next Annual Owner Certification of Compliance.

2. Required Brochures and Poster

All households must be given the Fair Housing brochure entitled "Are You a Victim of Housing Discrimination" at the time of move-in. The household must sign documentation acknowledging the receipt of this brochure at time of move-in, and this receipt must be maintained in the household's file. Additionally, all Owners are required to post the Fair Housing and Equal Opportunity poster onsite in the leasing office and/or other common areas.

**N. Requesting Approvals for HOME or HTF Rents**

The Owner must submit requests for any changes in rent to MHC for approval. At least annually at the time that new rent limits are released by HUD, the Owner must provide an update to MHC on its proposed rents for HOME or HTF-assisted units (even if they are proposing no change). See Section 3.02 for additional information on HOME/HTF Rent Updates and reporting requirements.

**O. Submitting Annual Financial Information**

Owners of HOME or HTF-assisted projects with 10 or more units (total units, not assisted units) must annually submit property financials for MHC review. The Owner's latest completed audited financials must be submitted to MHC by December 31st of each year. See Section 6.06 for additional information.

## Section 2.03 CHDO Set-aside Requirement

Per 24 CFR 92.300, MHC must reserve no less than 15% of its annual HOME allocation for projects to be owned, developed, or sponsored by MHC certified Community Housing Development Organizations (CHDOs). The terms owned, developed, and sponsored are specifically defined in 24 CFR 92.300. HOME projects awarded under the CHDO set-aside must continue to be owned by a CHDO for the duration of the affordability period or extended use period. In the event of a transfer of ownership or restructuring, MHC must ensure that the CHDO or a replacement CHDO continues to own the project.

## Section 2.04 Responsibilities of the Management Agent & Onsite Personnel

The management agent and all onsite personnel are responsible to the Owner for implementing all program requirements.

- Anyone who is authorized to lease apartment units to tenants should be trained on all federal and state laws, rules, and regulations governing certification and leasing procedures, including program regulations, Fair Housing and nondiscrimination, and the Mississippi State Code regarding leasing requirements.
- The management company must provide information, as needed, to MHC and submit all required reports and documentation promptly.
- Management agents must be on site during MHC onsite file monitoring and physical inspections to provide access to necessary documentation and units.

## Section 2.05 Demonstrating "Due Diligence"

The Owner is ultimately responsible for compliance and proper administration of the program and all award requirements. MHC expects all Owners and management agents to demonstrate "due diligence," hereby defined as the appropriate, voluntary efforts to remain in compliance with all applicable Federal and State rules and regulations. Due diligence can be demonstrated through business care and prudent practices and policies. Part of due diligence is the establishment of internal controls, including but not limited to separation of duties, adequate supervision of employees, management oversight and review (internal audits), third-party verifications of tenant income, independent audits, and timely recordkeeping.

Due diligence also includes keeping up to date with MHC policies by reading amended MHC Compliance Manuals, following MHC updates via Bulletins, and attending MHC-sponsored compliance trainings when available. These are all examples of voluntary efforts that Owners and management agents can take to remain in compliance. Another way in which the management agent can demonstrate a commitment to due diligence is by establishing and maintaining a consistent file order. Consistent and well-organized files make it easier for management to recognize when documentation is missing and allow for easier audits.

If noncompliance issues are discovered, MHC may ask the Owner and management agent to demonstrate due diligence by showing that the proper internal policies and procedures are in place to prevent noncompliance from occurring/recurring. It is understood that mistakes may occur from time to time, but it is the responsibility of the Owner and management agent to have policies in place to minimize and remedy these errors.

# Article III. Income Limits, Rent Limits, and Utility Allowances

To remain in compliance, program units must be income and rent restricted. This section provides guidance on how to properly apply income limits, rent limits, and utility allowances.

## Section 3.01 Income Limits

### A. Income Limits

All program units must be occupied by income qualified households, based on the income limits published annually by HUD. When new limits are published annually by HUD, MHC will post the new income limits and corresponding rent limits on its website via a Bulletin. This information is provided by MHC only for the Owner's convenience as a courtesy. However, it is the responsibility of the Owner, not MHC, to verify its accuracy.

The Owner must ensure that the correct set of income limits is being utilized based on the applicable funding sources. MHC releases separate sets of income limits for different programs as required by HUD. For example, each year MHC releases separate income limits charts for the tax credit program, the HOME program, and the HTF program. The limits may differ across programs even in the same county for the same year.

Owners may not anticipate increases in income limits and corresponding rents. Limits remain in effect until new annual limits are officially published by HUD. New limits must be implemented by the HUD released implementation date.

Household income must be determined in a manner consistent with the 24 CFR Part 5.609 methodology (commonly known as the "Part 5 Methodology" or "Section 8 methodology") of calculating annual income as described in Chapter 5 of the HUD Handbook 4350.3 (The Office of Multifamily Housing plans to update HUD's Occupancy Handbook 4350.3 to reflect changes required due to HOTMA). When determining if a household's income is at or below the applicable income limit, the earned income from each adult household member 18 years of age or older and the unearned and asset income of all members of the household (regardless of age) must be included in the total household income calculation.

### B. Over-income Households and Temporarily Noncompliant Units (**HOME ONLY**)

A household residing in a HOME-assisted unit is "over-income" when total household income exceeds 80% of AMI, or when total household income exceeds 50% AMI in a Low-HOME unit. When a household becomes over-income, the HOME-assisted unit it occupies is "temporarily noncompliant." Temporary noncompliance is permissible and does not penalize the Owner if the correct steps are followed to restore the proper unit mix. Certain rules go into effect to correct the unit mix depending on whether the over-income household occupies a fixed or floating HOME-assisted unit (see below). **Over-income households may never be evicted or otherwise have their tenancy terminated solely because their income increased**.

***Note: In a unit that is both HOME-assisted and part of the Low-Income Housing Tax Credit (LIHTC) program, the tax credit over-income rule (known as the 140% Rule) overrides these over-income rules. In LIHTC properties with HOME, the HOME over-income rule is never applied. Instead, rent remains restricted at the lesser of the applicable tax credit or HOME rent limit.**

- **Over-income households in Floating Units (Over 80% AMI)**

  When management conducts an annual income recertification and determines that a household occupying a floating HOME-assisted unit exceeds 80% of AMI, the unit is temporarily out of compliance. When the household is determined to exceed 80% of AMI, the rent must be raised as soon as the lease permits (at a minimum, the Owner must provide at least 30 days written notice before implementing any increase in rent). Instead of following the applicable HOME rent limit, the household will be charged 30% of adjusted income in rent (not to exceed the rent on a comparable market unit in the area). However, if the unit is also part of the LIHTC program, the tax credit rent rules must be followed, and this rule does not apply.

  The unit is considered back in compliance when one of the following scenarios is met:

  1. The over-income household vacates, and a new qualified household moves into the unit. Remember that the over-income household cannot be evicted or otherwise terminated because of the increase in income; or
  2. A non-assisted unit (i.e., a market unit or other unit not currently a HOME-assisted unit) becomes vacant and is re-

designated as a HOME-assisted unit. In this scenario, the over-income unit is re-designated as a non-assisted unit. Therefore, the units swap status. The substituted unit that becomes an assisted unit must be a "comparable unit," defined as a unit that is **equal to or greater than** the original unit in terms of size, number of bedrooms, and amenities; or

3. The over-income household recertifies and no longer exceeds 80% of AMI, either due to an increase in the income limit and/or a decrease in household income.

*Example: A household moved into a 50% HOME unit with a qualified income. Annual income recertification shows household is now at 93% AMI. Since total household income exceeds 80% of AMI, the household is considered over-income, and the unit is temporarily noncompliant. When the lease permits, management must increase the household's rent to 30% of adjusted income (not to exceed the rent on a comparable market unit in the area).*

*To remedy the temporary noncompliance:*

a. *When the household vacates, the unit must be once again rented to a household that qualifies at or below 50% AMI; or*
b. *A vacant, comparable non-HOME-assisted unit is converted to a 50% HOME unit and the temporarily noncompliant unit is converted to a non-assisted unit; or*
c. *The over-income household recertifies and no longer exceeds 80% AMI.*

- **Re-designating Low HOME units that exceed 50% AMI**

If a property with HOME units has both High HOME (80%) and Low HOME (50%) units, the units may have to swap status to keep the proper unit mix. **This rule applies regardless of whether the units are fixed or floating**.

If a household that is designated as Low HOME (50%) exceeds the Low HOME income limit (i.e., the 50% AMI limit), the unit is temporarily non-compliant even though household income does not exceed 80% AMI. In this scenario, the unit remains temporarily noncompliant until a High HOME unit (the unit at 80% AMI) is vacated. At this point, the units swap status. The vacant High HOME unit becomes a vacant Low HOME unit and must be rented to a household at 50% depending on the set-aside assigned to the temporarily noncompliant unit. The temporarily noncompliant unit is re-designated as a High HOME unit at the appropriate set-aside and rent may be increased when the lease permits. NOTE: Until the units swap status, the temporarily noncompliant unit remains rent-restricted at the applicable Low HOME rent restriction.

*Example: The Brown household moves into a 50% HOME unit on 1/1/2022. At annual recertification on 1/1/2023, the household is determined to exceed the 50% HOME limit but does not exceed the 80% limit. Because the Browns occupy a Low HOME unit and now exceed 50% of AMI, the unit is considered temporarily noncompliant. The Browns are allowed to stay in the unit and remain rent-restricted at the 50% HOME rent limit.*

*The Mason household vacates their 60% HOME unit on 4/1/2023. The unit must be converted to a Low HOME unit at the 50% AMI restriction to replace the temporarily noncompliant unit occupied by the Brown household. The Brown household is converted to a High HOME unit at the 80% AMI restriction. The units swap status, and the temporary noncompliance is resolved.*

## Section 3.02 Rent Limits

All program units must be rent-restricted, based on the rent limits published annually by HUD. The applicable rent limits for a development depend upon the low-income set-asides the Owner has chosen. HUD publishes income and rent limits for each county in Mississippi on an annual basis. Upon receipt of this information, MHC will post the new income and rent limits on its website. This information is provided by MHC only for the Owner's convenience as a courtesy. However, it is the responsibility of the Owner, not MHC, to verify its accuracy. *NOTE: The Owner must ensure that the correct set of rent limits is being utilized based on the applicable funding sources. MHC releases separate sets of rent limits for different programs as required by HUD. For example, each year MHC releases separate rent limit charts for the tax credit program, the HOME program, and the HTF program. The limits may differ across programs even in the same county for the same year.

When rent limits are released each year, MHC will require each HOME or HTF-assisted property to submit a HOME/HTF Rent Update Form for approval of any rent changes. Each property must annually submit this information, even if no rent increase is proposed. Per the 2013 HOME Final Rule and the HTF Final Rule, the participating jurisdiction (i.e., MHC) must annually approve rents to be charged for all HOME or HTF-assisted properties. The Rent Update Form must also be submitted and approved if the Owner proposes changes in rent at other times of the year.

Owners may not anticipate increases in income and rent limits. Limits remain in effect until new annual limits are officially published each year by HUD. New limits must be implemented by the HUD-released implementation date.

**A. Rent Limit Terminology**

The **rent limit** is the maximum rent amount published annually by HUD per bedroom size. The published rent limit includes tenant-paid rent, plus utility allowance, plus tenant-based rental assistance, plus any non-optional charges. Therefore, tenants generally cannot be charged the rent limit unless all utilities are Owner-paid, the tenant does not receive rental assistance, and there are no additional non-optional charges.

The **gross rent** for a unit is the sum of tenant portion rent + utility allowance + non-optional charges + tenant-based rental assistance. The gross rent may never exceed the rent limit.

The **maximum allowable rent** is the most the Owner is permitted to charge for rent once tenant-paid utilities (except telephone, cable television, and internet) and other non-optional charges are deducted. The maximum allowable rent can never exceed the rent limit. Maximum allowable rent may also be referred to as the "**maximum chargeable rent**" or the "**net rent**."

The **tenant-paid rent** or **lease rent** is the actual rent charged to the household by the Owner, as defined in the lease. The lease rent may never exceed the maximum allowable rent or the applicable published rent limit.

NOTE: If the unit receives tenant-based rental assistance (e.g., a voucher or certificate from Section 8), the amount of the voucher/certificate must be included in the gross rent calculation. Therefore, the following rules apply:

- Tenant rent + utility allowance + non-optional charges +tenant-based rental assistance amount = gross rent, which cannot exceed the rent limit.
- Rent limit minus utility allowance minus non-optional charges minus tenant-based rental assistance amount = maximum allowable rent.

See Section 3.03 for more information on utility allowances.

**B. Rent Limits for Special Unit Types**

The program rent limits may not apply in the following situations:

**1. SRO Units:**

- Low HOME rent limits are not applied to these SRO projects, but for all projects with five (5) or more HOME-assisted units the "Project Rule" still applies for income limits (i.e., at least 20% of the units must be occupied by households at or below 50% AMI).
- For Low HOME SRO units, the rent limit is set at the lesser of the HOME program zero-bedroom (efficiency) rent limit, 30% of the household's adjusted income, or the FMR for a zero-bedroom unit.
- For High HOME SRO units, the rent limit is set at the lesser of the HOME program zero-bedroom (efficiency) rent limit or the FMR for a zero-bedroom unit.
- For projects with five (5) or more HOME-assisted units the "Project Rule" applies meaning that at least 20% of the units must be occupied by households at or below 50% AMI that are paying now more than the Low HOME rent limit.

**2. Units with Project-based Rental Assistance**

- The Owner may charge the project-based rental assistance program rents when:
  a. The unit is designated as a Low HOME unit (50% AMI or below); AND
  b. The unit receives project-based rental assistance; AND
  c. Unit is occupied a very low-income household (household income at 50% AMI or below); AND
  d. Household does not pay more than 30% of its adjusted income for rent.

<u>For example:</u>
Section 8 maximum rent for a unit is $1200.
Applicable Low HOME Rent Limit for a unit is $750.
Utility Allowance is $100
Tenant Adjusted Income is $18,000
Rent= $18,000 / 12 x 30% = $450
Tenant rent payment = $450 - $100 (utility allowance) = $350 PHA rent payment to the Owner = $1200-$350 = $850
HOME allows the Owner to use the maximum project-based rent limit in this situation instead of the Low HOME rent limit ($1200 instead of $750)

- The Owner must use the HOME program rents if project-based rental assistance is for a unit designated as a High HOME unit or for a household that is above 50% AMI.

**C. Calculating Rent**

- Determine the AMI% level (set-aside) the household fits into based on the development's application.
- Determine the utility allowance for the unit based on bedroom size.
- Determine the amount, if any, that the household will be receiving in tenant-based rental assistance.
- Determine if the development receives federal or state project-based rental assistance.
- Determine the total maximum allowable rent. Maximum allowable rent equals the applicable HOME rent limit (based on the AMI level) minus the utility allowance, rental assistance portion, and any non-optional fees

*<u>Example 1</u>:*
Household Size: 3 persons
Annual Income: $26,350
AMI: 56%
Maximum 3-bedroom HOME Rent (60% Unit): $554
Utility Allowance: $80
Section 8 Assistance (tenant-based): $50
Maximum Tenant Rent: $424 ($554-$80-$50)
*<u>Example 2</u>:*
Household Size: 3 persons
Annual Income: $26,350
AMI: 56%
Maximum 3-bedroom HOME Rent (60% Unit): $554
Utility Allowance: $0 (Owner pays all utilities)
Section 8 Assistance (tenant-based): $0
Maximum Tenant Rent: $554
*<u>Example 3</u>:*
*This example is different in that the development receives federal or state project-based rental assistance and all tenants at or below 50% AMI pay no more than 30% of their adjusted income for rent. Therefore, the maximum rent may be the rent allowable under the project-based subsidy program, per 24 CFR 92.252(b)(2). See 3.2 B 3 above for more information.*
Household Size: 4 persons
Annual Income: $25,000
AMI: 42%
Maximum 3-bedroom HOME Rent (50% Unit): $541
Maximum rent allowed by rental subsidy program: $600
Utility Allowance: $0 (Owner pays all utilities)
Rental Assistance Portion: $50
Tenant Rent Portion allowed under Rental Assistance Program: $550 ($600 - $50)

*The Owner can accept $600 ($50 rental assistance + $550 tenant portion) even though this exceeds the maximum applicable HOME rent limit. This is allowed because the unit is designated as a Low HOME unit, the annual household income is below 50% AMI, the unit receives project-based rental assistance, and the household is not paying more than*

*30% of adjusted monthly income on rent.*

**D. Adjusting Rents due to Tenant Income Increases (**HOME ONLY**)**

When household income changes, the Owner/management may raise rents to the applicable rent limit but are not obligated to do so until the AMI level of the household exceeds 80%. Once the household income exceeds 80% AMI, the household must be charged 30% of its adjusted income for rent. For floating units, households that exceed 80% of AMI are not required to pay rent that exceeds the market rate for comparable non-assisted units in the neighborhood. Rent can only be increased when allowed by the lease, and at a minimum, the Owner must provide at least thirty (30) days written notice before implementing any rent increase.

The following chart outlines the maximum rents that tenants can be charged for developments that are either funded only with the HOME program or that are funded in conjunction with LIHTC. When combining programs, the strictest limits should be applied to maintain compliance with both programs. However, when combined, the LIHTC over-income rules override the rules discussed in this chapter.

**Table 1: Rent Limits for HOME**

| HOME Designated AMI level | "floating" unit |
|---|---|
| Units designated at 50% | Rent may not exceed 50% Rent Limit |
| Units designated at 60% | Rent may not exceed 60% Rent Limit |
| Household exceeds 80% AMI | When the lease allows, rent must be adjusted to 30% of adjusted household income, not to exceed market rent for a comparable unit in the area. *Does NOT apply if LIHTC. |

Note: Households must be given at least 30 days' notice before any rent increase.

**Table 2: Rent Limits for HOME when Combined with LIHTC**

| HOME designated AMI level | Allowable Rent when Combined with LIHTC |
|---|---|
| Units designated at 50% | Lesser of the 50% Rent Limit or the applicable LIHTC Rent Limit |
| Units designated at 60% | Lesser of the 60% Rent Limit or the applicable LIHTC Rent Limit |
| Above 80% Units | If a household's income increases above the 80% income limit and the unit has both HOME and LIHTC, the applicable LIHTC limit will apply. Follow the tax credit "Next Available Unit Rule," not the HOME over-income rule. However, the unit may still need to be redesignated from low-HOME to high-HOME. |

**E. Allowable Fees and Charges**

**1. General Rule**

Customary fees that are normally charged to all tenants, such as damage (security) deposits, pet deposits/fees, credit deposits, application fees, and late payment fees are permissible. However, an applicant or tenant cannot be charged a fee for the work involved in completing the additional forms of documentation required by the program, such as the Tenant Income Certification and income/asset verification documents.

Refundable fees associated with renting units (such as security deposits) and one-time penalty fees (such as late payment fees and fees for prematurely breaking a lease, if such fees are clearly defined within the lease) are allowable fees that are not included in the gross rent calculation.

**2. Condition of Occupancy Rule (Optional Vs. Non-optional Fees)**

Any fee that is charged for a service that is a condition of occupancy (i.e., a fee for a service that is non-optional/mandatory) must be included in the gross rent computation when checking rent against the applicable rent limit. This is true even if federal or state law requires that the services be offered to the tenants by the Owner.

Assuming they are truly optional, fees may be charged for elected services or additional amenities (such as pet fees, fees for extra storage units, etc.) and these fees would not be included in the gross rent calculation. **A service or amenity is considered optional only if (1) a tenant may opt out of the service or amenity without penalty and**

**continue to live at the development and (2) "reasonable alternatives" exist. Additionally, any services the tenant pays for that are provided by the development (whether optional or non-optional) must be listed in the tenant's lease with the cost of each individual service clearly listed.**

*Example: Charges for paying with credit/debit card*

*Some developments may have a credit/debit card machine onsite to allow tenants to pay rent in this method. The monthly fee incurred from having a machine onsite can be passed onto the tenants if it is an optional fee. The fee would be considered optional if the tenants have alternative methods of paying rent that do not include a fee (e.g., cash, money order, check, etc.). In this scenario, the credit/debit machine would be an optional service offered for the tenants' convenience. The amount of the fee for paying with credit/debit card, as well as a list of all accepted alternative methods of payment, must be disclosed to all tenants. Furthermore, the fee may not exceed the actual cost incurred from the machine. Management must keep documents showing the actual costs of having the machine onsite and the amount of the fee being charged to tenants.*

*If credit/debit card is the only means of paying monthly rent, then the fee is not optional, but rather a condition of occupancy (as paying rent is a condition of occupancy). In this case, the credit/debit card machine fees would have to be included as part of the gross monthly rent calculation.*

*Example: Fees for making online payments*

*Some developments may accept online payment of rent. A convenience fee may be charged to the tenant and this fee would be considered optional if the tenants have alternative methods of paying rent that do not include a fee (e.g., cash, money order, check, etc.). In this scenario, online payment would be an optional service offered for the tenants' convenience. The amount of the fee for paying online, as well as a list of all accepted alternative methods of payment, must be disclosed to all tenants. Furthermore, the fee may not exceed the actual costs incurred by management for offering online payment. Management must keep documentation showing the actual costs of processing online payments and the amount of the fee being charged to tenants.*

*If online payments are the only means of paying monthly rent, then the fee is not optional, but rather a condition of occupancy (as paying rent is a condition of occupancy). In this case, the fees for online payments would have to be included as part of the gross monthly rent calculation.*

**3. Application Processing Fees**

Application fees may be charged to cover the actual cost of processing the application and checking criminal history, credit history, landlord references, etc. However, the fee cannot exceed the amount of actual out-of-pocket costs incurred by management. No amount may be charged more than the average expected out-of-pocket cost of processing an application.

**4. Mandatory Renter's Insurance**

If renter's insurance is required as a condition of occupancy, then the amount of renter's insurance must be included in the gross rent calculation. In this scenario, the Owner must obtain proof of renter's insurance for the tenant, locate the annual premium, and divide by twelve (12) to obtain a monthly cost of renter's insurance. This monthly cost must be added to the tenant-paid rent portion, tenant-based rental assistance, the utility allowance, and any other non-optional fees when calculating gross rent.

**5. Prohibited Fees**

The following fees may not be charged, regardless of whether they are included in the gross rent calculation:

a. Fees for work involved in completing the Tenant Income Certification and other program-specific documentation. The Owner cannot charge an applicant or tenant for costs incurred to receive or complete income verification forms. If there is a fee associated with obtaining verification, the Owner may choose to pay the fee or may instead use a different source of verification.
b. Fees for preparing a unit for occupancy. The Owner is responsible for always maintaining all units in a manner suitable for occupancy. If a tenant is to be charged decorating, cleaning, or repair fees, the Owner must document the file with photos of the damage to prove that the unit is in a condition beyond normal expected wear and tear.

Charges cannot exceed the actual amount spent on repair. MHC will expect to see documentation in the tenant file as to the nature of the damage, including photos and receipts for the repair work.

c. The Owner may not charge pet deposits or fees for assistance animals (including both service and support animals). See Section 4.02 for additional information.

#### F. Section 8 Rental Assistance

For tenants with tenant-based Section 8 Housing Choice Vouchers, a copy of the original Housing Assistance Payment (HAP) Contract and the current HAP Amendment from the public housing authority or a copy of the current HUD Form 50058 must be kept in the household's file to verify the Section 8 rental assistance received. For tenants residing in units with Section 8 Project Based Vouchers (PBV), the current HUD Form 50058 showing the amount of rental assistance must be included in the file. For tenants residing in units with Section 8 Project-Based Rental Assistance (PBRA), the current HUD Form 50059 showing the amount of rental assistance must be included in the file. See Section 3.02 for information on calculating rent limits with tenant-based rental assistance and for information on calculating rent limits with project-based rental assistance.

### Section 3.03 Utility Allowances

#### A. General Information

The maximum gross rent includes an allowance for tenant-paid utilities. Utilities include heating, air-conditioning, water heating, cooking, other electricity, water, sewer, oil, gas, and trash, where applicable. Utilities do not include telephone, cable television, or internet. *NOTE: HUD Form HUD-52667 "Allowances for Tenant-Furnished Utilities and Other Services" includes line items for range/microwave and refrigerator. These items only need to be included in the utility allowance calculation if they are not included in the unit (i.e. if the tenant must furnish their appliances).

If all utilities are included in the household's rent payment, no utility allowance is required. When utilities are paid directly by the tenant (as opposed to being paid by the Owner/development), a utility allowance must be used to determine the maximum allowable rent. To qualify as part of the utility allowance, the cost of any included utility must be paid directly by the tenants, not by or through the Owner of the building. If the Owner or a third party separately bills the tenant for a utility, the payment designated for the utility must be considered rent and may not be included in the utility allowance. The utility allowance (for utility costs paid by the tenant) must be subtracted from the rent limit to determine the maximum allowable tenant-paid rent.

*For example: If the rent limit on a unit is $350 and the tenant pays utilities with a utility allowance of $66 per month, the maximum allowable rent chargeable to the tenant is $284 ($350 minus $66).*

#### B. Approved Utility Allowance Sources

The following list contains the different sources of utility allowances allowable for program units:

1. **Rural Development (RD) Assisted Buildings**: Buildings assisted by RD or with RD-assisted tenants must use the applicable USDA Rural Development approved utility allowances. If a building is both RD-assisted and HUD-regulated, use the RD-approved utility allowance.

2. **Energy Consumption Model:** Upon request, MHC will approve a utility allowance estimate for a development based on actual tenant consumption (utility usage) data. This usage data form must include information for 30% (rounded up) of the units of each unit type (flat or townhome) for each bedroom size. The usage data must contain a full 12 months of consumption. The usage data forms may be completed by the Owner, management agent, or an approved qualified engineering/professional firm on behalf of the Owner (see Option #7 below for more information on using approved engineers).

   To be included in the estimate, a unit must have at least 44 weeks of continuous consumption data (i.e., the unit cannot have been vacant for more than 8 weeks of the year). The consumption data can be no more than 60 days old.

   Additionally, the Owner must submit verification of the tax rate for the county in which the development is located.

   *Example: A development has 48 units with 20 one-bedroom units and 28 two-bedroom units. The sample must include 30% of the one-bedroom units (6 units) and 30% of the two-bedroom units (9 units rounded up from 8.4).*

For new construction developments or renovated buildings with less than 12 months of consumption data available, MHC will allow consumption data for the 12 months of units of similar size and construction in the geographic area in which the new development is located. The existing development that will be used for the comparison must be in the state of Mississippi and must be in the same climate zone as the development for which the estimate is being completed. Once the project achieves 90% occupancy for 90 consecutive days, the Owner is required to resubmit usage data to MHC using the actual units in the development. When MHC approves the estimate, the Owner will receive an MHC Utility Allowance Approval letter.

3. **HUD Utility Schedule Model**: The Owner may calculate utility allowances using the HUD Utility Schedule Model found at https://www.huduser.gov/portal/resources/utilallowance.html. The HUSM enables users to calculate utility schedules by housing type after entering utility rate information (tariffs). This model is based on climate and survey information from the U. S. Energy Information Administration of the Department of Energy, and it incorporates energy efficiency and Energy Star data. This model is allowed for LIHTC projects per IRS regulations at 26 CFR 1.42-10(b)(4)(D).

4. **MHC/Qualified Engineer Estimate:** The Owner may use an independent licensed engineer or qualified professional approved by MHC to calculate a utility estimate model. The qualified professional must (1) be approved by MHC and (2) not be related to the development Owner as defined in Internal Revenue Code Section 267(b) or 707(b).

   The estimate must consider local utility rates, property type, climate, and degree-day variables by region in the state, taxes, and fees on utility charges, building materials, and mechanical systems. Considerations under "property type" should include the types of appliances, building location, building orientation, and unit size. Alternatively, the qualified engineer may create an allowance using actual consumption data as described in Option #2 above.

### C. Updating Utility Allowances

The Owner must use the most current applicable utility allowance and update utility allowances at least annually. Owners may combine utility allowances from different sources. When using multiple utility allowance sources for different utilities, the Owner must document which source is being used for each utility type. Furthermore, the Owner may elect to change the utility allowance type from year to year.

To remain in compliance, Owners must utilize the correct and most current utility allowance to properly determine rents. An increase in the utility allowance will increase the gross rent and may cause the rent to be greater than the maximum allowable rent, in which case the tenant-paid rent portion must be lowered. **When a utility allowance change causes gross rent to exceed the allowable rent limit, rent must be refigured within 90 days of the effective date of the change to avoid violating the rent limit. The Owner cannot wait until the next recertification to adjust rent.**

Utility allowances must be reviewed and updated as follows:

- If there is a change in who pays the utilities;
- Within 90 days of an allowance update by MHC, HUD, or Rural Development;
- At least once per calendar year for developments or buildings using an MHC/Qualified Engineer Estimate, HUD Utility Schedule Model, or Energy Consumption Model. These utility allowance types must be submitted to MHC for approval before implementation.

# Article IV. Compliance Regulations

The following section highlights some of the statutory and regulatory provisions directly affecting compliance. However, this is not meant as an exhaustive listing of compliance regulations.

## Section 4.01 Rules Governing the Eligibility of Particular Tenants and Uses

### A. Vacant Units

Vacant units formerly occupied by qualified low-income households may continue to be treated as occupied by a qualified low-income household for purposes of the set-aside requirements, provided that reasonable attempts were or are being made to rent the unit. Management must document that reasonable attempts are being made to rent vacant units to qualified households.

Units cannot be left permanently vacant and still satisfy the requirements of the program. Additionally, vacant units must remain suitable for occupancy and cannot be cannibalized for parts. MHC reserves the right to question vacancies that are noted during physical inspection, file monitoring, or Annual Owner Certification review, especially when there is a high quantity of vacancies or when units have been vacant for longer than 90 days. The Owner or manager must be able to document attempts to rent the vacant units to eligible tenants.

### B. Household Composition

When determining household size for purposes of implementing the correct income limits, do not include live-in aides, guests, foster adults, or foster children (See sections below for information on unborn children and for information on live-in aides).

A household has the right to decide whether to include individuals permanently confined to a hospital or nursing home as a household member. If the individual is included as a household member, their income must be certified and included.

Military members away on active duty are only counted as household members if they are the head, spouse, or co-head or if they leave behind a spouse or dependent child in the unit.

All other individuals, including temporarily absent family members (e.g., dependents away at school, etc), unborn children, and children in joint custody agreements that are in the unit at least 50% of the time, must be included in household size for purposes of determining the applicable income limit.

Household composition may change after the initial tenant(s) moves into a unit. However, at the time of application an applicant should be asked if there are any expected changes in household composition during the next 12 months. If so, the composition changes and any subsequent changes in estimated income should be reflected on the initial Tenant Income Certification.

### C. Unborn Children and Child Custody

An Owner **must** count an unborn child (or children) when determining household size and applicable income limits. The Owner must obtain a self-certification from the household certifying the pregnancy and such statements must be placed in the tenant file. If the unborn child has been self-certified by the household, then it must be included in the household size. Per the HUD Handbook 4350.3 Appendix 3, the Owner "may not verify further than self-certification."

Additionally, when determining household size, Owners should include children subject to a joint custody agreement, if such children live in the unit at least 50% of the time. However, a child may not be counted in more than one program unit for household size.

### D. Live-in Care Attendants (Live-in Aides)

A live-in care attendant (a.k.a. a live-in aide) is a person who resides with one or more elderly or near-elderly persons or disabled persons. To qualify as a live-in care attendant, the individual (a) must be determined to be essential to the care and well-being of the tenant, (b) must not be financially obligated to support the tenant, and (c) must certify that he/she would not be living in the unit except to provide the necessary supportive services. Family members, including spouses, may qualify as live-in aides if they meet these criteria. Additionally, the live-in aide cannot move a spouse, child, or other member into the unit, as doing so would indicate that the aide is living in the unit for reasons other than the care of the tenant.

A live-in care attendant is not counted as a household member for purposes of determining the applicable income limits, the income of the attendant is not counted as part of the total household income, and they do not need to be listed on the TIC. The need for a live-in care attendant must be certified with documentation from a medical professional (e.g., a letter from the tenant's doctor) and included in the tenant file. The Owner may verify whether the live-in care attendant is necessary only to the extent to document that the applicant/tenant needs the requested accommodation. The Owner may not require applicants/tenants to provide access to confidential medical records, to submit to physical examination, or to disclose specific information about the nature of their disability.

If the qualified tenant vacates the unit, the attendant must vacate as well. If an attendant would like to be certified as a qualified tenant and remain in the unit, normal certification procedures must be performed, and the individual must meet the applicable eligibility requirements of the program.

While the live-in care attendant is not considered a household member, they are still subject to criminal background checks (as per the tenant selection criteria effective at the property) and must comply with tenant house rules. An Owner may deny a live-in care attendant who does not pass criminal background checks or evict an attendant who exhibits behavior that is disruptive, illegal, or endangering to other tenants, as defined in the tenant selection criteria and lease.

**E. Foster Children/Adults**

Per HOTMA, foster children and foster adults living in a unit are not considered household members for purposes of determining income limits. Their income and asset sources are not treated as household income. However, they should be considered when determining the appropriate sized unit for a household. In this way, foster children and foster adults are treated "similar to a live-in aide."

**F. HOME Student Rule**

These restrictions do NOT apply to HTF-assisted units.

If a household contains an adult student enrolled in an institute of higher learning who is under age twenty-four (i.e., age 18-23), then the household must meet an exemption to qualify for HOME assistance. **This is true whether the student is full or part-time.**

If the student meets one of the following criteria, then the household is eligible:

1. Student is a dependent of the household;
2. Student is a veteran of the United States Military;
3. Student is married;
4. Student is a parent with dependent child(ren);
5. Student a person with a disability who was receiving Section 8 assistance before 11/30/05;
6. Student can prove independence from his or her parents based on the following:
   a. Of legal contract age under state law; AND
   b. Has established a separate residence from parents (not counting a dormitory or student housing) for at least one year, or meets the US Department of Education definition of independent which includes an individual who was an orphan or ward of the state through age eighteen (18), is living with a legal dependent, or is a graduate or professional student; AND
   c. Is not claimed on parents' tax returns; AND
   d. Parents must certify whether they provide financial assistance (this does not affect student eligibility but could affect income eligibility).
7. If none of the above applies, the household can qualify if the student's parents are income-eligible under the HOME income limits for the county in which they live.
   a. If the parents are divorced or separated, get a declaration from both parents.
   b. If the parents refuse to provide a declaration of income and/or statement of whether or not they provide financial assistance, then the household is not eligible.

Households that do not meet this requirement are not eligible to move into a HOME-assisted unit. If a household that is already occupying a HOME-assisted unit later becomes student ineligible, then that household is treated as an over-income household as described in Section 3.02 of this manual. At initial certification and annual recertification, each adult household member must complete a Student Status Self-Certification for HOME to certify student status. If the household invokes the student rule and claims to meet an exception, management must obtain proof that the household qualifies and document the file.

**G. Conflict of Interest: Occupancy of Assisted Units**

Per the conflict-of-interest provisions of 24 CFR 92.356(f) or 24 CFR 93.353(f), the following persons may not live in assisted units for the duration of the project's affordability period:

- An Owner, Developer, or Sponsor of a project; or
- An officer, employee, agent, elected or appointed official, or consultant of the Owner, Developer, or Sponsor; or
- The immediate family members of an Owner, Developer, or Sponsor; or
- The immediate family members of an officer, employee, agent, elected or appointed official or consultant of an Owner, Developer, or Sponsor

## Section 4.02 Nondiscrimination

**A. Fair Housing and Equal Access: Protected Classes and Affirmative Marketing Requirements**

**1. Protected Classes and Prohibited Activities under Fair Housing and HUD's Equal Access Rule**

The Owner or agents of the Owner shall not discriminate in the provision of housing based on race, color, sex, national origin, religion, familial status, or disability (the seven protected classes under the Fair Housing Act). Nondiscrimination means that Owners cannot refuse to rent a unit, provide different selection criteria, fail to allow reasonable accommodations or modifications, evict, or otherwise treat a tenant or applicant in a discriminatory way based solely on that person's inclusion in a protected class. Owners may not engage in steering, segregation, false denial of availability, denial of access to services or amenities, discriminatory advertising, or retaliation against individuals who make fair housing complaints.

Effective March 5, 2012, all HUD-funded properties are subject to the rule entitled "Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity." According to this rule, HUD-assisted properties must make housing available without regard to actual or perceived sexual orientation, gender identity, or marital status. Additionally, HUD-assisted housing providers are prohibited from inquiring about the sexual orientation or gender identity of applicants and occupants to determine eligibility for housing. For purposes of this rule, the term "gender identity" means actual or perceived gender-related characteristics, and the term "sexual orientation" means homosexuality, heterosexuality, or bisexuality.

The 2021 HUD memo "Implementation of Executive Order 13988 on Enforcement of the Fair Housing Act" states that HUD will enforce the Fair Housing Act to "prohibit discrimination because of sexual orientation and gender identity." Specifically, the notice notes that HUD shall consider "the Fair Housing Act's prohibition on sex discrimination to include discrimination because of sexual orientation or gender identity."

**2. Required Actions- General**

All Owners, managers, and staff members should be familiar with both state and federal civil rights and fair housing laws. MHC strongly encourages Owners and management companies to provide Fair Housing and Equal Opportunity training for all staff, including maintenance staff, associated with any property. Staff should attend Fair Housing and Equal Opportunity training at least once every calendar year.

All tenant selection plans must acknowledge that the property follows the Fair Housing Act's nondiscrimination requirements, as well as the requirements of VAWA (if applicable). In addition, tenant-signed forms must include the Fair Housing and Equal Opportunity logo.

MHC has established procedures for processing Fair Housing complaints made to MHC. The procedures are as follows:

- MHC will forward all Fair Housing complaints to the Fair Housing and Equal Opportunity Office at HUD for investigation, and
- MHC will notify the Owner and management company of such complaints. Noncompliance may result in penalties, including recapture of funds and/or suspension or debarment.

**3. Required Actions- Affirmative Fair Housing Marketing Plan & Fair Housing Brochure**

All projects with five or more program-assisted units must create and implement an Affirmative Fair Housing Marketing Plan (AFHMP) using HUD Form 935.2A. In addition, Affirmative Fair Housing Marketing Plans must be evaluated at least once every five years and updated according to the policies of the Fair Housing and Equal Opportunity Office of the Department of Housing and Urban Development (HUD). All updated Affirmative Fair Housing Marketing Plans must also be submitted to MHC. See Section 2.02 for more information.

Upon project entry, households living in program units must be given the Fair Housing brochure entitled "Reporting Housing Discrimination." The household must sign documentation acknowledging the receipt of this brochure at the time of move-in, and this receipt must be maintained in the household's file. Additionally, all Owners are required to post the Fair Housing and Equal Opportunity poster onsite in the leasing office and/or other common area.

**B. Fair Housing: Reasonable Accommodations and Modifications**

The Fair Housing Act requires Owners to make reasonable accommodations and modifications when necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. For purposes of the Fair Housing Act, disability is defined as a person who has/is:

- A physical or mental impairment which substantially limits one or more of such person's major life activities; or
- A record of having such an impairment; or
- Regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act).

The Owner may verify the disability only to the extent necessary to document that the applicant/tenant needs the requested accommodation. The Owner may not require applicants/tenants to provide access to confidential medical records or to submit to physical examination. The Owner may not specifically ask about or verify the nature and extent of the disability. The verification form used must be signed by the applicant/tenant to authorize the release of such information and should request that the source identify (1) whether the applicant meets the definition of disabled as provided above and (2) whether the requested accommodation or modification relates to the person's specific needs. Receipt of Social Security disability payments is adequate verification of an individual's disability status, but the correlation between the disability and the requested accommodation or modification may still need to be verified.

**1. Reasonable Accommodations and Service Animals**

A reasonable accommodation is a change, exception, or adjustment in rules, policies, practices, or services when such a change is necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling, including public and common spaces. Per the Fair Housing Act, an Owner must allow a reasonable accommodation unless doing so will be an undue financial burden or fundamentally alter the nature of the provider's operations. When reasonable accommodation will result in an undue financial burden, the Owner must provide all other accommodations up to the point at which further accommodation will result in the undue financial burden. For more information on reasonable accommodation, refer to the HUD and Department of Justice (DOJ) Joint Statement "Reasonable Accommodations Under the Fair Housing Act" released May 17, 2004.

A common type of reasonable accommodation involves assistance animals. MHC uses the term assistance animals in this manual to broadly describe a category that includes service animals and support animals. These types of animals are not pets and therefore must be permitted even in "no-pet" housing if the individual has requested accommodation to the "no-pet" rule and the need for the service animal can be verified. In addition, the Owner cannot charge an upfront security deposit or a fee (one-time or recurring) for the service animal. However, the Owner can charge the tenant the cost of repairing any damage caused by the service animal.

FHEO Notice 2020-01 provides several important clarifications on assistance animals:

- A resident may request reasonable accommodation at any time, including before or after acquiring the assistance animal.
- Since pet rules do not apply to assistance animals, Owners cannot limit the breed or size of an assistance dog. Accommodation could potentially be denied or revoked based on a specific animal's specific behaviors, a direct threat, or a resident's inability to maintain or control an animal.

- "Animals commonly kept in households" can be considered support animals. This includes dogs, cats, small birds, rabbits, hamsters, gerbils, other rodents, fish, turtles, or other small, domesticated animals "traditionally kept in the home for pleasure rather than commercial purposes." Uncommon/unique animals include reptiles (besides turtles), barnyard animals, monkeys, kangaroos, or other non-domesticated animals.
- Uncommon animals could still potentially qualify as assistance animals, but there is a substantial burden on the person making the accommodation request to prove "a disability-related need for the specific animal or the specific type of animal." Consideration may be given to whether the animal can be kept outdoors in a fenced area and appropriately maintained, if applicable.
  - Example 1- if the animal is trained to do something an assistance dog cannot do
  - Example 2- if a healthcare provider confirms a need for that type of animal, perhaps because the resident is allergic to common animals such as dogs and cats

Another common example of reasonable accommodation is a live-in care attendant/live-in aide. For more information on this topic, see Section 4.01.

**2. Reasonable Modifications**

A reasonable modification is a change to the physical structure of the premises when such a change is necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling, including public and common spaces. Per the Fair Housing Act, an Owner must allow a reasonable modification at the expense of the tenant. However, if the changes needed by the tenant should have already been included in the unit or common space to comply with design and construction accessibility standards, then the Owner will be responsible for paying for the modifications. For more information on reasonable modification, refer to the HUD and Department of Justice (DOJ) Joint Statement "Reasonable Modifications Under the Fair Housing Act" released March 5, 2008.

While the Fair Housing Act allows the Owner to pass on costs of reasonable modifications to the tenants, Section 504 of the Rehabilitation Act of 1973 (which applies to housing that receives federal financial assistance) requires the housing provider to pay for reasonable modifications unless providing them would be an undue financial and administrative burden or result in a fundamental alteration of the program. **Therefore, the costs of reasonable modifications for HOME and HTF-assisted units are covered by the Owner/housing provider.**

**3. Internal Procedures and Documentation**

Owners must have a written policy describing how they will handle requests for reasonable accommodation and modifications. The main steps are outlined below. In this context, "Owner agent" means the person receiving the request for a reasonable accommodation or modification, most likely the onsite management agent.

i. Resident or a family member or someone else acting on the resident's behalf requests accommodation or modification. A request can be made either orally or in writing. If this request is made orally, the Owner agent should document the nature of the request and the date and time received.
ii. The owner agent verifies the need only if (1) the disability is not obvious, (2) if unsure if the disability is permanent or temporary, and/or (3) if unsure how the request relates to the need (i.e., does not understand the correlation between the person's needs and the request made). The form used to request verification cannot ask for specific information about the nature of a person's disability. The purpose of verification is to verify that the person meets the Fair Housing Act definition of disability and that the requested accommodation or modification is necessary for that person's equal opportunity to enjoy and use the housing.
iii. If verification supports the need, then the Owner agent must take the necessary steps to provide the accommodation or modification. **An undue delay is noncompliance** and is treated in the same manner as a denial.
iv. If verification does not support the need, then the Owner agent should schedule an interactive meeting with the resident to request clarifications and attempt to achieve a mutually acceptable resolution of the issue. The Owner agent should carefully explain the concerns or questions related to the request and, if applicable, why the request is being denied.
v. Document the tenant file with all related information.

**C. General Public Use**

Program units must be available for use by the public. Owners are allowed to establish preferences for certain population groups (e.g., persons experiencing homelessness, persons with disabilities, older persons, etc.). These preferences, however, must not violate Fair Housing or any other anti-discrimination policies, must be documented in the tenant selection criteria, and must be approved by MHC.

If a residential rental unit is provided only for a member of a social organization or provided by an employer for its employees, the unit is not for use by the public and is not eligible for funding.

Furthermore, Owners cannot refuse to accept a prospective tenant based solely on the fact that he or she holds a Section 8 Housing Choice Voucher or receives similar rental assistance.

**D. General Occupancy Guidelines/ Household Size**

MHC does not impose any requirements governing minimum or maximum household size for a particular unit. However, Owners must comply with all applicable local laws, regulations, and/or financing requirements (e.g., if Rural Development, use RD regulations). MHC advises all Owners and their agents to be consistent when accepting or rejecting applications. Occupancy guidelines or requirements must be incorporated into the development's written tenant selection plan and management plan.

Management should be aware of occupancy standards set by federal, state, HUD, PHA, civil rights laws, tenant/landlord laws, and municipal codes that may establish a maximum or minimum number of persons per unit. For guidance on determining household size, see Section 4.01.

**E. Tenant Selection Plans**

All developments must have a written Tenant Selection Plan that describes the applicable program eligibility requirements and the screening policies implemented by management. MHC will review the Tenant Selection Plan as part of its monitoring efforts.

There are no federal or state requirements regarding criminal or credit background checks, landlord references, or a minimum income necessary for occupancy. Implementation of these selection criteria is up to the Owner/management discretion if the screening criteria are applied equally to all applicants and do not violate any Fair Housing or related regulations. Screening criteria must also comply with the requirements of any other funding sources.

Owners implementing criminal background checks must ensure that they do not violate Fair Housing. Tenant selection plans and screening criteria must be established in compliance with HUD's "Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate Related Transaction" notice issued on April 4, 2016. Per that notice, arrest records are not a sufficient basis for denying an application. Conviction records may be used for tenant screening, but "a blanket prohibition on any person with any conviction record—no matter when the conviction occurred, what the underlying conduct entailed, or what the convicted person has done since then" is not permissible.

Tenant selection policies must "accurately distinguish between criminal conduct that indicates a demonstrable risk to resident safety and/or property and criminal conduct that does not" and must "take into account the nature and severity of an individual's conviction."

Additionally, there are no regulations governing citizenship requirements for units assisted by the programs covered in this manual. Since the Fair Housing Act does not prohibit discrimination based solely on citizenship status, Owners may ask applicants to provide documentation of citizenship or immigration status as part of the screening process. If the Owner chooses to implement such a policy, the screening criteria must be established in writing and applied in a uniform, nondiscriminatory fashion with caution to avoid any discriminatory impact based on Fair Housing protected classes-particularly race, color, or national origin. Owners should be aware that other housing programs (such as Section 8, other HUD programs, or RD programs) may have stricter citizenship requirements that must be followed if the project has additional funding sources.

Because many of these tenant selection criteria are left up to the discretion of the Owner, it is required that each development implements a written Tenant Selection Plan. This document must be made available to all applicants and tenants and will be reviewed by MHC during compliance monitoring.

At a minimum, a Tenant Selection Plan must include the following:

- Occupancy standards in effect (how many tenants can live in a unit based on size of the unit);
- Program eligibility factors, including income limits and student status eligibility for HOME-assisted units;
- Any minimum income requirements imposed by management, if applicable. Minimum income requirements may not be applied to applicants with tenant-based rental assistance or to units with project-based rental assistance. While a minimum income requirement may be imposed, the tenant selection plan cannot require all applicants to be employed as this could have a disparate impact under Fair Housing;
- Any citizenship requirements imposed by management or required by another funding source, if applicable;
- Specifics on the information that is analyzed when performing credit checks, criminal background checks, and previous landlord references. Management should spell out what findings constitute a rejection of the application (e.g., do certain criminal charges or a certain credit score automatically disqualify the household?). The criminal background check policy must be compliant with the 2016 HUD Office of General Counsel guidance and described above;
- Explanation of the application and waiting list process, including a process through which an applicant is notified in writing of rejection and can then choose to appeal the rejection decision;
- Explanation of the transfer policies in effect;
- Breakdown of any special preferences set aside at the project (e.g., units reserved for special needs populations or a Housing for Older Persons age restriction on the project); and
- List any other relevant items used in considering the household's eligibility for occupancy.

When creating a development's Tenant Selection Plan, the Owner must be careful to follow all applicable eligibility regulations, nondiscrimination requirements including Fair Housing, the Violence Against Women Reauthorization Act (VAWA), the Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Rule, HUD guidance on criminal background checks, and applicable local occupancy standards.

Apart from accessible or special needs units (see Part F below), all units should be leased on a first-come first-served basis with tenants selected in chronological order from the waiting list.

**F. Marketing Accessible Units**

At the initial lease-up, accessible units should be marketed to persons with disabilities requiring an accessible unit. For ongoing leasing, the following order must be followed for marketing the accessible units:

1. First offer accessible units to existing residents who require the accessibility features but are currently occupying a unit that does not offer such features.
2. Next offer accessible units to qualified applicants on the waiting list that require the accessible unit.
3. Market the unit to attract new qualified applicants that require an accessible unit.
4. Finally, offer the unit to a non-disabled household on the waiting list (a household that does not need the accessible features of the unit). If this is done, the household must be informed that it may later be asked to transfer to a comparable, but non-accessible, unit if the accessible unit is needed by a person with a disability. While the household may have to transfer if a comparable, vacant non-accessible unit is available, it would not be evicted or otherwise have its tenancy terminated to make room for a household in need of the accessible features. This agreement must be incorporated into the lease or a lease addendum.

**G. Violence Against Women Reauthorization Act of 2013 and 2022 (VAWA)**

**1. Applicability/ "Covered Programs"**

The 2013 and 2022 reauthorizations of the Violence Against Women Act (VAWA) expanded the Act's original coverage to include projects funded through many, but not all, HUD programs. Those programs are referred to as "covered programs." HUD then issued a final rule effective December 16, 2016, in 24 CFR Part 5 Subpart L "Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking" to identify requirements specific to HUD-funded properties and to provide a list of all covered programs. The final rule and subsequent program-specific HUD regulations expanded VAWA protections to the HOME and HTF programs as outlined below.

- HUD implemented specific VAWA regulations for the HOME program in 24 CFR 92.359. Per that regulation, VAWA requirements only apply to HOME projects "for which the date of the HOME funding commitment is on or after December 16, 2016."
- HUD implemented specific VAWA regulations for the HTF program in 24 CFR 93.356. Per that regulation, VAWA

requirements apply to all rental housing assisted with HTF.

Note: VAWA is also applicable to the low-income housing tax credit (LIHTC) program. If a project has LIHTC, the Owner must follow VAWA requirements.

2. **Prohibited Denial/Termination**

No applicant for or tenant of covered housing programs may be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

VAWA protections apply to all victims of domestic violence, dating violence, sexual assault, and stalking regardless of sex, gender identity, or sexual orientation.

3. **Lease Terms**

The Owner/manager shall ensure that an incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as:

- A serious or repeated violation of a lease by the victim or threatened victim of such incident; or
- Good cause for terminating the assistance, tenancy, or occupancy rights to housing of the victim of such incident.

4. **Termination based on Criminal Activity & Bifurcation of Lease**

No person may deny assistance, tenancy, or occupancy rights to an applicant or tenant solely based on criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking. Notwithstanding the foregoing, the Owner and/or manager may bifurcate a lease for the housing to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or another individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing. The Owner and or manager must provide any remaining tenants with an opportunity to establish eligibility and a reasonable time to find new housing or to establish eligibility.

5. **Confidentially of Tenant Information Related to Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

The Owner shall ensure that any information submitted to the staff, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is:

- Requested or consented to by the individual in writing;
- Required for use in an eviction proceeding against any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, stalking; or
- otherwise required by applicable law.

6. **Required Notices**

HUD has developed, and may amend from time to time, notices of the rights of individuals under VAWA including the right to confidentiality and the limits thereof. The Owner agrees to ensure that these notices are utilized and disseminated at the project as directed by HUD and/or MHC. See item #8 below for information on required forms.

7. **Emergency Transfers**

HUD has developed and may amend from time to time, guidance regarding a model emergency transfer plan that allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit. The Owner agrees to ensure that any guidance developed will be utilized as directed by HUD and/or MHC.

**8. Required Forms**

MHC mandates the use of the following VAWA forms for all projects subject to VAWA compliance, as defined in Section 4.02 above. All forms are available online:

- HUD 5380: Notice of Occupancy Rights Under VAWA. Must be provided at the following times, along with a copy of the HUD 5382:
  - At the time of initial admission; and
  - At the time of denial of tenancy; and
  - When termination/eviction notices are sent.
- HUD 5381: Model Emergency Transfer Plan. The Owner must create a model plan specific to each project. The plan must be made available for review by tenants and by MHC.
- HUD 5382: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. This form is to be used by tenants as a self-certification form. A copy must be attached any time the HUD 5380 is distributed.
- HUD 5383: Emergency Transfer Request. This form is used by tenants to request a transfer under VAWA.
- MHC VAWA Lease Addendum. EXCEPTION: if the property is HUD-assisted and required to use a HUD-approved lease addendum, use the HUD VAWA Lease Addendum
  - If the project includes Low-Income Housing Tax Credits with HOME or HTF, use the HOME/HTF VAWA lease addendum.
  - There is no need to also use the tax credit VAWA lease addendum. Only one VAWA lease addendum is required per household.

**9. Nonretaliation Provisions (Added in VAWA Reauthorization of 2022)**

An Owner agent may not discriminate against any person because they have opposed any act or practice made unlawful by VAWA or testified, assisted, or participated in any VAWA-related matter.

**10. Noncoercion Provisions (Added in VAWA Reauthorization Act of 2022)**

An Owner agent may not coerce, intimidate, threaten, interfere with, or retaliate against any person who exercises VAWA protections, assists another person in exercising their VAWA protections, or participates in a VAWA investigation or enforcement activity.

**11. Protection to Report Crimes from Home (Added in VAWA Reauthorization Act of 2022)**

Owner agents, residents, guests, and applicants have the right to seek law enforcement or emergency assistance on their behalf or on the behalf of another person seeking assistance and shall not be penalized based on such requests for assistance or their status as a victim of criminal activity. Prohibited penalties include actual or threatened:

- Assessment of monetary or criminal penalties, fines, or fees
- Eviction
- Refusal to rent or renew tenancy
- Refusal to issue occupancy permit or landlord permit
- Closure of the property or designation of the property as a nuisance or similarly negative designation

**H. Housing for Older Persons**

The Housing for Older Persons Act of 1995 (HOPA) exempts certain types of "housing for older persons" from the Fair Housing Act's prohibitions against discrimination based on familial status.

Therefore, projects may be designated as housing for older persons (as defined in the project's Application and recorded Declaration/Lien) in one of the following ways and not violate Fair Housing:

1. 100% of the units are restricted for households in which **all** members are age 62 or older (see 24 CFR Part 100.303); or
2. At least 80% of the units in the entire development are occupied by households in which **at least one** member is age 55 or older. The remaining 20% of the units may also be restricted for households in which at least one member is 55 or older, may have a lower age restriction, or may be left open without any age restrictions; however, the Owner must

ensure that at least 80% of the units remain occupied by households that meet the age definition. This determination is left up to the Owner. The policy elected by the Owner regarding the remaining 20% of the units must be implemented equally for all applicants and must be placed in writing as part of the development's Tenant Selection Plan. In addition, the remaining portion of units not counted for purposes of meeting the 80% requirement may not be segregated within the community or facility.

HUD has noted that phrases such as "adult living," "adult community," or similar statements should not be used to market developments that fall under 80% at 55 requirements. Rather, the property should be more specifically advertised as senior housing for households in which at least one household member is 55 years of age or older.

Moreover, the Owner may not evict or terminate the leases of families with children or other individuals under the age of 55 to achieve the elderly occupancy requirements on the 80% of the units.

For more information on the 80% at 55 restrictions, see 24 CFR Part 100.304 through 100.308. This regulation is also available as "Implementation of the Housing for Older Persons Act of 1995; Final Rule" located in the Federal Register, Vol. 64 No. 63 from April 2, 1999.

A project's housing for older persons restrictions should be clearly defined in the Application and recorded Declaration/Lien, and the Owner must follow the restrictions defined therein. If a project receives federal funding from HUD or USDA, the Owner should check those regulations for other potential definitions. Units in HUD and RD age-restricted housing generally can be occupied by households that meet the age requirements or that are disabled. Disabled households do not qualify for elderly restricted units in HOME housing unless they also meet the age restrictions. When HOME-assisted units are mixed with HUD or RD elderly housing, the HUD or RD definitions should be followed.

**I. Meaningful Access for Persons with Limited English Proficiency**

Persons who, because of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English ("limited English proficiency persons" or "LEP") may be entitled to language assistance under Title VI of the Civil Rights Act of 1964 in order to receive a particular benefit or service. In accordance with Title VI, its implementing regulations and Executive Order 13166, the Owner must agree to take reasonable steps to ensure meaningful access by LEP persons to activities funded with federal funds.

Any of the following actions could constitute "reasonable steps" depending on the circumstances. This is not, however, an exhaustive list of possible actions:

- Acquiring translators to translate vital documents, advertisements, or notices;
- Acquiring interpreters for face-to-face interviews with LEP persons;
- Placing advertisements and notices in newspapers that serve LEP persons;
- Partnering with other organizations that serve LEP populations to provide translation, interpretation, or dissemination of information regarding the project;
- Hiring bilingual employees or volunteers for outreach and intake activities; or
- Contracting with a telephone line interpreter service.

**J. Religious and Faith-Based Organizations**

**1. Equal Treatment and Religious Identity**

Organizations that are religious or faith-based are eligible to participate in the HOME program on the same basis as any other organization. A religious organization that participates in the HOME program will retain its independence from Federal, State, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that it does not use direct HOME funds to support any inherently religious activities( such as worship, religious instruction, or proselytization) and does not discriminate against program participants on the basis of religion or religious belief.

Among other things, faith-based organizations may use space in their facilities, without removing or altering religious art, icons, scriptures, or other religious symbols. In addition, a HOME-funded religious organization retains its authority over its internal governance, and it may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

2. **Beneficiaries and Anti-Discrimination**

   The organization may not discriminate against program participants or potential program participants (e.g., tenants, homeowners, or applicants) on the basis of religion, religious belief, the refusal to hold a religious belief, or the refusal to attend or participate in a religious practice.

3. **Separation of Explicitly Religious Activities**

   Organizations that are directly funded under the HOME program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the assistance. If an organization conducts such activities, the activities must be offered separately, in time or location, from the assistance funded under this part, and participation in any such explicitly religious activities must be voluntary for the program beneficiaries.

4. **Alternative Provider**

   If a program participant or potential program participant objects to the religious character of an organization that provides services under the program, that organization shall, within a reasonably prompt time after the objection, undertake reasonable efforts to identify and refer the program participant to an alternative provider to which the participant has no objection. Except for services provided by telephone, internet, or similar means, the referral must be to an alternate provider in reasonable geographic proximity to the organization making the referral. In making the referral, the organization shall comply with applicable privacy laws and regulations. Owners shall document any such objections from program participants and prospective program participants and any efforts made to refer such objecting participants to alternate providers.

5. **Structures**

   Program funds may not be used for the acquisition, construction, or rehabilitation of structures to the extent that those structures are used for explicitly religious activities. Program funds may be used for the acquisition, construction, or rehabilitation of structures only to the extent that those structures are used for conducting program eligible activities. When a structure is used for both program eligible and explicitly religious activities, program funds may not exceed the cost of those portions of the acquisition, construction, or rehabilitation that are attributable to eligible activities.

## Section 4.03 HOME/HTF-assisted Units in Low Income Housing Tax Credit Developments

LIHTC developments may also receive HOME/HTF funds, resulting in a certain number of units reserved as both tax credit and HOME/HTF assisted units. Units that are under multiple funding programs must follow the compliance rules of both programs. In some cases when program compliance regulations differ, the Owner must follow the stricter of the two rules, though in other cases the rules are completely different and both sets must be applied.

The following is a non-exhaustive list of common issues management may face when combining tax credits with federal funding programs. This is not meant as an exhaustive listing.

**A. Combining Programs: Rent and Income Limits and Utility Allowances**

1. HOME/HTF and LIHTC rent and income limits may be different within the same county for the same year. MHC releases a separate set of limits for each program. For a unit under multiple programs, management must check against all sets of income and rent limits to ensure compliance with all funding programs. *NOTE: The HTF program requires all HTF-assisted units to be income and rent-restricted at 30% HTF limits. The HTF program has its own HUD-published set of income and rent limits. Owners with HTF-assisted units must refer to this specific income and rent limit chart.
2. The LIHTC program does not include rental assistance in the gross rent calculation. For HOME/HTF-assisted units, tenant-based rental assistance is included in the gross rent calculation. For purposes of determining whether a program-assisted unit complies with the rent limits, the sum of the tenant-paid rent portion + tenant-based rental assistance + utility allowance + non-optional fees must be at or below the applicable HOME/HTF rent limit. Special rules apply for project-based rental assistance as discussed in Section 3.02.
3. HOME-funded projects must use a project-specific utility allowance for all HOME-assisted units. A PHA chart is not an acceptable utility allowance methodology for HOME-assisted units that received a commitment of HOME funds after

8/23/13. If a unit is both LIHTC and HOME-assisted and the tenant has a Section 8 voucher, this creates a conflict between program rules, because the LIHTC program requires the PHA chart to be used when the tenant has a voucher. In this case, two separate rent checks must be performed.

a. LIHTC Compliance: tenant rent + PHA utility allowance + non-optional fees = gross rent. Gross rent must not exceed the applicable LIHTC rent limit.
b. HOME Compliance: tenant rent + rental assistance + project-specific utility allowance (not the PHA chart) + non-optional fees = gross rent. Gross rent must not exceed the applicable HOME rent limit.

4. MHC must specifically approve rents for projects with HOME and/or HTF-assisted units. The Owner must at least annually request approval of its proposed rents for HOME and/or HTF-assisted units, even if they are proposing no change.

**B. Combining Programs: Certifications and Verifications**

1. 100% tax credit projects do not have to perform annual income recertifications. However, those units that are also HOME or HTF-assisted must have a full recertification every sixth year of the affordability period to comply with program regulations.
2. In HOME/HTF, verifications are valid for six months. For LIHTC, verifications are only valid for 120 days. Therefore, for units subject to multiple programs, use the stricter tax credit rule and make sure that all verification documents are no older than 120 days from the effective date of the certification.
3. HOME/HTF has stricter income verification requirements when tenant-provided verification is used. If tax returns are used, the tax return must be a certified copy obtained by completing IRS Form 4506 "Request for Copy of Tax Return." For units subject to both programs, apply the stricter verification requirements.
4. If paystubs are used to verify employment income, for HOME/HTF the number of paystubs obtained must amount to a full two consecutive months of pay. For LIHTC, the Owner must obtain the four most recent paystubs. When combining programs, obtain the number of paystubs needed to satisfy both requirements.
5. Safe Harbor Income Verification for "means-tested" forms of federal public assistance is allowed for tax credit compliance but cannot be used as verification for HOME/HTF-assisted units.

**C. Combining Programs: Student Status**

The 2013 revision to the HOME final rule added a student status requirement for all HOME-assisted units. See Section 4.01 for more information on the HOME student rule. Households applying/residing in units that are both LIHTC and HOME-assisted must meet both program definitions of student status eligibility. The HOME student rule does not apply to HTF-assisted units.

**D. Combining Programs: Fair Housing and Related Nondiscrimination Requirements**

1. Upon project entry, households living in all HOME/HTF assisted units must be given the Fair Housing brochure entitled "Reporting Housing Discrimination." The household must sign documentation acknowledging the receipt of this brochure at the time of move-in. Although this is not a LIHTC requirement, all HOME/HTF-assisted units in a tax credit development must have a signed copy of the acknowledgment located in the tenant file.
2. Effective March 5, 2012, all HUD-funded properties are subject to the rule entitled "Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity." According to this rule, HUD-assisted properties must make housing available without regard to actual or perceived sexual orientation, gender identity, or marital status. Additionally, HUD-assisted housing providers are prohibited from inquiring about the sexual orientation or gender identity of applicants and occupants to determine eligibility for housing.
3. HOME/HTF-assisted units are covered by Section 504 accessibility requirements, including the requirement that the Owner must pay for reasonable modification requests. A tax credit development with these funding sources is subject to Section 504 requirements.
4. A project is subject to VAWA compliance if it has tax credits, HTF, or HOME funding (if the HOME funds were committed on or after December 16, 2016).

**E. Combining Programs: MHC Monitoring and Inspection**

A development with tax credits and MHC HOME/HTF funds will be monitored/inspected by MHC for compliance with each program.

1. The tax credit file monitoring will occur once every three years those who are still in their 8609 period (year 1-15), and every 5 years for those in their extended use period (year 16 and beyond).
2. The HOME/HTF-assisted units will be monitored for program compliance at least once every three years of the affordability period/extended use period based on the monitoring cycle and sample size defined in Section 6.06 of this manual. Note: the monitoring cycle and sample size may be different for each program.
3. A HOME or HTF-assisted project containing 10 or more total units is subject to annual financial review. See Section 6.06 for additional information.

**F. Combining Programs: Over-income Units (HOME Only)**

For HOME purposes, a unit is over-income (and therefore a temporarily noncompliant unit) when household income exceeds 80% of AMI. Under the HOME program, households that exceed 80% of AMI are charged 30% of adjusted income as rent, and special rules go into effect to replace the over-income unit.

For units that are under both programs, the tax credit over-income rule overrides the HOME over-income rule. An over-income HOME household (over 80% HOME AMI) living in a tax credit unit is not subject to increased rent under the HOME over-income rules. The tenant may pay no more than the lesser of the applicable tax credit rent limit or the HOME rent limit. However, the unit may still need to be redesignated from low-HOME to high-HOME.

Note: Neither program permits eviction or termination of tenancy due to income increases, even if the household exceeds the 80% level.

**G. Combining Programs: Lead-Based Paint Requirements**

1. Households living in assisted units built prior to 1978 must be given the Lead-Based Paint brochure entitled "Protect Your Family from Lead in Your Home." The household must sign documentation acknowledging the receipt of this brochure at the time of move-in. Although this is not an LIHTC requirement, households residing in HOME/HTF assisted units in a tax credit development should have a signed copy of the acknowledgement located in the tenant file.
2. Federally funded projects built prior to 1978 are subject to ongoing compliance with lead-based paint regulations, as described in Section 4.04 below. Tax credit properties with HOME/HTF funding must comply with these regulations.

## Section 4.04 Suitable for Occupancy

**A. General Requirements and Recordkeeping**

In addition to being rent-restricted and occupied by qualified households, all program units and buildings must be suitable for occupancy. Owners must annually certify that all buildings and units in the project are decent, safe, and sanitary considering all applicable health, safety, and building codes. If any health, safety, or building code inspections result in a notice of violation, this must be reported. Original reports/notices of violations must be maintained as part of the Owner's recordkeeping and copies must be submitted to MHC along with the Annual Owner Certification of Compliance.

Vacant units must also be suitable for occupancy and cannot be cannibalized for parts. Because the Owner is responsible for maintaining all units in a manner that is always suitable for occupancy, the cost of preparing vacant units for occupancy cannot be passed on to tenants or applicants. During the inspection process, the MHC inspector or contracted inspector may ask to inspect a mix of both occupied and vacant units.

Properties must meet the National Standards for the Physical Inspection of Real Estate (NSPIRE) standards established by HUD. NSPIRE requires an inspection of the following inspectable areas: unit, inside, and outside.

**B. Casualty Loss**

**1. Definition**

A casualty loss is defined by the IRS as "damage destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual" (IRS Publication 547 and Publication 584). Page 6-5 of the 8823 Guide defines those terms as follows:

- Sudden event: "one that is swift, not gradual or progressive."
- Unexpected event: "one that is ordinarily unanticipated and unintended."
- Unusual event: "one that is not a day-to-day occurrence and that is not typical."

- This explicitly does not include property damage "if the damage occurred during normal use, the Owner willfully caused the damage or was willfully negligent, or was progressive deterioration such as damage caused by termites."

While this definition is from the LIHTC program, MHC applies this same definition for programs covered by this manual.

**2. Reporting Requirements**

An Owner that experiences a casualty loss must:

a. Inform MHC of the loss in writing within 10 days of the incident;
b. Submit a plan to MHC within thirty (30) days that sets a timeframe for reconstruction or replacement of lost units; and
c. Inform MHC when the units have been reconstructed or replaced.

If an Owner fails to report a casualty loss to MHC, the Owner and management company may be recommended for suspension from the program.

**C. Ongoing Lead Based Paint Compliance**

Projects built before 1978 are subject to ongoing compliance with lead-based paint regulations.

1. Owners must inform current and new occupants of the lead hazard reduction methods that took place and where lead-based paint exists in their units. The brochure entitled "Protect Your Family from Lead in Your Home" must be provided to all new occupants upon move-in. Signed documentation of the receipt of this brochure by the household must be maintained in each tenant file.
2. Owners should request, in writing, that the residents monitor lead-based paint surfaces and inform the Owner of potential hazards.
3. Regular maintenance and evaluation of the lead hazard reduction must be performed. The Owner is responsible for:
   - A visual inspection of lead-based paint at unit turnover or at least annually on occupied units;
   - Repair of all unstable paint;
   - Repair of encapsulated or enclosed areas that are damaged; and
   - Owners must continue to comply with the notification requirements when additional lead hazard evaluation and hazard reduction activities are performed.

**D. NSPIRE Affirmative Habitability Requirements**

NSPIRE requires the following minimum Affirmative Habitability Requirements.

<u>Inspectable Area = Unit</u>

1. Hot and cold running water in both bathroom and kitchen, including adequate source of safe drinking water in the bathroom and kitchen
2. Bathroom or sanitary facility that is in proper operating condition and usable in privacy that contains a sink, a bathtub or shower, and flushable toilet
3. At least 1 battery-operated or hard-wired smoke detector
   a. On each level of the unit
   b. Inside each bedroom
   c. Within 21' of any door to a bedroom measured along a path of travel; and
   d. Where a smoke detector installed outside a bedroom is separated from an adjacent area by a door, must also be installed on the living area side of the door
4. Living room and kitchen area with a sink, cooking appliance, refrigerator, food preparation area, and food storage area
5. For units with Housing Choice Vouchers or Project Based Vouchers, at least one bedroom or living/sleeping room for each two persons in the household
6. Must meet carbon monoxide detection standards established through Federal Register notice
7. Two working outlets or one working outlet and a permanent light within all habitable rooms
8. Outlets within 6' of a water source must be GFCI protected
9. Must contain a permanently installed heating source. Units may not contain unvented space heaters that burn gas, oil, or kerosene.

10. Must have a guardrail when there is an elevated working surface drop off of 30' or more measured vertically
11. Permanently mounted light fixture in the kitchen and each bathroom

Inspectable Area = Inside

1. At least one battery-operated or hard-wired smoke detector on each level
2. Must meet carbon monoxide detection standards established through Federal Register notice
3. Outlets within 6' of a water source must be GFCI protected
4. Must have a guardrail when there is an elevated walking surface drop off of 30" or more measured vertically
5. Permanently mounted light fixtures in any kitchens and each bathroom
6. May not contain unvented space heaters that burn gas, oil, or kerosene

Inspectable Area = Outside

1. Outlets within 6' of a water source must be GFCI protected
2. Must have a guardrail when there is an elevated walking surface drop off of 30" or more measured vertically

# Article V. Qualifying Tenants for Program Units

Applicants for program units should be advised early in the application process that there are maximum income limits that apply to the units. Management should explain to potential tenants that the anticipated income of all adults (and the unearned income of minors) expecting to occupy the unit must be verified prior to occupancy.

Federal HOME regulations allow two methods of calculating annual income. However, MHC mandates that all Owners use the methodology found in 24 CFR Part 5.609 (often referred to as the "Section 8 methodology"). This methodology is also required for MHC funded HTF projects, as well as by the tax credit program. However, the Section 8 asset limitation which denies eligibility to households with assets exceeding $100,000 or who own a home that is suitable for occupancy does not apply to the tax credit program.

For additional information on determining income eligibility, refer to the following resources:

- Chapter 5 of HUD Handbook 4350.3 *Occupancy Requirements of Subsidized Multifamily Housing Programs* (The current HUD Handbook has not been updated to include the streamlining rules or HOTMA updates)
  - Section 1- Determining Annual Income
  - Section 3- Verification
  - Exhibit 5-1- Income Inclusions and Exclusions
  - Exhibit 5-2- Assets
  - Appendix 3- Acceptable Forms of Verification
- Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher, Multifamily Housing, and Community Planning and Development Programs: Final Rule 3/8/2016, Effective 04/7/2016
- Streamlining Administrative Regulations for Multifamily Housing Programs and Implementing Family Income Reviews Under the Fixing America's Surface Transportation (FAST) Act: Final Rule 5/27/2020
- *Technical Guide to Determining Income and Allowances for the HOME Program*
- Housing Opportunities Through Modernization Act of 2016 (HOTMA): Final Rule 2/14/2023, Effective 1/1/2024
- Notice H 2023-10 / Notice PIH 2023-27: Implementation Guidance: Sections 102 and 104 of the Housing Opportunity Through Modernization Act of 2016 (HOTMA)
- Notice FR-6410-N-01 Federally Mandated Exclusions From Income—Updated Listing: 1/31/2024

## Section 5.01 Tenant Qualification & Certification Process

### A. Necessary Documentation for a Tenant File

Households are qualified for the program only if proper documentation verifying the household's eligibility is obtained and maintained in the tenant file.

**At a minimum, the following items must be included in the file and must be organized in chronological order for easy review:**

1. Initial Tenant Application for residency
2. Tenant Income Certification Questionnaire completed at time of application, including certification of assets and disposal of assets if applicable. A separate Tenant Income Certification Questionnaire must be completed by each adult household member. For HOME and HTF-assisted units, new Questionnaires must be completed as part of the income recertification process;
3. Tenant Income Certification signed by each adult member of the household for every year the household resides at the property. The TIC must have proper signature and effective dates clearly stated;
4. Verifications of all sources of earned and unearned income and of all asset sources noted on the Tenant Income Certification Questionnaires. See Section 5.03 for more information on verification requirements;
5. For HOME-assisted units, a separate "HOME Student Status Certification" completed by each adult member of the household each year, along with any additional student status verifications needed. If the unit is also an LIHTC unit, the "Student Status Self-Certification for LIHTC" must also be completed by each adult household member.
6. Any other documentation verifying the household's eligibility (e.g., unborn child self-certification, joint custody of a child documentation, all management clarification documents, etc.);
7. Initial and subsequent leases and all lease addenda executed by the tenant and Owner;

8. Documentation of the receipt of the applicable brochures (Fair Housing & Lead Based Paint); and
9. For tenants receiving Housing Choice Vouchers (tenant-based Section 8), a copy of the Housing Assistance Payment (HAP) Contract and the current HAP Amendment from the Public Housing Authority or a copy of the current HUD Form 50058. For tenants in Section 8 Project Based Voucher (PBV) units, a copy of the current HUD Form 50058 showing the amount of rental assistance. For tenants in Section 8 Project Based Rental Assistance (PBRA) units, a copy of the current HUD Form 50059 showing the amount of rental assistance.

All documents included in the tenant file must be fully completed, signed, and dated. MHC will not accept documents that are incomplete, that have been marked with correction fluids (i.e., whiteout), or where information has been obliterated with pen or marker. See C below for information on how to properly correct documents in a tenant file.

**B. Tenant Income Certification (TIC) Form**

Every tenant file must contain a Tenant Income Certification (TIC) form, regardless of whether or not that unit/tenant also has an income certification from another program in the file (e.g., HUD Form 50058/50059 or RD Form 3560-8). MHC's Tenant Income Certification form used for the HOME/HTF programs includes information that is not found on these other forms, such as program income and rent limits, the program set-aside for the unit, the certification effective dates, etc. Therefore, properties that have multiple funding sources will need to have multiple signed tenant income certification forms in their files to demonstrate compliance with each separate program.

The TIC must list the MHC rent and income set-aside for the unit/household. Therefore, the rent and income restrictions should be listed as 30%, 50%, 60%, or 80%, not the actual AMI % of the household. For example, at time of move-in, a household may actually have income at 47% of AMI. MHC does not need to know this, but rather only needs to know the set-aside the household qualifies under, in this case, the 50%, 60%, or 80% limit.

**C. Correcting Documents**

MHC will not accept documents that are incomplete, that have been marked with correction fluids (e.g., whiteout), or where information has been obliterated with pen or marker. To correct a document, management should draw one line through the erroneous information and write the corrected information to the side. All corrections should be dated and initialed. Corrections on forms filled out by the management should be initialed by the management agent. Corrections on forms filled out by the tenant should be initialed by the tenant. Corrections to the lease should be initialed by both parties.

If management fails to obtain the necessary paperwork at the time of certification, verifications can be retroactively created to document the income and assets that were in place at the time of certification. All retroactive documents must be signed with the current date but noted as being "true and effective" as of the actual certification effective date. The "true and effective" statement must be written on each form that is created or signed after the effective date. Neither tenants nor management are ever permitted to backdate documents. The recertification effective date continues on its regular annual cycle, not the date the documents were completed retroactively.

*Example: Mrs. Black is due for her annual recertification on December 20th. However, the property manager was distracted wrapping Christmas presents and forgot to send out a recertification notice. Therefore, Mrs. Black does not come into the office to complete her paperwork until January 2nd. Mrs. Black should sign all paperwork with the current date (January 2nd) but should make a note at the bottom of each form stating, "information true and effective as of December 20th."*

**D. One Form per Household or One Form per Member?**

| Form | 1 form per household signed by all adults | 1 separate form per each adult member |
|---|---|---|
| Income Questionnaire | - | YES |
| Tenant Income Certification | YES | - |
| < $50,000 Asset Certification | YES | - |
| All other verification documents | - | YES |
| Student Status Certification (for HOME) | - | YES |

## Section 5.02 Tenant Application & Income Certification Questionnaire

A fully completed Application and Income Certification Questionnaire is critical to an accurate determination of tenant eligibility. An Application must be completed by the household at initial move-in. An Income Certification Questionnaire must be completed at move-in and on recertification files for HOME or HTF-assisted units.

At the time of application, it is the management agent's responsibility to obtain sufficient information on all prospective tenants to completely process the application, determine household eligibility, and complete the Tenant Income Certification (TIC) form. MHC requires that each adult household member complete a separate Income Certification Questionnaire at time of application, and for HOME and HTF-assisted units at each recertification. The Application and Income Certification Questionnaire are the first steps in the tenant certification process. The information furnished on the Application and Questionnaire should be used as a tool to determine all sources of income (including total cash value of assets and income from assets), household composition, and student status.

HUD Handbook 4350.3 lists guidelines which the Owner may want to adopt for the application process. The application should include:

1. The name of each person that will occupy the unit (legal name should be given just as it will appear on the Lease and Tenant Income Certification);
2. All sources and amounts of current and anticipated annual income expected to be derived during the twelve (12) month certification period. Include assets now owned and indicate whether household members disposed of assets for less than Fair Market Value during the previous two years;
3. The current and anticipated student status of each applicant (for HOME-assisted units);
4. A screening process (i.e. previous landlord's rental history, credit information, etc.). Owners should ask applicants whether the household's assistance or tenancy in a subsidized housing program has ever been terminated for fraud, nonpayment of rent, or failure to cooperate with recertification procedures;
5. The signature of the applicant and the date the application was completed. It may be necessary to explain to the applicant that all information provided is considered confidential and will be handled accordingly; and
6. Collection of demographic data: MHC requires the collection and reporting of the following information for all program tenants:
   - Race
   - Ethnicity
   - Sex
   - Family composition
   - Age (Date of Birth)
   - Income
   - Use of Section 8 (or similar) Rental Assistance Program
   - Disability Status; and
   - Monthly Rental Payment

To meet the demographic data collection requirements, Owners must annually report demographic data for all household members (each member not just the head of household) living in their developments. This information should only be obtained after a move-in has been approved so that it cannot be construed that the information was used as part of tenant selection / screening.

## Section 5.03 Income Verification

The income of every prospective occupant of the unit must be verified. All regular sources of income, including income from assets, must be verified. Verifications must be received by the management agent prior to move-in. Verifications must contain complete and detailed information and include, at a minimum, direct written verification from all sources of regular income and income of assets. Owner agents must document the reason why third-party verification was not available, except in cases where regulations specifically permit households to self-certify (i.e., when net assets do not exceed $50,000, adjusted by inflation).

### A. Effective Term of Verification

Verifications of income are valid for six months from the date of receipt by the Owner/management and must be obtained prior to move-in or recertification effective date. After this time, if the tenant has not yet moved in or recertified, new verification must be obtained. Verifications that are more than six months old as of the effective date of the move-in or recertification event are invalid.

### B. Methods of Verification

Owner agents must follow HUD's verification hierarchy (see HUD Notice H 2023-10 / PIH 2023-7) which lists verification documentation from most acceptable to least acceptable. The owner agent must demonstrate efforts to obtain third-party verification prior to accepting self-certification, except in instances where self-certification is explicitly allowed (i.e., when net assets do not exceed $50,000 adjusted by inflation).

**Verification Hierarchy***

| Level | Verification Technique | Ranking/Order of Acceptability |
|---|---|---|
| 5 | Upfront Income Verification (UIV) using non-EIV system- e.g., The Work Number, web-based state benefit systems, etc. | Highest |
| 4 | Written third-party verification from the source provided by the tenant- e.g., paystubs, bank statements, benefit letters, etc. | High |
| 3 | Written, third-party verification form | Medium- use if applicant or tenant is unable to provide Level 4 documentation |
| 2 | Oral, third-party verification | Medium |
| 1 | Self-certification (not third-party) | Low- use as last resort if unable to obtain any third-party verification or use when specifically permitted such as when net assets do not exceed $50,000 (adjusted by inflation) |

*Adapted from Table J2: Verification Hierarchy from HUD Notice H 2023-10. Note: Level 6 EIV has been removed from this chart as it is not applicable to the programs covered in this manual.

#### 1. Third-Party Tenant-Provided Documents (Level 4)

An original or authentic document generated by a third-party source… Such documentation may be in possession of the tenant (or applicant), and commonly referred to as tenant-provided documents. These documents are considered third-party verification because they originated from a third-party source.

Examples of tenant-provided documentation that may be used includes, but is not limited to: pay stubs, payroll summary report, employer notice/letter of hire/termination, SSA benefit letter, bank statements, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notes.

When using tenant-provided information, the owner must consider the following:

- Is the document current? Circumstances may have changed since the document was created.

- Is the document complete?
- Is the document an unaltered original copy?

The following requirements apply to tenant-provided documents:

- Using Paystubs for Employment Verification: If utilizing paystubs for employment verification, the owner agent must obtain the two most recent, consecutive months of paystubs from the tenant/applicant.
- Using Bank Statements: If utilizing bank statements, the owner agent must obtain the most recent statement to verify the current balance (if net assets exceed $50,000, adjusted by inflation, and third-party asset verification is required).
- Using Tax Returns for Income Verification: If utilizing tax returns as income verification, the owner agent must obtain a certified copy by completing IRS Form 4506 "Request for Copy of Tax Form."

The owner agent must be able to reasonably project anticipated income for the next 12 months from the tenant-provided documents.

**2. Third-Party Written Verification (Level 3)**

MHC does not require that the Owner/management agent use particular forms for third-party verifications. All requests for income verification must:

a) State the reason for the request;
b) Include a release statement signed and dated by the applicant or tenant; and
c) Provide a section for the employer or other third-party source to state the applicant/tenant's current anticipated gross annual income or rate of pay, number of hours worked, and frequency of pay. Overtime hours, bonuses, tips, and commissions must be included, as well as the probability and effective date of any increase during the next 12 months. Spaces should also be available for a signature, job title, phone number, and date. If forms are returned with any information incomplete, management MUST contact the source and complete a clarification form to document incomplete information.

**3. Third-Party Oral Verification (Level 2)**

When written verification is not possible prior to move-in, direct contact with the source will be acceptable to MHC only as a last resort and should be followed by written verification. The conversation should be documented in the tenant file to include all information that would be contained in a written verification. The information must include the name, title, and phone number of the contact, the name of the onsite management representative accepting the information, and the date the information was obtained.

In addition, if the Owner receives third-party verifications that are not clear or are not complete, a documented verbal clarification may be accepted if it includes the name and title of the contact, the name and signature of the onsite management representative accepting the information, and the date the information was obtained.

Furthermore, if after requesting third-party verification, the third-party indicates that the information must be obtained from an automated telephone system, the Owner may document the information provided from the telephone system. The documentation must state the date the information is received, all of the information provided, and the name, signature, and title of the person receiving the information.

**4. Self-Certification (Level 1)**

As a last resort, the Owner may accept a tenant's signed certification if third-party or tenant-provided verifications cannot be obtained. The Owner should try to refrain from using self-certifications except where specifically allowed such as when net assets do not exceed $50,000 (adjusted by inflation).

If a self-certification must be used (except when specifically allowed), the Owner is required to document the tenant file by explaining the reason third-party or tenant-provided verification could not be obtained and showing all efforts that were made to obtain verification. Per Chapter 5 of the HUD Handbook 4350.3, the following documents should be placed in the tenant file:

a. A written note to the file explaining why third-party or tenant-provided verification is not possible; and/or
b. A copy of the date-stamped original request that was sent to the third-party; and/or

c. Written notes or documentation indicating follow-up efforts to reach the third-party to obtain verification; and/or
d. A written note to the file indicating that the request has been outstanding without a response from the third-party.

The Owner may accept self-certification if there is a fee associated with receiving the third-party verification. If the Owner chooses to pay the fee to obtain the third-party verification, this cost cannot be passed on to the tenant or applicant.

**5. Income Verified for a Rental Assistance Program**

In lieu of conducting their own income calculation, the owner agent must accept an income determination that has already been made by a state or federal rental assistance program (tenant-based or project-based).

The owner agent must obtain from the public housing authority (PHA) or other rental assistance administrator a written statement that either:

- Indicates the household size and annual income; or
- Indicates the current applicable program income limit and affirms that the household's annual income does not exceed that limit.
- Exception: For Housing Choice Vouchers or Project Based Vouchers, HUD Form 50058 will be accepted instead of a separate statement from the PHA. Form 50058 counts as income verification but does not replace the TIC.

Once the owner agent receives this documentation, no other verification of income is required. However, verifications for other eligibility requirements such as student status must still be obtained, and the household must still complete a Tenant Income Certification Form and Income Questionnaire.

The owner agent must obtain traditional third-party verification if the PHA or other rental assistance administrator does not respond to requests or is unwilling to provide the necessary statement.

Note: The programs covered by this manual cannot accept the Enterprise Income Verification (EIV) system used by Section 8 to verify income. Therefore, the income of Section 8 recipients living in LIHTC units must continue to be third-party verified. EIV documentation must be kept in a separate file from the tax credit verifications so that it is completely inaccessible to the tax credit auditor.

**C. Guidance for Specific Income Sources**

The following section provides brief guidance on some common and/or complicated sources of income to verify.

For complete information concerning included income and acceptable forms of income verification, see HUD Handbook 4350.3 CHG- 4, specifically Chapter 5 and "Appendix 3: Acceptable Forms of Verification" and the *Technical Guide for Determining Income and Allowances,* and the HOTMA Implementation Guidance HUD Notices.

**1. Social Security and Supplemental Security Income**

MHC will accept the Annual Benefit Award letter provided from the Social Security office to verify Social Security benefits. However, all Supplemental Security Income is required to be verified and dated within six months prior to the certification date. When interpreting Social Security benefit letters, remember to use the gross amount before deductions, unless the deduction is for a prior overpayment of benefits. Since HUD considers Social Security benefits (including SSI & SSDI) to be fixed income sources, management may follow the Streamlining Rule for verification of income and is only required to obtain third-party documentation at move-in and at every third recertification.

The Social Security Administration (SSA) may no longer issue Social Security printouts or provide benefit verification letters. Clients can obtain an instant verification letter online by creating a personal mySocialSecurity account or by calling the national toll-free number 1-800-772-1213 and using the automated application to have a letter sent via mail.

Benefits received through direct deposit or a Direct Express Debit Card are treated as income. In addition, the balance on a Direct Express Debit Card is also considered as an asset and must be verified consistent with the verification procedures for a checking or savings account. A current balance must be provided and included as an asset in addition to the benefit income. This balance can be obtained through an online account service, a paper statement, or an ATM balance.

Delayed SS and SSI payments received as a lump sum are not counted as income but are included as a lump sum asset (see the second income exclusion example on page 5-21 of HUD Handbook 4350.3). Delayed SS and SSI payments received as periodic payments are excluded from income (see item #13 in Exhibit 5-1 of HUD Handbook 4350.3).

When a Social Security cost of living adjustment (COLA) increase is announced, the increase must be factored into all income determinations with effective dates after the date the increase was announced. Recent COLA increases include:

- On October 10, 2019, the SSA announced a 1.6% COLA increase for 2020.
- On October 13, 2020, the SSA announced a 1.3% COLA increase for 2021.
- On October 13, 2021, the SSA announced a 5.9% COLA increase for 2022.
- On October 13, 2022, the SSA announced an 8.7% COLA increase for 2023.
- On October 12, 2023, the SSA announced an 3.2% COLA increase for 2024.

**2. Child or Spousal Support**

The amount of child or spousal support included in annual income is "all amounts received," not any amount the household may be legally entitled to but is not receiving. HUD's HOTMA Implementation Guidance specifically states that "child support or alimony must be based on the payments received, not the amounts to which the family is entitled by court or agency orders."

The owner agent must verify the amount of support actually received to annualize income. HUD's HOTMA Implementation Guidance notes that "a copy of a court order or other written payment agreement alone may not be sufficient verification of amounts received by a family" since that order would demonstrate the amount the household is entitled to, not the amount they are receiving.

**3. Unemployment and Welfare Benefits**

When anticipating income from unemployment, the Owner must annualize the weekly benefit amount regardless of whether the benefit end date suggests that benefits will last for the full year. The Owner may not use the total maximum benefit amount, the remaining benefit amount, or an average of the benefits received.

The only exception is if the tenant knows a date on which he or she will return to work or begin a new job. In this case, the Owner would calculate unemployment benefits up until the hire date and then calculate employment income for the rest of the year. MHC will expect to see third-party verification of the unemployment benefits and an employment verification showing the start date for the job, including all other information applicable to employment.

Welfare payments in the form of Temporary Assistance to Needy Families (TANF) are included in household income. Food stamps are not included as household income.

Settlement payments from claim disputes over unemployment or welfare are treated as lump sum assets. However, lump sum payments caused by delays in processing periodic payments in unemployment or welfare are included as income (see page 5-18 and Figure 5-3 on page 5-19 of HUD Handbook 4350.3).

**4. Employment Income (Earned Income)**

Earned income is defined as income or earnings from wages, tips, salaries, other employee compensation, and net income from self-employment. Owners must calculate the total anticipated employment income for the next 12 months based on current income and any verifiable changes. Employment income must be third-party verified when possible. Per the HOTMA Implementation Guidance's hierarchy of verification, an upfront income verification system such as the Work Number is the preferred source of employment verification, followed by tenant-provided source documents (e.g., paystubs), followed by a written third-party verification form completed by the employer.

If utilizing tenant-provided documents:

- For tenants with jobs that provide steady employment, the Owner must obtain the number of paystubs that covers the most recent two consecutive months of payments.
- For tenants with jobs that are seasonal or day labor, the Owner may need to obtain additional paystubs or an alternate form of verification. Seasonal workers and day laborers are considered to have recurring earned income

and these income sources must be annualized and counted in total household income.

If employment verification indicates a range of hours worked, MHC will calculate based on the average hours worked, not the highest in the range.

Note: MHC no longer requires a year-to-date (YTD) calculation as part of income calculation. If the Owner agent chooses to utilize a year-to-date calculation methodology, they must be consistent when calculating income for all households.

When full-time students who are 18 years of age or older are dependents of the household, only a maximum of $480 of their total annual earned income is counted in the total household income calculation. Continue to count the full amount of unearned and asset income. *NOTE: Per HOTMA, the $480 amount will be indexed for inflation and will change annually.

When full-time students who are 18 years of age or older are the head-of-household, co-head, or spouse, the full amount of earned, unearned, and asset income is counted in the total household income calculation.

**5. Recurring Gifts / Regular Contributions to Household**

Any regular contributions and gifts to the household from persons not living in the unit must be included in annual income. This includes payments paid on behalf of the family and other cash or noncash contributions provided on a regular basis. Temporary, nonrecurring, or sporadic contributions or gifts are not counted.

The following items are specifically excluded as income:

- Groceries provided directly to the household (not money given to buy groceries)
- Childcare payments paid directly to the childcare provider on behalf of the tenant
- Non-monetary goods such as food, clothing, or toiletries received from a food bank or similar organization
- Gifts for holidays, birthday, or other significant life events or milestones such as weddings, baby showers, or anniversaries

Recurring gifts/contributions should be third-party verified when possible by having the contributor sign a self-certification stating the amount and frequency of the gift/contribution.

**6. Student Financial Assistance**

Treatment of student financial assistance depends on whether a household is receiving Section 8 assistance (HCV, PBV, or PBRA). To properly calculate student financial assistance, the owner agent must verify and calculate (a) actual covered costs, (b) student financial assistance received under the Higher Education Act, and (c) other student financial assistance, as defined below.

a. Actual Covered Costs

Actual covered costs include tuition, books, supplies, equipment to support students with disabilities, room and board, and other fees required by an institution of higher education. If the student is not the head of the household, co-head, or spouse, actual covered costs also include the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

b. Student Financial Assistance Received Under Section 479B of the Higher Education Act ("HEA Assistance")

HEA assistance includes Federal Pell Grants, Teach Grants, Federal work study programs, Federal Perkins Loans, student financial assistance received under the Bureau of Indian Education, Higher Education Tribal Grants, Tribally Controlled Colleges or Universities Grant Program, or employment training programs under Section 134 of the Workforce Innovation and Opportunity Act (WIOA).

c. Other Student Financial Assistance

Other student financial assistance includes grants or scholarships received from such sources as the Federal government; a state, territory, Tribe, or local government; a private foundation registered as a 501(c)(3) nonprofit; a business entity such as a corporation, general partnership, LLC, LP, joint venture, business trust, public benefit corporation, or nonprofit; or; an institution of higher education.

Other student financial assistance does not include financial support provided in the form of a fee for services performed (e.g., a work study or teaching fellowship that is not excluded under Section 479 B of the HEA) or gifts from family or friends.

Other student financial assistance may be paid directly to the student or to the educational institution on the student's behalf.

**Determining Student Financial Assistance Income for Households without Section 8 Assistance**

The amount of student financial assistance to include as income is calculated as follows:

Step 1: Actual covered costs MINUS amount of HEA Assistance = amount of actual covered costs exceeding HEA assistance ("X")

- If "X" is negative, count the full amount of other student financial assistance as income
- Otherwise, proceed to Step 2

Step 2: Amount of other student financial assistance MINUS "X" = student financial assistance counted in income ("Y")

- If "Y" is negative, student financial assistance income = $0

**Determining Student Financial Assistance Income for Households with Section 8 Assistance**

If the household is receiving Section 8 assistance and the student is the head, co-head, or spouse and is over the age of 23 with dependent children, follow the rule above for non-Section 8 households.

If the student is the head, co-head, or spouse but is age 23 or younger or does not have dependent children, include as income any amount of student financial assistance (sum of amounts received under the Higher Education Act and other student financial assistance) in excess of actual covered costs.

**7. Periodic Payments and Withdrawals**

Periodic payments from such sources as annuities, insurance policies, retirement funds, pensions, and disability or death benefits are included in annual income.

Retirement Accounts: The distribution of periodic payments from retirement accounts is included as income and must be verified. Retirement accounts include IRAs, employer plans such as 401(k) or 403(b) plans, and retirement plans for self-employed individuals. Retirement accounts are not considered assets. The owner must verify the amount of distributions. The balance of the account does not matter since retirement accounts are never counted as assets.

Irrevocable Trusts: The distribution of periodic payments from the trust's principal is excluded as income. The distribution of periodic payments from interest earned on the trusts' principal is included as income, unless the distributions are used to pay for the health and medical expenses of a minor. An irrevocable trust is never counted as an asset and asset income (actual income earned by the trust) is excluded.

Revocable Trusts (Where the Trust Grantor is Not Part of the Household and Household Does Not Otherwise Have Control of the Trust): The distribution of periodic payments from the trust's principal is excluded as income. The distribution of periodic payments from interest earned on the trusts' principal is included as income, unless the distributions are used to pay for the health and medical expenses of a minor. This type of revocable trust is not counted as an asset and asset income (actual income earned by the trust) is excluded.

Revocable Trusts (Where the Trust Grantor is Part of the Household or Household Otherwise Has Control of the Trust): The distribution of periodic payments from the trust's principal is excluded as income. The distribution of periodic payments from interest earned on the trusts' principal is excluded as income. This type of revocable trust is counted as an asset and asset income (actual income earned by the trust) is included as income.

**8. Verifying Fixed Income Sources**

**General Rule and Definition of Fixed Income**

The "Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher, Multifamily Housing, and Community Planning and Development Programs Final Rule" (a.k.a. the Streamlining Rule) provides a simplified manner of verifying fixed income sources effective April 7, 2016. MHC has adopted these streamlining rules to verify fixed income as described below.

Per the Streamlining Rule, as codified through regulation in 24 CFR Part 5.657 and Part 982.516, fixed income sources are defined as "periodic payments at reasonably predictable levels." Fixed income sources include the following:

- Social Security payments, including Supplemental Security Income (SSI) and Supplemental Disability Insurance (SSDI);
- Federal, state, local, and private pension plans;
- Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts; and
- Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.

Fixed income sources must initially be verified through third-party verification. The Owner is not required to reverify until the household's third recertification and every three recertifications thereafter (referred to as the "triennial verification"). For years that do not require third-party verification, the Owner utilizes the existing verification form and applies an adjustment factor that comes from either (1) a public source (e.g., the Social Security Administration's annual COLA announcement) or (2) tenant-provided third-party generated documentation. The adjustment factor used must be verified and documented in the file. If no public or third-party verification of the COLA/increase is available, then a traditional verification must be obtained.

**Special Rule When 90% or More of Household Income is from Fixed Income Sources**

The "Streamlining Administrative Regulations for Multifamily Housing Programs and Implementing Family Income Reviews Under the Fixing America's Surface Transportation (FAST) Act Interim Final Rule" (a.k.a. the FAST Act) further expands the streamlining rule for verifying fixed income sources effective March 12, 2018. MHC has adopted these additional streamlining rules to verify fixed income as described below.

When 90% or more of a household's gross income comes from fixed income sources (as defined above), in addition to the streamlining requirements above, the Owner may accept the household's self-certification of income sources that are not fixed during years that do not require the full "triennial verification."

Example 1: Household where fixed income source is 90% of more of gross income. Example assumes the project is subject to recertification of income.

- Move-in: Owner obtains full verification of all income sources.
- 1st Recertification: Owner obtains verification of COLA increases for fixed income sources and applies the adjustment to the previously obtained verification of the fixed income source (from the move-in file). Non-fixed income sources are verified by self-certification of the household, as long as the household certifies an amount that is less than 10% of the total gross household income. If non-fixed income sources are greater than 10% of gross household income, they must be verified through the traditional verification methodology.
- 2nd Recertification: Owner obtains verification of COLA increases for fixed income sources and applies the adjustment to the previously obtained verification of the fixed income source (from the move-in file). Non-fixed income sources are verified by self-certification of the household, as long as the household certifies an amount that is less than 10% of the total gross household income. If non-fixed income sources are greater than 10% of gross household income, they must be verified through the traditional verification methodology.
- 3rd Recertification: Owner obtains full verification of all income sources, similar to what was done at the time of move-in.
- 4th Recertification: Owner obtains verification of COLA increases for fixed income sources and applies the adjustment to the previously obtained verification of the fixed income source (based on the 3rd recertification file). Non-fixed income sources are verified by self-certification of the household, as long as the household certifies an amount that is less than 10% of the total gross household income. If non-fixed income sources are greater than 10% of gross household income, they must be verified through the traditional verification methodology.
- Process continues to cycle as demonstrated above.

Example 2: Household where fixed income source is less than 90% of gross income. Example assumes the project is subject to recertification of income.

- Move-in: Owner obtains full verification of all income sources.
- 1st Recertification: Owner obtains verification of COLA increases for fixed income sources and applies the adjustment to the previously obtained verification of the fixed income source (from the move-in file). Non-fixed income sources are third-party verified.
- 2nd Recertification: Owner obtains verification of COLA increases for fixed income sources and applies the adjustment to the previously obtained verification of the fixed income source (from the move-in file). Non-fixed income sources are third-party verified.
- 3rd Recertification: Owner obtains full verification of all income sources, similar to what was done at the time of move-in.
- 4th Recertification: Owner obtains verification of COLA increases for fixed income sources and applies the adjustment to the previously obtained verification of the fixed income source (based on the 3rd recertification file). Non-fixed income sources are third-party verified.
- Process continues to cycle as demonstrated above.

**D. Differences in Reported Income**

The management agent should give the applicant/tenant the opportunity to explain any significant differences between the amounts reported on the application/income questionnaire and amounts reported on third-party verifications in order to determine actual income. The explanation of the difference should be documented in the tenant file on a clarification form or self-certification.

**E. Zero Income Households**

It is possible that a household will have total annual income of $0. This is possible if the household is receiving rental assistance, food stamps, and other forms of assistance that are not counted as income. However, it is often the case that households claiming to be zero income are in fact receiving some type of recurring gift from friends or family members.

If an individual applicant/tenant within the household has zero income, that individual must complete "Non- employed Status Certification" or a similar form. This form asks the household member to certify that he or she has no employment, allows them to answer questions about other forms of income, and provides an option to claim zero income but explain that another household member pays for all expenses.

If the entire household is claiming zero income, the household must complete "Zero Income Certification and Basic Needs Questionnaire" or a similar form. This form asks the household to identify how various expenses will be paid and often serves as a way of catching recurring gifts and contributions to the household.

While zero income households do exist, it is the responsibility of management to prove due diligence when reporting households as zero income. Zero income households can raise a red flag for auditors, especially if the household that is claiming zero income is responsible for a portion of rent.

## Section 5.04 Annual Income

**A. Whose Income and Assets are Counted?**

| Member | Employment Income | Unearned/asset income |
|---|---|---|
| Head of household | Yes | Yes |
| Spouse/ Co-head | Yes | Yes |
| Other adult | Yes | Yes |
| Foster adult | No | No |
| Dependent Child Under 18 | No | Yes |
| Full-time student over 18 * | See Note Below | Yes |
| Foster child under 18 | No | No |

| Member | Employment Income | Unearned/asset income |
|---|---|---|
| Non-members (live-in aides, guests, etc.) | No | No |

*If a full-time student over 18 is a dependent of the household, only a maximum of $480 of earned income (adjusted by inflation) is included in annual household income.

**B. Income**

Annual income is defined as the gross amount of earned and unearned income to be received by all adult members of the household (18 years of age and older, including full-time and part-time students) and the gross unearned income of minors during the 12 months following the date of certification or recertification.

The owner agent must generally use current circumstances to anticipate income. However, if information is available on known changes expected to occur during the year, the owner must use that information to determine the total anticipated income.

1. Nonrecurring income: Income that is not recurring is not counted as income. Examples of income that is considered nonrecurring and thus excluded include:
   - payments from the U.S. Census Bureau for employment lasting no longer than 180 days and not culminating in permanent employment
   - direct federal or state payments for economic stimulus or recovery
   - tax refunds or tax credits
   - gifts for significant life events or milestones (holidays, birthdays, weddings, baby showers, etc.)
   - lump sum additions to net family assets, including lottery or contest winnings
   - non-monetary, in-kind donations such as food, clothing, or toiletries received from a food bank or similar organization
   - nonrecurring payments made to the family or to a third-party on behalf of the family to assist with utilities or eviction prevention
   - security deposits to secure housing
   - payments for participating in research studies (depending on the duration)
   - other general one-time payments
2. Unsecured income: MHC does not require owners to include unsecured income sources when calculating household income. For example, if an applicant or tenant is unemployed MHC does not require that individual to anticipate income he or she may earn if a job is secured, unless it is verifiable that a job has been secured for a future start date.
3. Sporadic or seasonal income: The owner must use reasonable judgment to determine the most reliable method of calculating income in scenarios where income fluctuates, such as when income is received as an independent contractor, day laborer, or seasonal worker.
   - A day laborer is defined as "an individual hired and paid one day at a time without an agreement that the individual will be hired or work again in the future."
   - An independent contractor is defined as "an individual who qualifies as an independent contractor instead of an employee in accordance with the Internal Revenue Code Federal income tax requirements and whose earnings are consequently subject to the Self-Employment tax."
   - A seasonal worker is defined as "an individual who is: 1) hired into a short-term position (e.g., for which the customary employment period for the position is six months or fewer); and 2) employment begins about the same time each year (such as summer or winter). Typically, the individual is hired to address seasonal demands that arise for the employer or industry." Examples include employment linked to holidays, agricultural seasons, lifeguards, ballpark vendors, snowplow drivers, etc.

   Such income does not meet HUD's definition of "nonrecurring" and must be counted as income. If income cannot be determined using current information, the owner may anticipate income based on the income that was earned within the last 12 months prior to the income determination. However, prior year's income should not be used if information is available that shows the situation has changed.

Any income source not specifically excluded must be included. See the list of income exclusions at 24 CFR 5.609.

Note that income limits are based on gross annual income, not adjusted annual income. Allowances commonly used in some federal housing programs, such as childcare allowance, elderly household allowance, dependent allowance, handicapped assistance allowance, medical deductions, etc., are not permitted to be subtracted from the household's gross income to determine income eligibility for program assisted units. Adjusted income is only calculated to determine the rent to charge households exceeding 80% AMI in HOME-assisted units as described in Section 3.1 C.

**C. Assets**

**Net Family Assets Defined**

Net family assets are defined as the net cash value of all assets owned by the family (except necessary personal property and specifically excluded assets), after deducting reasonable costs that would be incurred to dispose of real property, savings, stocks, bonds, and other forms of investment.

There are three types of assets:

- Real property is included in net family assets. Real property includes land or a home.
- Necessary personal property is excluded from net family assets. Necessary personal property includes (1) items essential to the family for the maintenance, use, and occupancy of the premises as a home, (2) items necessary for employment, education, or health and wellness, (3) items that assist a household member with a disability or that may be required for a reasonable accommodation for a person with a disability, and (4) personal effected including items that are convenient or useful to a reasonable existence and that support and facilitate daily life within the home.
- Non-necessary personal property includes bank accounts, other financial investments, luxury items, and other items not counted as necessary personal property. Non-necessary personal property is treated as follows:
  - If combined value > $50,000 (adjusted by inflation) include in net family assets
  - If combined value < $50,000 (adjusted by inflation) exclude from net family assets, but actual income from the assets is still included as income

See Table F1 and Example F1 from HUD Notice H 2023-10 (on the next two pages) for examples of necessary personal property versus non-necessary personal property.

**Table F1: Examples of Necessary and Non-Necessary Personal Property**

| Necessary Personal Property | Non-Necessary Personal Property |
|---|---|
| • Car(s)/vehicle(s) that a family relies on for transportation for personal or business use (e.g., bike, motorcycle, skateboard, scooter)<br>• Furniture, carpets, linens, kitchenware<br>• Common appliances<br>• Common electronics (e.g., radio, television, DVD player, gaming system)<br>• Clothing<br>• Personal effects that are not luxury items (e.g., toys, books)<br>• Wedding and engagement rings<br>• Jewelry used in religious/cultural celebrations and ceremonies<br>• Religious and cultural items<br>• Medical equipment and supplies<br>• Health care–related supplies<br>• Musical instruments used by the family<br>• Personal computers, phones, tablets, and related equipment<br>• Professional tools of trade of the family, for example professional books<br>• Educational materials and equipment used by the family, including equipment to accommodate persons with disabilities<br>• Equipment used for exercising (e.g., treadmill, stationary bike, kayak, paddleboard, ski equipment) | • Recreational car/vehicle not needed for day-to-day transportation (campers, motorhomes, travel trailers, all-terrain vehicles (ATVs))<br>• Bank accounts or other financial investments (e.g., checking account, savings account, stocks/bonds)<br>• Recreational boat/watercraft<br>• Expensive jewelry without religious or cultural value, or which does not hold family significance<br>• Collectibles (e.g., coins/stamps)<br>• Equipment/machinery that is not used to generate income for a business<br>• Items such as gems/precious metals, antique cars, artwork, etc. |

**Example F1: Necessary and Non-Necessary Personal Property**

The Cross family owns three items of personal property. The family has a checking account valued at $5,000, a $15,000 recreational boat, and Ms. Cross's $3,000 engagement ring.

The checking account and recreational boat are both considered non-necessary personal property. They are worth a combined $20,000. The engagement ring is considered necessary personal property, because it is jewelry used in a religious/cultural celebration or ceremony. Since the total value of non-necessary personal property is less than $50,000, the family's non-necessary personal property will not be considered when calculating the Cross family's net family assets.

Cross Family's Personal Property

| Item | Estimated Value | Type | Amount to be considered as non-necessary personal property |
|---|---|---|---|
| Checking account | $5,000 | Non-necessary Personal Property | $5,000 |
| Ring (engagement ring) | $3,000 | Necessary Personal Property | $0 |
| Recreational boat | $15,000 | Non-necessary Personal Property | $15,000 |
| | | Total Non-necessary Personal Property: | $20,000 |

Calculation of Cross Family's Total Net Assets

| Asset | Total to be Considered in Net Family Assets |
|---|---|
| Non-necessary Personal Property | $0 |
| Real Property | $0 |
| Total: | $0 |

The Cross family's total net family assets are $0.

The market value of an asset is its dollar value on the open market. The cash value of an asset is the market value minus reasonable expenses incurred to convert the asset to cash, including for example:

- Penalties or fees for converting financial holdings. Any penalties, fees, or transaction charges incurred when an asset is converted to cash are deducted from the market value to determine its cash value.
- Costs for selling real property. Settlement costs, real estate transaction fees, payment of mortgages/liens against the property, and any legal fees associated with the sale of real property are deducted from the market value to determine equity in real estate.

If an asset is not effectively owned by an individual, do not include as a household asset. An asset is not considered "effectively owned" by an individual when the asset is held in the individual's name but the asset and income it earns accrue to the benefit of someone else who is not a member of the family, and that other person is responsible for taxes on income generated by the asset.

NOTE: Some income sources (including benefits such as Social Security) are being paid onto special pay cards / prepaid debit cards instead of through direct deposit into a checking or savings account. These cards are included as assets and are verified in the same way as a checking or savings account. A current balance must be provided and included as an asset in addition to the benefit income being counted as income. This balance can be obtained through an online account service, a paper statement, or an ATM balance.

**Disposed of Assets**

Assets disposed of for less than fair market value are included as assets for a period of two years from the date of disposal. The amount to be included as an asset is the difference between the cash value of the asset and the amount that was actually received (if any) in the disposition of the asset. This rule only applies if the difference between the cash value and the amount received is greater than $1000.

Assets disposed of for less than fair market value as a result of foreclosure or bankruptcy or those lost through a separation or divorce settlement are not included in this calculation.

**Jointly Owned Assets**

If assets are owned by the household and one more individuals outside of the household, the owner agent must include the total value of the asset in the calculation of net family assets unless (1) the asset is specifically excluded, (2) the household can demonstrate that the asset is inaccessible to them, or (3) the household cannot dispose of any portion of the asset without the consent of another owner who refuses to comply. If the household has access to only a portion of the asset, then only that portion's vale is counted in the calculation of net family assets.

If the household member is a beneficiary who is entitled to access the account's funds only upon the death of the account's owner, and may not otherwise draw funds from the account, then the account is not counted as an asset for the household.

**Assets with Negative Equity**

The value of real property or other assets with negative equity is considered $0 for purposes of calculating net family assets.

**Excluded Assets:**

The following are excluded from net family assets. Any asset source not specifically excluded must be included in net family assets.

- The value of necessary items of personal property (see below)
- The value of non-necessary items of personal property with a combined value < $50,000 (adjusted by inflation). However, actual income earned from such assets is still included as income.
- The value of any account under a retirement plan recognized as such by the IRS, including Individual Retirement Accounts (IRAs), employer retirement plans such as 401(k) or 403(b) plans, and retirement plans for self-employed individuals.
- The value of real property that the household does not have the effective legal authority to sell. Examples include co-ownership situations where one party cannot unilaterally sell the real property (including situations where one owner is a victim of domestic violence), property tied up in litigation, or inherited property in dispute.
- Amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a household member arising out of law that resulted in a member of the family being a person with disabilities.
- The value of any Coverdell education savings account under Section 530 of the Internal Revenue Code, the value of any qualified tuition program under Section 529 of the Internal Revenue Code, and the amounts in, contributions to, and distributions from an Achieving a Better Life Experience (ABLE) account under Section 529A of such code.
- The value of any "baby bond" account created, authorized, or funded by the federal, state, or local government (money held in a trust by the government for children until they are adults)
- Interests in Indian trust land
- Equity in a manufactured home where the family receives assistance under 24 CFR Part 982
- Equity in property under the Homeownership Option for which a family receives assistance under 24 CFR Part 982
- Family Self-Sufficiency accounts
- Federal tax refunds or refundable tax credits for a period of 12 months after receipt by the family
- The full amount of assets held in an irrevocable trust
- The full amount of assets held in a revocable trust where a member of the household is the beneficiary, but the grantor/owner and trustee of the trust is not a member of the household

**Subtraction of Federal Tax Refunds or Refundable Tax Credits**

Amounts received in the form of a federal tax refund or refundable tax credit are excluded from net family assets.

If a tax refund was received during the previous 12-month period preceding the effective date of certification, then the amount of the refund must be subtracted from the total value of the account into which it was deposited. If the subtraction results in a negative number, the balance of the asset is considered $0. When calculating this amount, the owner agent must use the refund amount actually received, not an amount anticipated.

**Asset Income**

Actual Income from Assets

The income generated by an asset, such as interest or dividend payments. Actual income from assets is always included in annual income, regardless of whether the asset itself is included or excluded from net family assets, unless the income is specifically excluded.

Example: Household has a $20,000 savings account with a 2% interest rate. The household has no other assets.

- Total value of assets is $20,000
- Net family assets = $0 (the total value of assets is less than $50,000 so net family assets is considered $0)
- Actual asset income from the savings account is $400 (2% interest x $20,000 balance) even though the net family assets is $0

Imputed Income from Assets

Imputed income must be calculated for specific assets (not all assets) when three conditions are met:

- The value of net family assets exceeds $50,000 (adjusted by inflation)
- The specific asset is not specifically excluded; and
- Actual asset income cannot be calculated for that specific asset

If actual income from asset can be computed for some assets but not all, the owner agent must add up the actual income from assets for those assets where actual income can be calculated and then calculate imputed income just for those assets where actual income cannot be calculated.

Imputed income is calculated using the passbook rate.

- Prior to 2/1/15, the passbook rate was 2.00%
- From 2/1/15 through 12/31/23, the passbook rate was 0.06%
- For 2024, the passbook rate is 0.40%
- HUD will calculate a new passbook rate each July

**D. Computing the Total Household Income**

After all income and asset information has been verified for a household, all included sources of income are added together to calculate the total household income. In order for the household to qualify for a program assisted unit, the total household income must be at or below the income limit in effect at the time of tenant certification. If the total household income is greater than the income limit, then the household cannot be certified for a program assisted unit. Income and assets must be calculated in accordance with the Section 8 methodology as described in 24 CFR 5.609 and in further detail in Chapter 5 of HUD Handbook 4350.3 as superseded by Notice H 2023-10/PIH 2023-27 (HOTMA Implementation Guidance) where applicable. Any income and asset source not specifically excluded from household income must be included.

Income limits are based on **gross annual income, not adjusted annual income**. Allowances commonly used in some federal housing programs, such as childcare allowance, elderly household allowance, dependent allowance, handicapped assistance allowance, medical deductions, etc., are not permitted to be subtracted from the household's gross annual income to determine income eligibility. Adjusted income is only calculated to determine the rent to charge households exceeding 80% AMI in HOME-assisted units as described in Section 3.01.

## Section 5.05 Annual and Interim Income Recertification Requirements

Owners may utilize effective dates when performing tenant certifications. Therefore, the tenant may sign the tenant certification on or before the date the certification takes effect. **All income and eligibility verifications must be dated no more than six**

**months prior to the effective date of the tenant certification.** The Owner should have language in the tenant certification documents indicating that the tenant must inform the recipient of any changes of income or household composition that may occur between the date the tenant signs the certification and the effective date of the certification.

**Recertification for HOME and HTF-assisted Units**

Every sixth year of the affordability period, the owner agent must perform an income recertification for each low-income household and receive third-party documentation to support that certification. In other years, the owner agent may accept the household's self-certification of income. For example, a HOME project is closed out and begins its affordability period in 2023. 2024 is Year 1. 2029 is Year 6. In 2029, all tenants must have a full income recertification using source documentation as verification.

The owner agent may choose one of three options when deciding when to perform annual recertifications.

1. Recertification may be performed at the anniversary date of the initial move-in certification; or
2. Recertification may be performed at lease renewal; or
3. Recertification may be performed on an annual schedule where all households are verified at the same time every year (for example, owner may choose to annually recertify every existing household on January 1st).

## Section 5.06 Lease and Rent Requirements

All residents occupying program units must be certified and under a lease no later than the time that the household moves into the unit. A signed lease is required for all permanent rental housing units. A signed lease must be in effect for each household/unit. Once executed, the lease terms cannot be modified without reasonable notice to the tenant in accordance with Mississippi Code 89-8-11.

### A. Lease or Program Agreement Requirements

A signed lease must be in effect for each year that a household resides in a unit. A new lease and/or a lease renewal addendum must be completed annually. Leases must reflect the correct date that the household moves into or otherwise takes possession of the unit. A unit must be leased directly to the household, not to an organization that provides services to the household.

The household may have a cosigner, if necessary, but the cosigner must sign a self-affidavit stating that (1) they will not reside in the unit and (2) disclosing whether they will be providing income to the household in the form of rent or utility payments or other recurring gifts. If income is provided, this must be treated as recurring gift income per Section 5.03.

At a minimum, the lease language must include (but is not limited to), the following. Note: Language about programmatic requirements may be included in a lease addendum instead of the main body of the lease.

1. The legal name of all parties to the agreement and all other occupants;
2. Address and description of the unit to be rented;
3. The date the lease becomes effective;
4. The term of the lease (must be for at least one year unless there is a mutual agreement between tenant and Owner for a shorter period; must be separately documented in the tenant file);
5. The rental amount;
6. Language addressing security deposits;
7. Language or Lease Addendum acknowledging receipt of the Fair Housing and Lead-Based Paint Brochures;
8. The utility allowance requirements, including a clear breakdown of which utilities are Owner-paid and which are tenant-paid;
9. The use of the premises including language addressing that only members listed on the lease/TIC may dwell in the unit, that the unit must be the household's primary residence, and that the unit may not be sublet;
10. The rights and obligations of the parties, including the obligation of the tenant to recertify annually (or more frequently as required);
11. Language addressing income decreases and increases (i.e., for HOME-assisted units the 80% rule), utility allowance increases/decreases, basic rent changes (in Rural Development or 236 Developments), household composition changes, student status changes (for HOME-assisted units) or any other change and its impact on the tenant's rent and eligibility. The Owner must give at least 30 day written notice prior to increasing rent.

12. Language addressing the right of the development and/or other funding providers to enter the assisted unit for physical inspections;
13. Description of the lease renewal process;
14. Description of the termination process (must give at least 30 days' notice);
15. Signature of all tenants 18 and older or emancipated;
16. Signature of Owner/property manager; and
17. Date of execution.

**B. Prohibited Lease Language**

Per 24 CFR 92.253(b) and 24 CFR 93.303(b), the following items within a lease will constitute a finding of noncompliance:

1. Agreement to be sued, to admit guilt, or to a judgment in favor of the Owner in a lawsuit brought in connection with the lease;
2. Agreement that the Owner may seize or sell personal property without notice and a court decision (this does not apply to tenants who have vacated the property);
3. Excusing Owner from responsibility- Lease cannot contain an agreement not to hold the Owner or Owner's agents legally responsible for any action or failure to act, whether intentional or negligent;
4. Waiver of notice stating the Owner may institute a lawsuit without notice to the tenant;
5. Waiver of legal proceedings stating the Owner may evict the tenant without instituting a civil court proceeding;
6. Waiver of jury trial;
7. Waiver of right to appeal or otherwise challenge a court decision;
8. Agreement to pay all legal costs regardless of the outcome. The tenant may be obligated to pay costs if he or she loses a court proceeding but may not be required to pay the Owner's attorney fees or other legal costs if the he or she wins the court proceeding;
9. Agreement by the tenant (other than a tenant in transitional housing) to accept supportive services that are offered;
10. Language allowing a rent increase without at least 30 day written notice as per 24 CFR 92.252(f)(3); and
11. Language allowing termination of lease without at least 30 days written notice as per 24 CRF 92.253(c). For more information on termination of tenancy, see Section 5.06 below.

**C. Rents and Security Deposits**

Rents on the program units may not exceed the maximum allowable rent. Any violation of overcharging rents is considered noncompliance, and the Owner will have to adjust rent and repay the overcharged rents (See Section 3.02 for more information on correctly implementing rent limits).

**D. Initial Minimum Term of Lease**

There must be a lease term of at least one year on all program units unless the Owner and the tenant have a mutually agreed upon a different lease term for the unit. All leases must, however, be for no less than 30 days.

Federal regulations do allow shorter leases for certain types of housing for homeless individuals. The following types of housing are exempt from the one-year minimum lease term:

1. Single Room Occupancy (SRO) units in developments receiving McKinney Act and Section 8 Moderate Rehabilitation assistance; or
2. Single Room Occupancy (SRO) units intended as permanent housing and not receiving McKinney Act assistance.

**Note: Leases must reflect the correct date of move-in, and/or the date the tenant takes possession of the unit.

**E. Eviction or Termination of Tenancy**

If a household cannot pay the rent or otherwise commits material violation of the lease, the Owner has the same rights in dealing with the income-eligible tenant as with any other tenant, including, if necessary, eviction. MHC encourages Owners to utilize eviction only as a last resort and to implement eviction prevention strategies.

**1. Program Requirements and Guidance**

Regulations state that there must be just cause for eviction or other form of termination of tenancy (non-renewal of lease). This provision is often referred to as "good cause eviction." Language outlining actions that constitute good cause for eviction or termination of tenancy must be included in writing at the time of initial occupancy, preferably in the lease. Examples of good cause evictions may include nonpayment of rent, violations of the lease agreement, destruction or damage of the property, interference with other tenants, tenant fraud, or use of the property for an unlawful purpose. When dealing with tenant conduct issues, the Owner is strongly encouraged to provide a written warning notice to the tenant prior to beginning eviction. This notice should include a statement that continued poor conduct could constitute a basis for future termination.

For transitional housing, good cause for termination includes completion of the tenancy period for transitional housing or failure to participate in any required supportive services.

**2. Items Not to be Construed as Good Cause for Eviction**

- An increase in income that causes the household to exceed the unit set-aside, or the 80% (for HOME-assisted units) income limit is not considered good cause for eviction or termination of tenancy.
- Eviction is not permitted if such eviction is discriminatory based on the tenant/household's protected class under the Fair Housing Act (see Section 4.02).
- Per the Violence Against Women Reauthorization Act of 2013 (see Section 4.02) the Owner/manager shall ensure that an incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as either:
  - A serious or repeated violation of a lease by the victim or threatened victim of such incident; or
  - Good cause for terminating the assistance, tenancy, or occupancy rights to housing of the victim of such incident.

**Owners may not terminate tenancy solely because a household experiences a change in income and existing tenants are never required to move because of an increase or decrease in income. This includes temporarily noncompliant HOME units in which the households exceed 80% of AMI.**

**3. Documenting the File**

When the Owner determines that eviction or termination of tenancy is necessary, the tenant must be served written notice and given no less than thirty (30) days to vacate. The Owner must document the justification and keep copies of the notifications sent to the tenant.

When a tenant is evicted or a lease is terminated, MHC will expect to see documentation outlining the specific cause for non-renewal. It is the Owner's responsibility to document and defend the good cause for eviction if challenged in state court.

# Article VI. Compliance Monitoring Procedures

This section of the manual outlines MHC's procedures for monitoring, in accordance with 24 CFR Part 91, 24 CFR Part 92, and 24 CFR Part 93. Remaining in compliance is solely the responsibility of the Owner and is necessary to use and retain the funds allocated to the award.

Monitoring each development is an ongoing activity that extends throughout the affordability period/extended use period. MHC is required by regulation to conduct compliance monitoring and to take the appropriate steps when noncompliance is found.

### Section 6.01 Owner and Management Contacts

Correspondence from MHC regarding compliance monitoring and physical inspections will be sent to the Owner contact person and management company contact person provided in the development's Application. All other correspondence will be sent directly to the Owner contact person. MHC will annually update the contact information based on the information provided in the development's Annual Owner Certification of Compliance. As part of the Owner Certification documentation, the Owner can elect one designated "primary Owner contact" and one designated "primary management contact" per development. MHC will allow no more than one primary Owner contact name and address and one primary management contact name and address per development.

If at any time the contact person of the Owner or management agent changes, it is the sole responsibility of the Owner to inform MHC in writing of such change with supporting documentation.

### Section 6.02 The Compliance Manual

MHC provides this Compliance Manual as a resource to Owners and management agents. The manual describes the compliance regulations that the Owner and management agent must follow and the compliance monitoring procedures used by MHC. **An amended Compliance Manual will be released periodically, and the newest edition overrides all previous editions. Except where otherwise noted, all amendments to the Compliance Manual apply to all developments, regardless of year of funding**.

### Section 6.03 Quarterly Construction Status Reports

Owners are required to report quarterly during the development phase and lease up phase. Quarterly reports will be due on the 5th of the month following the end of the prior quarter.

Due Dates:

- April 5th – reflecting the Project period January, February, March
- July 5th – reflecting the Project period April, May, June
- October 5th – reflecting the Project period July, August, September
- January 5th – reflecting the Project period October, November, December

Furthermore, during the construction phase, owners must provide Section 3 and MBE/WBE quarterly reports. If necessary, monthly reports may be requested detailing construction progress and barriers to progress, copies of invoices being paid, and evidence of appropriate lien waivers.

### Section 6.04 The Initial Compliance Monitoring Review

Before the Owner receives the last 10% retainage of their award, an initial compliance monitoring review must be completed. The project should have reached 100% completion and have passed the required 100% physical inspection. This initial monitoring occurs within 12 months of construction completion and is necessary to mark the project complete in IDIS.

Several items, including but not limited to the following, are reviewed during this monitoring:

1. **Section 3**. Owners and developers of housing construction/rehabilitation projects receiving $200,000 or more in aggregate HUD funding (including HOME or HTF as well as CDBG or other similar funding from a local government) are subject to the requirements of Section 3 of the Housing and Community Development Act of 1968 as outlined in 24 CFR 75. The purpose of Section 3 is to provide economic opportunities, particularly employment, generated by HUD-assisted development activity, to low- and very low-income persons. In practice, MHC expects that all HOME/HTF rental projects will be subject to Section 3. Projects subject to Section 3 are required to take steps to achieve HUD-specified benchmarks (and maintain records and provide reporting) on total labor hours worked including by eligible "Section 3 workers" (25% of total labor

hours) and by "Targeted Section 3 workers" (5% of total labor hours).

This requirement is met by completing the "Reporting on Section 3 Activities (sample form)" on the MHC website along with the following supporting documentation:

A. For a worker to qualify as a Section 3 worker, one of the following must be maintained:
   i. A worker's self-certification that their income is below the income limit from the prior calendar year;
   ii. A worker's self-certification of participation in a means-tested program such as public housing or Section 8-assisted housing;
   iii. Certification from a PHA, or the owner or property manager of project-based Section 8-assisted housing, or the administrator of tenant-based Section 8-assisted housing that the worker is a participant in one of their programs;
   iv. An employer's certification that the worker's income from that employer is below the income limit when based on an employer's calculation of what the worker's wage rate would translate to if annualized on a full-time basis; or
   v. An employer's certification that the worker is employed by a Section 3 business concern.
B. For a worker to qualify as a Targeted Section 3 worker:
   i. An employer's confirmation that a worker's residence is within one mile of the work site or, if fewer than 5,000 people live within one mile of a work site, within a circle centered on the work site that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census;
   ii. An employer's certification that the worker is employed by a Section 3 business concern; or
   iii. A worker's self-certification that the worker is a YouthBuild participant.
C. Additional reporting if Section 3 benchmarks are not met. If the Owner's reporting indicates that the Developer has not met the Section 3 benchmarks described in 24 CFR 75.13, the Owner must report on the "Reporting on Section 3 Activities (sample form)" on the qualitative nature of its Section 3 compliance activities and those of its contractors and subcontractors. Such qualitative efforts may, for example, include but are not limited to the following:
   i. Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.
   ii. Provided training or apprenticeship opportunities.
   iii. Provided technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).
   iv. Provided or connected Section 3 workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services.
   v. Held one or more job fairs.
   vi. Provided or referred Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, childcare).
   vii. Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
   viii. Assisted Section 3 workers to obtain financial literacy training and/or coaching.
   ix. Engaged in outreach efforts to identify and secure bids from Section 3 business concerns.
   x. Provided technical assistance to help Section 3 business concerns understand and bid on contracts.
   xi. Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.
   xii. Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
   xiii. Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.
   xiv. Outreach, engagement, or referrals with the state one-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.

2. **Minority-owned Business Enterprises & Women-owned Business Enterprises (MBE/WBE).** Federal regulations require that all HOME/HTF program recipients make every effort to use local business firms and contract with small, minority-owned, and women-owned businesses in the procurement process. Specifically, the Owner/Developer must take affirmative steps to use small firms, minority-owned firms, women-owned firms, or labor surplus area firms per 2 CFR 200.321(a).

   Affirmative steps must include:

   A. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
   B. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

C. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
D. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
E. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
F. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

3. **Affirmative Marketing**. The Owner must follow the Affirmative Fair Housing Marketing Plan that was submitted with the funding application. Evidence of all marketing activity and outreach activities must be provided. Ads, flyers, and social media posts are examples of supporting evidence. The outreach should have been directed towards those least likely to apply as shown in the marketing plan.

4. **Tenant Selection Policies and Criteria**. The Owner must have written tenant selection policies and criteria that meet HOME/HTF requirements. The policy must describe who can rent units (income restrictions, special populations, nondiscrimination against those with rental assistance), VAWA protections, and the use of a waiting list and applicant notification of reasons for rejection. Tenant selection policy & criteria must include the following:

   - Occupancy is limited to very low-and low-income households
   - Description of preferences to particular population(s), if any
   - No exclusion of applicants who hold rental assistance certificate or voucher
   - Required use of waiting list and selection of tenants in chronological order of application, to extent possible
   - Owners must give prompt written notice to rejected applicants, with the reason
   - Compliance with VAWA protections

   Documentation includes a copy of the tenant selection policy, and the tenant files show compliance with the policy.

5. **Lease Compliance**. There must be a lease between Owner and tenant, and it must:

   - Be for at least one year; shorter term by mutual written agreement
   - Include VAWA lease addendum, if HOME commitment made to project after 12/16/2016
   - Must NOT contain prohibited lease terms per 92.253(b)/93.303(b)

6. **Initial Income Eligibility Determination**. For initial leasing, Owner determines tenant income eligibility:

   - Uses HOME/HTF income limits applicable at time
   - Uses MHC-specified definition of income (Part 5)
   - Review at least 2 months of source documentation
   - Count income for all household members
   - Project household's prevailing rate of income for the next 12 months
   - Determination: no more than 6 months before signing lease
   - Same definition of income for all tenants in project

   Documentation includes the tenant's application/worksheet reporting household members & income source documents (pay stubs, etc.).

7. **Initial Rent and Rent Schedule**. For HOME-assisted units, rents cannot exceed the high HOME rent limit. In projects with 5+ HOME units, 20% of HOME units must charge rent that cannot exceed the low HOME rent limit. If the tenant pays for utilities and/or services, the Owner must deduct a utility allowance from the rent limit to determine maximum rent based on the HUD Utility Schedule Model or another model that is based on type of the utilities at the project. An initial rent schedule and utility allowance schedule should have already been submitted to MHC. The review will make the determination that the rent stated in the lease is HOME/HTF compliant, and the Owner correctly deducted the utility allowance and any other subsidies when determining maximum rent. A rent calculation worksheet would be proper documentation of this requirement.

8. **Financial Review**. Documentation must show evidence that any HOME/HTF funds drawn down to the project as of the date of the initial compliance monitoring review have been paid to contractors/vendors named on the invoices in the previously

submitted requests for cash. Canceled checks or wire transfers are sufficient evidence for proof of payment. The final request for cash shall include a cost certification. For HOME projects, documentation must show payment within 15 days of receipt from MHC.

9. **Lead-Based Paint**. For rehabilitation projects on buildings built before 1978, the tenant file must show that the tenant received the free educational pamphlet "Protect Your Family from Lead in Your Home", a warning statement in the lease, a disclosure of known LBP or LBP hazards, all available information, and an opportunity for testing.
10. **Davis-Bacon Labor Standards** (For projects with 12 or more HOME-assisted units). Evidence of compliance with Davis-Bacon labor standards is required.

### Section 6.05 Annual Owner Certification of Compliance

Once the Affordability Period begins, the Owner must annually certify project compliance to MHC under penalty of perjury. The Annual Owner Certification of Compliance is due each year and certifies information for the preceding 12-month period. Complete submission includes finalizing the Annual Owner Certification questions, submitting all tenant events, and payment of annual monitoring fees (if the project has tax credits).

The first annual owner certification is due the year following the year of the project's closeout date. **However, the Owner must begin reporting tenant events with the first tenant move-in.** The report covers the period January 1 – December 31 of each year.

Through these reports, the Owner must annually certify that:

1. The award meets the required set-aside per the Regulatory Agreement.
2. The Owner has completed a Tenant Income Certification form and supporting documentation to support the certification for each low-income household, including for HOME-assisted units documentation proving student status eligibility.
3. Each low-income unit in the award was rent restricted as provided under the program and MHC requirements;
4. The development is in continuing compliance with all promises, covenants, set-asides, and agreed upon restrictions as set forth in the application, Regulatory Agreement, and recorded Declaration of Restrictive Covenants
5. The unit types, gross rents, utility allowance, and actual rents charged for each unit;.
6. All units in the development are for use by the general public and no finding of discrimination under the Fair Housing Act or VAWA occurred for the award.
7. Fair housing, equal employment opportunity, and lead-based paint information is posted, as required by MHC. Each beneficiary of a program assisted unit has been given a lead-based paint and fair housing brochure as required by MHC. Documentation of each beneficiary's receipt of the brochures is being maintained throughout the affordability period and is available for inspection by MHC.
8. All units are used on a non-transient basis (except for transitional housing units allowed under the Regulatory Agreement).
9. All units in the development are suitable for occupancy, taking into account all federal, state, and local health, safety, and building codes and the state or local unit of government responsible for making building code inspections did not issue a report of a violation for any building or unit in the award.
10. All tenant facilities included in the award under the program and state regulations, such as swimming pools, recreational facilities, and parking areas, are provided on a comparable basis without charge to all tenants of the award;
11. No low-income units in the building became vacant during the applicable year; or one or more low-income units in the building became vacant during the applicable year and reasonable efforts were/are being made to rent such units or units of comparable size in the building to eligible tenants.
12. No tenant of any low-income unit in the award experienced an increase in income above the limit allowed; or income of tenants of a low-income unit in the award increased above the limit allowed and the appropriate over-income rules were followed (if HOME-assisted).
13. The development has at least one smoke detector on each level of the rental dwelling unit;
14. There have been no changes in entity ownership or if there have been, MHC has been provided with all details and all necessary documentation; and
15. The development is otherwise in compliance with the applicable laws, rules, regulations, and ordinances.

### Section 6.06 MHC Monitoring Reviews and Inspections During the Affordability Period

MHC reserves the right to review a development's tenant/unit files and related records either via desktop review (files submitted electronically to MHC offices) or onsite at the development and to perform physical inspections as deemed necessary throughout the Affordability Period.

- All properties will be subject to tenant file audits and physical unit inspections once every three years throughout the affordability period. The monitoring and inspection sample size will be determined as follows:
  - o For projects with one to four assisted units, 100% of the assisted units will be monitored/inspected.
  - o For projects with more than four assisted units, at least 20% of the assisted units, but no fewer than four units, will be monitored/inspected. For physical inspections, at least one assisted unit in each building will be inspected.
- Inspectable areas under NSPIRE will be inspected for all buildings. Inspectable areas include unit, inside, and outside..

However, MHC reserves the right to inspect the files and/or physical units at any time at its discretion, with or without advance notification to the Owner. Decisions to monitor/inspect more frequently may be based on tenant complaints or MHC's assessment that a project is high risk. A project may be deemed high risk based on compliance issues identified through the Annual Owner Certification or on financial issues identified through the annual Financial Review (if applicable).

**A. File Monitoring**

All awards will have a file audit in the same year the development has a physical inspection. MHC staff or a representative of MHC will conduct the audit. The audit will either be conducted onsite or through a desktop review. Regardless of whether it is done onsite or offsite, the audit will consist of the following:

1. Fair Housing and Equal Opportunity - Are the fair housing and equal opportunity posters displayed at:
   - The property location if a single site project; and/or
   - At the site where residents apply for housing.
2. Lead Based Paint Educational Information (if applicable) - Is the Lead Based Paint Poster displayed at:
   - The property location if a single site project; and/or
   - At the site where residents apply for housing.
   - Annual recertification of the unit passing a visual assessment (as required by the Lead-Based Paint regulations, if applicable).
3. Affirmative Marketing- Projects with five or more assisted units must follow Affirmative Fair Housing Marketing procedures.
   - MHC will review the Affirmative Marketing Plan process utilized in determining the market least likely to apply for housing, and how the units were marketed to this segment of the population. MHC will review documentation including brochures, advertisements, and marketing materials that were utilized;
   - Affirmative Fair Housing Marketing Plans must be evaluated at least once every five years and updated according to the policies of the Fair Housing and Equal Opportunity Office of the Department of Housing and Urban Development (HUD). All updated Affirmative Fair Housing Marketing Plans must be submitted to MHC.
   - The Affirmative Fair Housing Marketing Plan must be created using HUD Form 935.2A.
4. Tenant Selection Plans - MHC will review the written tenant selection plans utilized by management. The plan should allow MHC staff to determine how tenants are selected and the criteria used for approving or denying applicants. See Section 4.02 for more information on Tenant Selection Plans.
5. VAWA Compliance (if applicable), including records to demonstrate that tenants have been properly notified of their rights under VAWA through required notices and lease addendum documents. See Section 4.02 for information on VAWA applicability and requirements.
6. Utility Allowance - MHC will review documentation of utilities paid by the tenant versus those paid by the Owner.
7. Tenant Files - For each unit randomly selected, a file must be available containing the following documentation:
   - Lease (original and current);
   - Lease addenda forms- e.g., HOME or HTF Program Lease Addendum, VAWA Addendum, etc.
   - Application (for move-in files);
   - Tenant Income Certification (TIC) form;
   - Income Certification Questionnaire;
   - Income and asset verifications;
   - Student status certifications (for HOME-assisted units)
   - Utility allowance and supporting documentation;
   - Documentation of the receipt of the applicable brochures (Fair Housing & Lead Based Paint); and

- For tenants receiving tenant-based Section 8 vouchers, a copy of the Housing Assistance Payment (HAP) Contract and the current HAP Amendment from the Public Housing Authority or a copy of the current HUD Form 50058. For tenants in Section 8 Project Based Voucher (PBV) units, a copy of the current HUD Form 50058 showing the amount of rental assistance. For tenants in Section 8 Project Based Rental Assistance (PBRA) units, a copy of the current HUD Form 50059 showing the amount of rental assistance.

**When performing an onsite (at the development or management office) review, MHC will:**

1. As a courtesy, MHC will notify the Owner and/or management agent at least one week in advance of the intended site visit. **However, MHC reserves the right to inspect any unit/tenant file at any time at its discretion without prior notification**.
2. The Compliance Officer will randomly choose a selection of 20% of the files for review;
3. Provide an exit interview summary to management representative;
4. Inform the Owner of any findings of noncompliance with regard to such review; and
5. Allow the Owner 30 days to notify MHC of any correction of noncompliance.

NOTE: If files are not available or are found in such a condition that an MHC Auditor cannot effectively review the files, the 30-day correction period will begin immediately.

**When performing an in-house (at MHC office) file audit, MHC will:**

1. Notify the Owner in writing which unit files have been selected for review;
2. Respectfully request that either (1) electronic copies of selected files and documentation be submitted through an MHC approved file transfer site. Contact MHC staff if online file transfer is available; or (2) hard copies of the selected files and documentation be shipped to MHC or hand delivered by the Owner or a representative of the Owner. Do not send original copies. All documents will be shredded at completion of the audit.
3. Ask for a current rent roll and utility allowance information;
4. Shred all files and confidential information after the review is completed;
5. Give a time frame in which the tenant file documentation must be submitted. Currently, MHC requires files to be submitted within two weeks of notification of the monitoring;
6. Inform the Owner of any findings of noncompliance regarding such review; and
7. Allow the Owner 30 days to notify MHC of any correction of noncompliance.

NOTE: The desktop notification/file request letter will include a checklist of the items that must be included in each tenant file submitted. When reviewing copies of the files, MHC will expect to see all the applicable documents listed on the checklist, in the approximate order that they are listed (leasing information, tenant information, income verifications, asset verifications, other clarifications). Compliance Officers will not review files that are submitted in a disorderly or incomplete fashion.

**B. Physical Inspections**

**Prior to performing an onsite development inspection, MHC or its third-party agent will:**

1. Notify the Owner and/or the management company of the date and approximate time the inspection will take place.
2. Request that the Owner and/or management company representative be present and accompany the inspector throughout the entire inspection process.

It is imperative that **all** units be available for interior and exterior inspections (vacant units, occupied units, and common areas inclusive). Physical inspection is not limited to vacant units. Staff will ask to inspect specific units whether the unit is occupied or not and will not give advance notice as to which units will be inspected. Units to be inspected will be selected randomly.

**After performing an onsite development inspection, MHC will:**

1. Immediately provide the property representative, if needed, a copy of a Critical Violations Letter identifying all life-threatening or severe issues (per the NSPIRE severity classification) observed at the time of the inspection that require immediate corrections. **All life-threatening or severe issues identified in the Critical Violations Letter must be corrected within 24 hours, and MHC must be notified of the completed corrections within 72 hours.**
2. Send a copy of the inspection report to the owner and management company indicating a correction time frame per

the NSPIRE severity classification. **Life-threatening or severe issues must be corrected within 24 hours**. Moderate severity issues must be corrected within 30 days. Low severity issues must be corrected within 60 days.

3. Request that all noncompliance issues be corrected within the time frame specified in the inspection report.
4. Request that legible copies of the proof of the corrections, in the form of work orders, receipts, and/or invoices, along with an owner-signed affidavit, be forwarded to MHC within the allotted time frame indicated in the inspection report.
5. Schedule a second inspection if necessary;
6. Review the supporting documents of correction for correlation with the inspection report.
7. Send correspondence indicating that no further corrective actions regarding the physical condition of the property are needed at this time or contact the owner via letter to identify what deficiencies still exist.

**C. Financial Review for HOME & HTF**

For each HOME or HTF project with 10 or more units (total units, not assisted units), MHC must annually review the financial condition of the project to determine "the continued financial viability of the housing" in accordance with the Financial Oversight requirements of 24 CFR 92.504(d)(2) for HOME or 24 CFR 93.404(e) for HTF. MHC must take actions, as feasible, to correct any problems identified through financial review.

**MHC will request the following items be submitted by the Owner to conduct the financial review:**

1. Property specific financial information for the previous year:
   - Most recent audited financial statements for the property (if applicable); or
   - Property's internal financial statements – including Balance Sheet and Profit and Loss Statement
2. Monthly rent rolls for the previous year
3. Property insurance and tax payments for the previous year:
   - Evidence of property insurance payment; and
   - Evidence of property tax payment.

Note- if the project financials are incorporated into the Owner entity's overall financial statements, MHC will request to review the Owner entity's financial statements (most recent audit and/or internal financial statements) to make sure the entity has sufficient financial capacity to manage and sustain the project.

Exception: If all sufficient financial information can be gathered from the financial information submitted as part of the property's Annual Owner Certification of Compliance, MHC staff will not request submission of additional financial statements.

**When performing a financial review, MHC will:**

1. Notify the primary Owner and the management contacts for the property in writing and provide two weeks to submit the requested documents, unless sufficient information can be gathered from the Annual Owner Certification
2. Evaluate the financial capacity of the property
3. Inform the Owner and the management of any financial concerns. If concerns exist, the Owner and/or management will be subject to more frequent financial submission (monthly or quarterly) so that MHC can closely monitor financial performance.

## Section 6.07 Noncompliance

Noncompliance is defined as a period of time a during the affordability period/extended use period in which an award, development, specific building, or unit fails to satisfy program requirements.

For more information on noncompliance, see Article VII.

## Section 6.08 Amendments to Compliance Monitoring Procedures

The compliance monitoring procedures and requirements set forth herein are issued by MHC pursuant to applicable HUD regulations and published guidance. These provisions may be amended by MHC for purposes of conforming with the regulations and guidance and/or as may otherwise be appropriate as determined by MHC. In the event of any inconsistency or conflict between the terms of these procedures and the monitoring procedures set forth in such regulations, the provisions set forth in the regulations shall control.

In addition, MHC periodically releases Bulletins containing updates on policies, forms, and other issues relevant to program compliance.

### Section 6.09 Procedures for the Transfer of Program Units

The Owner must notify MHC staff immediately of any Disposition or Sale of any units in the award before the affordability period/extended use period expires. If the new Owner maintains the affordability restrictions, MHC will work with the Owner to amend appropriate documents. If the new Owner will not maintain the affordability restrictions, MHC will be required to recapture the original award amount from the original Owner.

# Article VII. Noncompliance

## Section 7.01 Types of Noncompliance

Generally, a development is out of compliance if during the Affordability Period:

1. The development no longer meets the set-aside requirements of the application, the income and rent restriction requirements of the program, or other requirements for the units which are set-aside; or
2. There is failure to submit the annual utility allowance documentation, Annual Owner Certification, or tenant events, along with any applicable supporting documentation in a timely manner; or
3. An ineligible household resides in a program unit (including a student ineligible household for HOME-assisted units); or
4. A unit or building is no longer suitable for occupancy or otherwise in violation of physical inspection standards; or
5. The Owner does not comply with requests to conduct a physical inspection or file audit.

## Section 7.02 Consequences

Penalties include, but are not limited to, the following:

1. Penalty fees paid to MHC such as re-inspection fees and/or late fees;
2. Recapture of award funds (see Section 7.06 below);
3. Negative points on future applications;
4. Rejection of future applications (i.e., suspension or debarment);
5. Repayment of rent overages;
6. Mandatory attendance at an MHC-sponsored compliance training; and/or
7. An increase in the frequency of MHC audits/inspections

## Section 7.03 Notification of Noncompliance to Owner by MHC

MHC is required to provide written notice of noncompliance to the Owner if:

1. Any required submissions are not received by the due dates;
2. Tenant files including Tenant Income Certification, Income Questionnaires, supporting verification documentation, and rent records are not made available during an audit or not submitted when requested by MHC; and/or
3. The development is found to be out of compliance through physical unit inspection, Annual Owner Certification review, file audit, and/or other means.

MHC will not provide documentation for specific awards to more than one contact person in an ownership entity for each award. If other individuals within an ownership entity wish to receive such documentation, they must obtain it from the contact person designated as the "Primary Owner" contact.

## Section 7.04 Notification of Noncompliance to MHC by Owner

If the Owner and/or management agent determines that a unit, building, or an entire development is not in compliance with program requirements, MHC should be notified immediately. The Owner and/or management agent must formulate a plan to bring the development back into compliance and advise MHC in writing of such a plan. The Owner and/or management agent must keep documentation outlining: the noncompliance issue, date the noncompliance issue was discovered, date that noncompliance issue was corrected, and actions taken to correct noncompliance.

Additionally, the Owner is responsible for replacing temporarily noncompliant HOME units (units where the household exceeds 80% AMI) as per the guidelines in Section 3.01.

## Section 7.05 Correction Period

Should MHC discover (as a result of an inspection or review or in any other manner) that the development is not in compliance with program federal or state requirements, MHC shall notify the Owner. The Owner is to commence appropriate action to cure such noncompliance. The Owner shall have a **maximum** of 30 days from the date of notice to cure the noncompliance. If MHC determines that there is good cause, an extension may be granted.

### Section 7.06 Recapture

If funds are recaptured because the housing no longer meets affordability requirements, regardless of entity or activity, these funds must be returned to MHC. The award recipient must ensure that a lien and restrictive covenant is executed against every property constructed, rehabilitated, or acquired, in whole or in part, with HOME or HTF funds. Upon occurrence of any of the following events during the Affordability Period, the entire sum secured by the lien, without interest, shall be due and payable by Developer and/or Owner upon demand. Repayment may be demanded upon: (1) Transfer or conveyance of the real estate by deed, land contract, lease, or otherwise, during the Affordability Period; (2) Commencement of foreclosure proceedings by any mortgagee (or deed in lieu of foreclosure), within the Affordability Period; (3) Units not being used as a residence by a qualifying tenant or not leased according to the program affordability requirements. The award recipient will be responsible for repaying MHC for any HOME or HTF funds utilized for any housing constructed, redeveloped, rehabilitated, or acquired that does not meet the affordability requirements throughout the Affordability Period.

### Section 7.07 Suspension and Debarment

**A. Purpose of Policy**

As a recipient of federal and state funds, MHC has a moral, and often legal, obligation to ensure that those funds are used as intended. To fulfill this duty, MHC must have the discretion to suspend or debar those who misuse, abuse, or otherwise fail to use funds correctly. The purpose of this policy is to define suspension as it relates to misuse of funds on MHC funded rental projects during the affordability period and to explain how suspension is recommended, approved, and maintained. This policy, while in alignment with the agency's overall suspension policy, applies specifically to the programs administered and monitored by MHC.

**B. Scope of Persons Affected**

This policy applies to all persons directly or indirectly receiving, administering or associated with funds from an MHC Program whether or not such person has a contractual relationship with MHC, including but not limited to the following persons:

- Contractors
- Sub-contractors
- Applicants
- Award/ grant recipients
- Sub-recipients
- Sub-grantees
- Property Owners
- Developers
- Syndicators
- Administrators
- Management companies/agents
- Individuals employed by, contracted by or affiliated with any of the persons listed

Such persons will be referred to as "affected persons" in this policy. For the purposes of this policy, the term "person" shall be interpreted broadly to mean any individual, trust, cooperative, association, organization, or any other entity.

**C. Definitions**

**Affected person** is defined as any person directly or indirectly receiving, administering, or associated with funds from an MHC Program whether or not such person has a contractual relationship with MHC. For the purposes of this policy, the term "person" shall be interpreted broadly to mean any individual, trust, cooperative, association, organization, or any other entity.

**Debarment** is defined as a determined period of time, not to exceed five (5) years, during which an affected person is prohibited from participating in an MHC Program(s). See Part K below for additional information on debarment.

**Suspension** is defined as an **indefinite but temporary** status assigned to an affected person making it ineligible to apply for additional funding until such time that the suspension status is revoked. Suspension is generally invoked for failure to meet federal and/or state compliance obligations and reporting requirements. Other considerations leading to suspension could include but are not limited to fraudulent activity, financial health concerns, and poor record of past performance. Unlike debarment, suspension is not for a set amount of time and can generally be revoked as soon as MHC's concerns and any identified issues have been resolved.

Parts D through G below discuss suspension recommendations based on noncompliance. Other scenarios resulting in the recommendation of suspension are not discussed in detail but will follow the same basic guidelines herein, including issuance of (1) preliminary issue letters giving the affected person the opportunity to satisfy concerns, (2) a suspension recommendation letter notifying the affected person that suspension has been recommended, and (3) an official notice that suspension has been invoked.

Suspension does not waive any compliance requirements or release the project from its affordability period. A suspended organization must continue to keep its project(s) in compliance and work towards remedying any issues with the project(s) that caused the suspension recommendation.

**Suspension list** is defined as MHC's internal roster of entities that have been officially suspended. MHC will also maintain a list of entities recommended for suspension but not yet officially suspended. This may also be referred to as the "watch list."

**Suspension recommendation** is defined as the act of an MHC employee recommending (usually based on the persistence of uncorrected noncompliance) that an entity be disqualified from future MHC funding by being placed on the MHC's Suspension List. A suspension recommendation does not implement an actual suspension until approved by the appropriate MHC staff.

**D. Suspension Recommendation Based on Failure to Cooperate with File Audit Request**

If files are not submitted for a desktop request or the auditor is not given access to files for an onsite audit, MHC will send a notification letter to the designated contacts giving a final ten (10) day correction period. There are two possible results following issuance of this letter:

- If the files are received, they will be reviewed by the assigned Compliance Auditor. Issues identified could result in a suspension recommendation as defined in Part G below.
- If the files are not received, the organization will be recommended for suspension.

**E. Suspension Recommendation Based on Failure to Correct Audit Issues**

After completion of a tenant file audit, the affected person is sent either a "no issues" or an "issues identified" letter. If issues are identified, affected person is given a ninety (90) day correction period to respond. There are three possible results following issuance of an issues identified letter:

- If a correction response is received that adequately resolves the issues, the audit is closed and an "issues resolved" letter is sent.
- If a correction response is received but the issues are not adequately resolved, a follow-up letter is sent identifying the remaining issues and giving an additional thirty (30) days to submit additional documentation. If no response is received after this additional thirty (30) days, a follow-up letter is sent giving a final ten (10) day correction period. This letter states that failure to submit the requested response will result in recommendation of suspension.
- If no response is received during the correction period, a follow-up letter is sent giving a final ten (10) day correction period. This letter states that failure to submit the requested response will result in recommendation of suspension.

If the response is not received after the final letter is sent, the affected person will be recommended for suspension.

**F. Suspending an Organization**

After a suspension recommendation letter has been sent, the recommendation will be reviewed by the Chief Real Estate Development Officer and Director of Real Estate Compliance. This review will ensure that the proper steps were taken by MHC staff and that the issue (1) has not been resolved and (2) warrants the suspension recommendation.

If suspension is invoked, the affected person will receive an official letter stating that the organization has been added to MHC's Suspension List effective the date of the letter. Copies of the suspension letter and all prior notifications will be maintained by MHC in the file for the applicable project/award.

Suspension is at the sole discretion of MHC. Unless otherwise stated, a suspension or debarment will apply to not only the affected person, but to any entity owned, controlled, or managed by the affected person or a spouse, domestic partner, child, sibling, aunt, uncle, niece, nephew, cousin, grandchild, parent or grandparent of the affected person, including "in-laws", "half" or "step" relations.

**G. Maintaining a Suspension and Debarment List**

MHC will internally maintain a list of entities recommended for suspension, suspended entities, and debarred entities. This list will be available to MHC management and appropriate staff. Because the suspension list will apply to the entire agency and be made available across departments, suspension based on performance on an award could affect future funding from other MHC departments' funding sources.

**H. Removal from Suspension List / Reinstating an Organization**

An affected person can be removed from the suspension list if the original issues that invoked the suspension are sufficiently resolved, the necessary documentation proving such is submitted to MHC, and the project is considered otherwise in compliance.

To request removal from the suspension list, the affected person should send a letter to MHC requesting such removal and providing a narrative of how the outstanding issues have been resolved. All necessary supporting documentation to prove compliance should be attached to the letter. Upon receipt of the request, the MHC staff that originally recommended suspension will meet to review and make a determination. Removal from the suspension list is at the sole discretion of MHC.

**I. Debarment**

In its sole discretion, MHC may debar an affected person from participation in an MHC Program(s) for a period not to exceed five (5) years based on reasonable evidence that the affected person has behaved or is behaving improperly regarding an MHC Program(s), whether intentionally or unintentionally. The difference between suspension and debarment is that a suspension is used to allow MHC to determine whether a debarment or other action is warranted pending the completion of an investigation.

Therefore, suspension is an indefinite but temporary measure, while debarment is for a set amount of time.

**Appeals Process**

An MHC decision to debar an affected person may be appealed within thirty (30) calendar days of notice to the affected person of that decision. The appeal must be in writing and contain, at a minimum, the reasons for the appeal and supporting documentation or evidence. MHC staff will discuss with MHC legal and respond to the appeal within forty-five (45) calendar days of the receipt of the appeal. The response to the appeal is not appealable.

An MHC decision to suspend an affected person is not appealable because it does not represent the final disposition on the matter.

The appeal for reconsideration of debarment must be submitted in writing via mail to:

Executive Director
c/o Senior Vice President of Federal Grants
Mississippi Home Corporation
735 Riverside Drive
Jackson MS 39202-1166

**J. Potential Recapture**

In addition to suspension or debarment by MHC, affected persons found to be out of compliance with the HOME program are subject to all recourse under the regulations and statutes of those programs, including possible recapture of funds. If an affected person remains on the suspension or debarment list for more than ninety (90) days and has not informed MHC of corrective actions in progress, MHC will consider that affected person noncompliant and begin the process of recapturing funds for the project(s) that invoked the suspension.

## Section 7.08 Tenant Misrepresentation or Fraud

If fraud/misrepresentation of information is discovered while processing an application for residency, the applicant should be denied. Handling tenant fraud becomes more problematic when the fraud is discovered at recertification. In this scenario it may be determined that the household was never initially qualified and has been inappropriately occupying the unit. Fraud is considered material noncompliance with the lease and program requirements and is therefore grounds for termination of tenancy. For more information on termination of tenancy, see Section 5.06.

If tenant fraud/misrepresentation is discovered the following steps should be followed immediately.

1. Notify MHC that an incident of tenant fraud has been identified and provide a written explanation of what happened. If the incident was identified prior to an MHC audit and a corrective plan is in place, the incident will not be considered noncompliance.
2. Begin the process of removing the fraudulent unqualified household and replacing it with a qualified household. Every lease should include language stating that providing inaccurate information regarding program eligibility is cause for termination of tenancy. Thus, the fraud becomes not only a violation of program rules but also a lease violation and grounds for eviction.

To try and reduce the number of instances of tenant fraud/misrepresentation, management should ensure that the forms used in tenant files address the seriousness of providing fraudulent information. As mentioned above, all leases should include language that fraud is grounds for eviction or non-renewal of a lease. Additionally, it is a best practice to include language on other forms signed by the tenant/applicant stating that the forms are signed under penalty of perjury. By including such language, the recipient is showing a zero-tolerance policy for tenant fraud.

The following documentation may help the Owner establish that tenant fraud/misrepresentation occurred:

- Documentation proving the tenant was made aware of program requirements and prohibitions and did not follow those requirements such as signed lease documents and program agreements.
- Documentation showing that the tenant intentionally misstated or withheld information including but not limited to:
  - Evidence that false names or Social Security Numbers were used;
  - Copies of falsified, forged, or altered documents;
  - Proof that tenant omitted material facts that were known to the tenant such as proof of income and assets sources that were not disclosed by the tenant; and
  - Admission by the tenant that information was falsified or omitted.

## Section 7.09 Owner Fraud

If MHC becomes aware of an apparent act of fraud by the Owner, management company, or other entity involved with the management and compliance of a project, the project will be considered out of compliance and the following steps will be taken:

1. The entity will be placed on MHC's suspension list until further investigation is completed.
2. If warranted, MHC will debar the entities involved as outlined in Section 7.07.
3. If warranted, MHC will recapture the funds as outlined in Section 7.06.
4. Other noncompliance penalties such as increased auditing, rejection of future applications, etc. as outlined in Section 7.02 may also apply.

## Article VIII. Record Retention

The owner of a low-income housing project must keep records for each HOME-or HTF-assisted project for each year of the compliance period and the extended use period. All records pertaining to each fiscal year of 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 tenant-based rental assistance projects, records must be retained for five years after the period of rental assistance terminates.
C. Written agreements must be retained for five years after the agreement terminates.
D. 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 or § 93.352.
E. 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.

## Mississippi Home Corporation
## HOME Investment Partnerships Program (HOME)
## Homeowner Rehabilitation/Reconstruction
## Policy and Procedures Guidelines

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### Overview

The HOME Investment Partnerships Program (HOME) is a federally funded program governed by 24 CFR Part 92, designed to strengthen partnerships between public and private agencies to provide affordable housing within state and local communities. There are four (4) purposes of the HOME program:

- Expand the supply of decent, safe, sanitary, and affordable housing.
- Strengthen the abilities of states and units of general local government to design and implement strategies for achieving an adequate supply of affordable housing.
- Provide participating jurisdictions, on a coordinated basis, with various forms of federal housing assistance.
- Ensure adherence to all applicable federal and state regulations by all parties involved in projects funded with these funds.

Under the HOME Program, HUD allocates funds by formula among eligible state and local governments to strengthen public-private partnerships to provide more affordable housing. PJs may use HOME funds to carry out housing strategies through homebuyer assistance, homeowner rehabilitation/reconstruction, multi-family rental housing, and tenant-based rental assistance to benefit low and very low-income families. Families must meet income qualifications based on size of household in the locality in which the housing unit is located.

**Objectives**

The HOME manual is designed to assist in meeting HOME regulatory requirements for the Homeowner Rehabilitation Program. The policies and procedures provide guidance in developing an application and will help explain federal requirements. The following will assist in the process of completing a successful application:

- Receiving board approval to apply.
- Procuring of the organization responsible for a project application.
- Conducting Citizen Participation hearings.
- Completing the actual application included in the manual for your project.

- Rating of applications by the Mississippi Home Corporation, and
- Submission of all required information in the next step of the application process.

The primary responsibility of the subrecipient is to enforce the regulations associated with the HOME Program and to make sure projects meet the objectives as well as the State's general objectives. If you do receive funds but fail to meet your responsibilities, the State may be forced to suspend, withhold, reduce, or withdraw the grant, or even require repayment of funds from non-federal sources.

**Eligible Applicants**

All local units of government and non-profit organization are eligible to apply for HOME Homeowner Rehabilitation funding through a competitive application process.

**Eligible Project Costs**

HOME Homeowner Rehabilitation funds may be used to pay the following eligible costs in according with HOME Final Rule §92.206:

a. Development hard cost
    1) New construction projects – Costs to meet new construction standards (§92.251)
    2) Rehabilitation – Costs to meet property standards (§92.251)
    3) Both new construction and rehabilitation projects, costs:
        i. To demolish existing structures
        ii. To make utility connections including off-site connections from the property line to the adjacent street
        iii. To make improvements to the project site

**A HOME assisted unit that is terminated before completion, either voluntarily or otherwise, constitutes an ineligible activity and will be subject to recapture.

**Procurement Standards**

MHC will require Subrecipients to follow the procurement standards set forth in HUD regulations 2 CFR 200.317-320. The formal procurement methods should be utilized which require following documented procedures and public advertisement. Additionally, the sealed bids procurement method in which bids are publicly solicited and a fixed-price contract is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.

**Professional Services Procurement**

Subrecipients must complete the procurement of professional services within four (4) months of the date of the reservation letter. A copy of the contractor bid Notice of Publication must be submitted to MHC at the time of submission to the newspaper for advertisement for the entity. MHC will post all bids to its website. In addition, Subrecipients will be required to post bids to its website in addition to the local newspaper.

## Affirmative Marketing Plan

Subrecipients are responsible for maintaining an Affirmative Marketing Plan and performing outreach efforts consistent with such a plan in the community and/or areas where they operate. The Affirmative Marketing Plan must be consistent with 24 CFR Part 92.351 and the Administrative Plan submitted as part of the Subrecipient's application for funding.

MHC and subrecipients must adhere to the Affirmative Marketing requirement. All Recipients are required to submit an Affirmative Fair Housing Marketing Plan that outlines methods for providing information and otherwise attracting eligible persons in the housing market area to the available housing without regard to race, color, national origin, sex, sexual orientation, religion, familial status or disability. The Affirmative Marketing Plan must include methods to be used by owners to inform and solicit applications from persons not likely to apply for the housing unit without special outreach (such as use of community organizations, places of worship, employment centers, fair housing groups, or housing counseling agencies). The affirmative marketing procedures and requirements regarding the HOME program should include:

- Marketing program through commercial media such as newspapers, publications, radio, and television spots
- Marketing program through dissemination of brochures, flyers, public displays, and housing handouts created with program information
- Displaying HUD's fair housing posters in our agency offices

In an affirmative effort to inform groups least likely to apply for housing, Subrecipients should disseminate press releases, set-up public exhibits and distribute program flyers to try to attract prospective eligible households with disabilities from minority and non-minority groups regardless of their race, color, religion, sex, national origin of familial status.

## Conflict of Interest

MHC will comply and ensure that subrecipients will comply with 24 CFR Part 92.356 (b) which states "No persons who are an employee, agent, consultant, officer, or elected official or appointed official of the participating jurisdiction, state recipient, or subrecipient receiving HOME funds or who are in a position to participate in a decision making process or gain inside information with regard to these activities, may obtain a financial interest or benefit from a HOME-assisted activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure of for one year thereafter".

Subrecipient will disclose in writing to MHC any potential conflict of interest with employees, officers, or agents having any interest in the project or any other interest which would conflict in any manner.

## Household Eligibility

The use of Homeowner Rehabilitation funds requires that all household members must have been determined eligible in order for HOME funds to be provided. Any household member that is not a legal resident or status of application is not acceptable, constitutes ineligibility for the entire household. Documentation must be provided to indicate the household is the principal residence.

**Participating Homeowners**

Prior to executing a written agreement, the subrecipient must provide MHC with a listing of the homeowners that have been selected to participate in the Homeowner Rehabilitation Program. The following documents must be provided to MHC no later than sixty (60) days after the date of the reservation letter:

- Homeowner's name
- Address
- Environmental checklist form
- Activity completion schedule
- Proof of ownership
- Income determination
- Proof of occupancy
- Proof property taxes are current or exempt
- Part 5 income calculation worksheet
- Lead-based paint form
- Photographs of dwelling
- HUD form 52580 (room-by-room inspection form)
- Displacement notification
- Documentation of water/sewer availability

Subrecipients must ensure that the participating homeowners meet all program requirements outlined in the Homeowner Rehabilitation Policies and Procedures Manual. Upon receipt of all documentation, MHC will issue an Eligible Homeowner List to the Subrecipient that details all approved homeowners.

**Ownership Eligibility**

Homeowner ownership consists of a fee simple title, 99-year leasehold interest in a one four-unit dwelling, condominium, 50-year leasehold on trust or restricted Indian land, or own or have membership interest in a cooperative or mutual housing project that constitutes homeownership under state law.

**Income Eligibility**

To qualify for the HOME Homeowner Rehabilitation Program, the assisted family must be low to very-low income and the family's annual gross income may not exceed eighty percent (80%) of the area median income for the area and must occupy the property as a principal resident, as established by the U.S. Department of Housing and Urban Development (HUD), adjusted for family size, at the time funds are committed.

When determining the annual income of an individual or family, the subrecipient must use the standard for calculating annual income under 24 CFR 5.609 ("Part 5"). HOME income is forecasted for the upcoming 12-month period. All applicable source documentation for income under Part 5 must be compiled by the subrecipient and calculated. At least two months of source documentation is required for income verification.

MHC will use Part 5 to determine annual income. Part 5 Definition of annual income is the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period. MHC will require the homeowner to certify and provide proof of income for themselves and any and all income producing persons aged 18 and older living in the home which includes: earned income, child support, Social Security, SSI, and TANF.

**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. Limits are published by HUD annually and can be found at: https://www.hudexchange.info/programs/home/home-income-limits/

**Reservation Letter**

Applicants that are selected for an award of funds will receive a reservation letter that states the amount of funds to be reserved. The reservation letter will also outline the conditions that must be met prior to receiving a written agreement. Acceptance of the reservation must be acknowledged by Subrecipient by returning an executed copy of the reservation letter to MHC by the deadline date. By accepting the reservation, the Subrecipient acknowledges that they understand they must meet certain benchmarks prior to issuance of a written agreement. All reservations will expire six months after the reservation letter date.

**Implementation Workshop**

Applicants that receive a reservation of funds will be required to attend the Home Rehabilitation Phase II and Implementation Workshop that will be held at the date and time indicated in the reservation letter. The Subrecipient and the project administrator are both required to attend the workshop. Subrecipients must ensure that the person(s) attending the workshop is/are the person(s) that will be directly involved with overseeing the project. MHC must be notified in writing if there is a change in staff or project administration.

**Pre- Written Agreement Benchmarks**

MHC requires all projects to meet specific benchmarks *(see Chart 1)* prior to the issuance of the written agreement. MHC expects projects to meet benchmarks within the timeframe allowed in the chart.

*Chart 1*

| Event | Deadline |
|---|---|
| Participating Homeowners documents submitted to MHC | 60 days from reservation date |
| Environmental Documentation submitted to MHC | 60 days from reservation date |
| Environmental Completion | 120 days from reservation date |

| | |
|---|---|
| Professional Services Procurement Completion | 120 days from reservation date |
| Quarterly Status Reports | 15 days after the end of the quarter |

*Please not that if the deadline date falls on a weekend or holiday, the deadline will be extended to the next business day.*

**Written Agreement**

Subrecipients that achieve all Pre-Written Agreement benchmarks will be issued a written agreement. Recipients are encouraged to review the written agreement with their attorney prior to executing.

All Subrecipients must adhere to the general terms and conditions outlined in the written agreement. The agreement is subject to all applicable rules, regulations, conditions, and assurances as prescribed by MHC's HOME Program. The agreement becomes effective at the beginning date of the agreement period provided it shall have been fully completed, executed by the office of MHC and the Subrecipient, and received in the office of Federal Grants of MHC. The written agreement must ensure compliance with the requirements of this part.

The Subrecipient agrees that the project and activities for which HOME funds are awarded shall constitute a fully completed and functional project upon close-out. The Subrecipient further agrees to follow all provisions, compliances with laws and HOME requirements, rules, and regulations set forth in the written agreement.

The duration of the agreement is based on the function being performed and which activities are funded under the agreement.

**Written Agreement Commitment**

Per 24 CFR 92.2, rehabilitation or reconstruction projects must have an executed written legally binding agreement under which HOME assistance will be proved to the homeowner for a project which all financing has been identified, a budget in place, in addition a schedule of completion has been established. Construction must start within twelve months of the executed agreement date.

The HOME regulation at 24 CFR 92.205 (e)(2) requires that a funded project be completed within 4 years of the date of commitment of funds. The project will be considered terminated, and all funds invested be repaid to the HOME Investment Trust Fund account if said deadline is not met. The Integrated Disbursement and Information System (IDIS) requests that a fully executed written agreement meets the requirements of HOME regulations applicable to the IDIS activity for which the funds are to be used before committing funds to an activity. The date of HOME commitment is the date the written agreement was executed.

**Post Written Agreement Benchmarks**

Upon execution of the written agreement, Subrecipients will have fifteen (15) months to complete their projects. MHC will monitor each subrecipient's progress through quarterly status reports.

*Chart 2*

| Event | Deadline |
|---|---|
| Quarterly Status Reports | 15 days after the end of each quarter |
| Notice to Proceed Packet submitted to MHC | 30 days after the Written Agreement |
| Construction Start | 10 days after Notice to Proceed date |
| Construction End | 15 months from Written Agreement date |
| Draw Requests | Must request draw at least annually |
| 15-Month Project Completion Status Certification | 15 months from Written Agreement date |
| Project Close-out | 120 days following last draw |

*Please not that if the deadline date falls on a weekend or holiday, the deadline will be extended to the next*

**Disbursement of HOME Funds**

In accordance with 24 CFR 92.502 (c)(1)(2), HOME funds may be drawn from the United States Treasury account by MHC after complete project set-up information is entered into the disbursement and information system for an existing project via electronic funds transfer. These funds are deposited into the local account of the HOME Investment Trust Fund of MHC within 48 to 72 hours of the disbursement request.

HOME funds drawn must be expended for eligible costs within15 days. Any interest earned within the 15-day period may be retained by MHC as HOME funds. Any funds that are drawn down and not expended for eligible costs within 15 days of the disbursement must be returned to HUD for deposit in the MHC's United States Treasury account of the HOME Investment Trust Fund.

**Property Rehabilitation Standards**

Projects funded through Homeowner Rehabilitation must meet all applicable state and local housing standards and code requirements according to 24 CFR 92.251(a)(1) and HOMEfires Vol 7 No 2. Subrecipients are responsible for ensuring that all applicable state and local housing standards using the materials specified and in compliance with the Subrecipient's local building codes or the International Existing Building Code of the International Code Council (ICC) if no local codes exist and the Rehabilitation Standards.

MHC requires that initial property inspections be conducted to identify the deficiencies that must be addressed. Through the duration of the project, progress and final inspections to determine that the scope of work was conducted in accordance with the work write-ups.

**Environmental Review**

Subrecipients must submit environmental documentation to MHC within sixty (60) days of the date of the reservation letter. The Subrecipient must submit all necessary information that will be required to complete the environmental clearance within the 120-day timeframe. MHC will only issue an Environmental Clearance letter for projects that meet all environmental requirements.

In accordance with HUD regulations, MHC will ensure that every project undertaken with federal funds, and all activities related to that project, will abide by the provisions of the National Environmental Policy Act of 1969 (NEPA), as well as to the HUD environmental review regulations at 24 CFR Part 58. The primary purpose of this Act is to protect and enhance the quality of our natural environment.

**Flood Zone**

Dwellings located within floodways or floodplains as determined by the National Flood Insurance Program are eligible for assistance if Environmental Regulations are met and Flood Insurance obtained. Flood Insurance must be maintained throughout the period of affordability which is five (5) years for rehabilitation and ten (10) years for reconstruction

**Notice to Proceed**

Subrecipients must submit a Notice to Proceed packet for each of its homeowners. MHC will issue a Notice to Proceed upon approving each packet. Within ten (10) days of MHC's issuance of the Notice to Proceed letter, the contractor must begin construction.

**Project Revisions**

Any change orders associated with a project must be documented in the project file in writing, including the dollar amount of change and the reason for the change. If change orders result in the need to amend the Homeowner Rehabilitation project commitment amounts, this documentation should be provided to MHC.

A project revision (commitment funding increase) may be submitted to MHC for approval in the event that the project's scope of work needs to be amended, based on unforeseen and exceptional circumstances which cannot be completed within the budget. If approved by MHC, the subrecipient must submit an executed change order form for the project revisions request.

**Quarterly Status Report**

MHC requires quarterly status reports to be submitted no later than fifteen (15) days after the end of the quarter. Subrecipients must report the status of all units in the project and detail any issues that may cause delays in achieving Rehab benchmarks. Failure to submit an on-time report will cause a non-compliance finding.

**Four-Year Project Completion Requirement**

All HOME assisted projects must be completed within 4 years of the commitment date of the written agreement. To ensure completion with the allocated timeframe, MHC will monitor open activities by utilizing the Integrated Disbursement & Information System for activities which have been flagged for lack of draws. Additionally, one year prior to the commitment deadline date, MHC will require Subrecipient to submit a detailed explanation for the project delay and a timeline for completion.

**15-Month Project Completion Status Certification**

Subrecipients are required to submit a 15-Month Project Completion Status Certification ("Certification") by the 15th day following the end of the 15th month from the date of the Written Agreement. The Certification includes a calculated Completion Score that is based on the Subrecipients' progress in achieving all benchmarks. Failure to submit the Certification and required documentation by the deadline date will cause the Subrecipient to be out of compliance with the Homeowner Rehabilitation Program.

*Chart 3*

| COMPLETION SCORE | |
|---|---|
| 0 - 49% Complete | 0 |
| 50 - 99% Complete | 5 |
| 100% Complete | 10 |

**Completion Score = 10**

Subrecipients that meet 100% of all benchmarks for their project will receive a completion score of 10 and will receive 10 bonus points on their next application. A copy of the Certificate of Occupancy/Substantial Completion for each unit must be submitted with the Certification. Upon meeting all benchmarks, Subrecipients are no longer required to submit quarterly status reports.

**Completion Score = 5**

Subrecipients that meet at least 50% of the benchmarks for their total project will receive a completion score of 5. Subrecipients may request up to six (6) months' extension to achieve all benchmarks. To request an extension, the Subrecipient must submit the following:

(1) Request for Extension letter executed by the Subrecipient detailing explanation of delays.
(2) Workout Plan detailing steps that will be taken to ensure benchmarks will be met during the extension timeframe.
(3) Revised Project Completion Schedule.

MHC will review all requests and submit recommendations to the Federal Grants Committee for consideration of the request.

If an extension is granted, Subrecipient will have up to six (6) months to complete their projects. Subrecipient will be required to submit monthly progress reports to MHC throughout the extended time. A Subrecipient that does not demonstrate progress within the extension period will be subject to a recapture of funds.

If an extension is not granted, Subrecipient will be required to repay funds that have been disbursed on incomplete projects. In addition, committed unused funds will be retracted.

**Completion Score = 0**

Subrecipients that meet less than 50% of the benchmarks for their total project will receive a completion score of 0 and will be subject to having all or part of its reservation of funds retracted. A meeting between the Subrecipient, Project Administrator and MHC will be scheduled.

**Extension Requests**

Requests for extension of any benchmark must be reviewed and approved by the Federal Grants Loan/Grants Committee. For consideration of an extension, Subrecipients must submit a letter to MHC requesting an extension for a specified period, a detailed explanation of why the extension is needed, a workout plan (if applicable), and a revised project timeline. All requests for extensions must be submitted prior to the benchmark's deadline date. All Subrecipients that receive an extension must submit monthly status reports throughout the extension period.

**Affordability Period**

The Homeowner Rehabilitation program imposes affordability requirements that must be met beyond the initial investment of HOME funds. MHC enforces the period of Affordability by securing through self-enforcing legal mechanisms (deed restriction). The deed restriction is recorded and filed with the Chancery Court within the area where HOME funds are invested. MHC conducts periodic monitoring to ensure occupancy as the owner's principal residence. A copy of the recorded deed restriction must be submitted to MHC within 15 days of the completion of the unit and prior to keys being transferred to the homeowner. This document is reviewed for recordkeeping during closeout monitoring visits for homeownership activities.

| HOME Activity | Affordability Period |
|---|---|
| Homeowner Rehabilitation | 5 years |
| Homeowner Reconstruction | 10 years |
| Homeowner Replacement (Manufactured Units | 10 years |

**Principal Residency**

MHC policy and procedure guidelines in tracking principal residency involves the annual mail out of a certification document to homeowners/subrecipients within 12 months, based on the project completion date reporting in IDIS. At the end of each reporting year June 30, the certification form will be sent to recipients of various grant year(s). This information is tracked and scanned for recordkeeping and for the duration of the period of affordability requirement. This method is used to assist in maintaining compliance of the period of affordability.

**Project and Recordkeeping**

MHC will comply with HUD's Recordkeeping requirement at 24 CFR 92.508 (c)(2). Sufficient records are maintained and established to determine that MHC and subrecipients meet the HUD Requirements. HOME project files are maintained at the subrecipient's physical location for on-site monitoring. Project records are monitored throughout the grant and must be retained five (5) years after the project completion and the duration of the Period of Affordability.

**Disbursement of HOME Funds**

**Draw Requests**
Subrecipients are required to submit a draw schedule for each project. MHC will allow for the following draws:

| | Reconstruction | Rehabilitation | Project Administrator |
|---|---|---|---|
| First Payment | 33% units completed Foundation | 50% project completion | 10% after W/A |
| Second Payment | 66% units competed Black-in | 100% project completion | 30% @ 33% project completion |
| Third Payment | 100% units completed final inspection | N/A | 30% @ 66% project completion |
| Fourth Payment | N/A | N/A | 30% @ 100% project completion |

All draws will be entered into the Homeowner Rehabilitation Pipeline Report. Flags will be coded into the report to provide alerts for projects that are nearing a draw deadline. Flags will also provide alerts for completed projects that have not been closed out.

**Construction End Date**
The construction of all units is expected to be complete within fifteen (15) months following the written agreement date.

## Application Requirements

MHC will take applications for Homeowner Rehabilitation for the rehabilitation of sub-standard single-family owner-occupied housing by very low- and low-income families. HOME funds will be distributed statewide to eligible local units of government and non-project organizations using a competitive process. Applications will be scored, and points will be assigned to each rating criterion based on data provided.

### Threshold Requirements

MHC requires any applicant applying for HOME Homeowner Rehabilitation/Reconstruction funding meet the following threshold requirements:

1. An applicant (local unit of government) applying for HOME Homeowner Rehabilitation/Reconstruction funding must have either never been funded or previous funding has been closed out.

2. An applicant must have no unresolved audit or monitoring findings, or unresolved investigations by any state or federal agency. **The absence of an audit constitutes an audit finding**.

3. Applications that are not consistent with the State's Consolidated Plan will not be considered for funding.

4. An applicant must comply with the Citizen Participation Requirements and submit documentation in the application, which indicates a Public Hearing was held at least seven (7) days prior to the submission of an application. The required documentation must include the Proof of Publication, signed minutes of the meeting, and the attendance roster. The Notice for the Public Hearing should have been published at least fourteen (14) and no more than twenty (20) calendar days (including weekends and legal holidays) before the hearing is held. The **day after** the newspaper's publication is considered as day one (1) of the public hearing notification.

5. MHC will not review or rate a project that is determined to be infeasible. MHC reserves the right to make this determination.

Mississippi Home Corporation (MHC) will allow a cure period for missing documentation of only twenty-four (24) hours from email notification to the Application Preparer. Failure to submit requested documentation within the required time may cause the application to be ineligible.

### Criteria For Selection of Application

**Phase I** – MHC developed specific selection criteria intended to objectively score Phase I applications. After scoring, applications will be ranked from highest to lowest score. Application will be funded in order from high to low score until allocated funds are exhausted. **<u>Applicants must score a minimum of 175 points to be considered for funding.</u>**

**<u>Phase II</u>** – Applicants eligible for funding will be notified and given eight (8) weeks to submit information specific to Phase II of the application process. In the event there is a tie in the rating process, MHC will use the lowest per capita income for the applicant's locale. If a second tiebreaker is needed, the highest unemployment rate for the month prior to the application due date will be considered

## PHASE I APPLICATION RATING FACTORS

**Homeowner Rehabilitation**

The rating factors for the Homeowner Rehabilitation Categories are based on the following:

| Rating Factors | | Maximum Points |
|---|---|---|
| 1. | Documentation of Need | 25 points |
| 2. | Concerted Revitalization Plan | 30 points |
| 3. | Previously Funded | 60 Points |
| 4. | MBE/WBE | 25 Points |
| 5. | Project Timely Completion | 60 Points |
| 6. | Administrator Project Management Experience | 22 Points |
| 7. | Community/Supportive Services | 10 points |
| **Maximum Points** | | **232 points** |

## Phase II Application Process

Phase II of the HOME Homeowner Rehabilitation process is the phase in which local units of government have been awarded a grant. At this time, local units of government must proceed with the selection process of eligible homeowners and alternates to participate in the program. Information must be obtained from each owner-occupied unit. All required homeowner information must be submitted in Phase II which includes the following:

- Required documentation:
- Homeowner Rehabilitation Phase II Checklist
- Homeowner Unit Checklist
- Homeowner Rehabilitation/Reconstruction Specific Information
- Homeowner Rehabilitation/Reconstruction Application
- Employment Verification Form
- Homeowner Rehab Set Up and Completion Form
- Environmental Checklist
- HOME Homeowner Rehabilitation Activity Completion Schedule
- Lead Base Paint Checklist Form

## Project Monitoring

HOME projects are monitored to ensure that regulations set forth at 24 CFR Part 92, HOMEfires, and other regulatory requirements are followed. MHC will routinely monitor the progress of each project and is responsible for ensuring that the Subrecipient and/or Contractor adheres to all applicable rules, regulations, and procedures outlined in the HOME Rehabilitation Policy and Procedure Manual.

### Project Close Out

Subrecipients must complete and submit a closeout package to MHC to determine that all applicable administrative actions and all required work on the project has been completed. The subrecipient is responsible for ensuring an orderly and timely phase-out of the project. The subrecipient must also ensure that the financial settlements of the subcontractors and vendor claims have been satisfied. Three copies of the closeout package bearing the original signature of the designated signatory official are due to MHC within thirty (30) days after completion of the project.

According to 24 CFR Part 92.502(d)(1), the overall project completion information must be entered into the disbursement and information system within 120 days of the final project drawdown. If satisfactory project completion information is not provided, HUD may suspend further project set-ups or take other corrective action. At this time, the Subrecipient must submit to MHC a Close-Out Package.

The close-out is the process by which MHC determines that all applicable administrative actions and all required work on the project have been completed. Each Subrecipient is responsible for ensuring an orderly and timely phase-out of projects. The Subrecipient must also ensure that the financial settlement of the subcontracts and vendor claims has been satisfied.

One close-out package bearing the original signature of the designated signatory official is due to MHC within thirty (30) days after completion of the project or sixty (60) days from the termination date of the grant agreement. MHC will retain the original signed close-out package with a copy provided to the Subrecipient along with a Transmittal Letter indicating the project has been successfully closed and the date in which the affordability period for each activity will be satisfied.

### Instructions for Completing the Close-Out Package

**Recipient's Close-out Checklist**
The purpose of this checklist is to select the appropriate boxes concerning each of the close-out documents. Incomplete packages will be returned to the subrecipient.

**Certificate of Completion**
The purpose of this document is for subrecipients to list all activities undertaken, certifying that they have been carried out in accordance with the grant agreement. It also ensures that the provisions have been made for the payment of all unpaid claims, and that neither the State nor the Federal government is under any obligation to make any further payments under the agreement more than the amount stated in the document. This document requires the subrecipient to report all budgeted grant funds and other funds. Subrecipients are also required to list the actual payment of all MHC grant funds and other funds that were used for a specific sub-activity.

**Recipient Performance Certification Report**
This document requires that the National Policy Objectives be addressed. List the planned and actual beneficiaries and the planned and actual low/moderate income beneficiaries by sub-activity.

Complete the table (appended to this section) regarding the number of persons in your locality and the number of persons who will directly benefit from the project.

**Certification of Recipient Compliance**

A. **Release** - This document releases the unexpended or unobligated balance of the award back to the MHC. The total amount paid to the subrecipient by MHC must be entered. This amount must reflect the actual expenditure. Do not round off expenditures.

B. **Assignment of Refunds, Rebates and Credits** - This execution guarantees that the recipient/subcontractor will immediately remit any refunds or credits applicable to the recipient/subcontractor. Example: telephone refunds and insurance refunds.

C. **Inventory Certification** - This section is used to account for all items or materials and equipment purchased, furnished, or acquired.

**Outstanding Claimants List**

When unclaimed funds are returned to MHC, a list of all possible claimants of these funds shall be prepared and attached to the Recipient's Release. The purpose is to reserve these funds and make future payments if necessary. The list shall include the following pertinent data:

1. Claimant's name, last known address, amount of money due, and social security number (if claimant is a training program enrollee) for each individual to whom checks for wages (or other outstanding checks) were due.

2. For employee checks, the pay period during which the money was earned, the number of hours, hourly rate of pay, and dates worked.

3. Check number, date of issuance, and amount of each uncashed check.

4. Name, address, and telephone number of any person who may be contacted in connection with any claim which may arise. Normally, this would be the individual who has control of the subcontractor.

**Inventory and Program Income**

This section consists of the following three (3) main headings: Real Estate, Equipment and Program Income. The property and equipment that has been purchased with MHC grant funds should be listed with the purchase price, use of the property and/or equipment date to be used. All program income collected to date should be listed, including the activity, additional payments, and the use of the program income.

**Final Request for Cash Consolidated Support Sheet**

A Final Request for Cash Consolidated Support Sheet with the actual final cost of the project including match must be completed and submitted with the close-out package. It must be marked final.

**Agreement Relative to Close-out of the Mississippi Home Corporation HOME Program**

MHC has condensed the requirements for signature of the Subrecipient and MHC by including each of the individual sections in the Agreement Relative to Closeout. By signing the Agreement Relative to Close-out of the HOME Grant, the Subrecipient is certifying that the entire close-out document meets the individual requirements included in the close-out package. Further, this document is an agreement between the Subrecipient and MHC that permits the close-out of the project activities contingent on the promise that the Subrecipient will submit to the Corporation its required audits or subsequent audit which shall comply with federal and state requirements, and which shall cover all periods in which any grant costs have been incurred.

**Recapture Deed Restriction Provision**

________________________________________
Name

________________________________________
Address

________________________________________
City/State/Zip Code

MHC adopted the Recapture Deed Restriction Provision. The homeowner must maintain the above address as his/her primary/principal residence throughout the period of the Recapture Affordability Period. **FAILURE TO MAINTAIN THIS PROPERTY AS THE PRIMARY/PRINCIPAL RESIDENCE FOR THE PERIOD OF AFFORDABILITY WILL RESULT IN THE RECAPTURE OF HOME FUNDS**. An annual verification will be conducted by MHC to determine primary residency.

In the case of foreclosure, sale or refinance it will be the responsibility of the lender and/or subrecipient to notify MHC and follow HUD's guidelines for "recapture provisions" as outlined in the Deed Restriction.

Recaptured funds must be submitted to MHC along with a letter of explanation. (Exhibits A and B)

**Recapture Deed Restriction**

Prepared by, and after recording, return to: ______________________________________ ______________________________________ ______________________________________

Indexing Instructions: ______________________________________ ______________________________________ ______________________________________

STATE OF MISSISSIPPI
COUNTY OF ____________________________

RECAPTURE
DEED RESTRICTION
HOME Investment Partnerships Program

__________________________________________

__________________________________________

__________________________________________

Phone: ___________________________________

STATE OF MISSISSIPPI
COUNTY OF _____________________

The undersigned_____________________ ("Owner(s)"), is/are the owner(s) of certain real property and improvements located at, in _______________(City/Town), _________________ (County), Mississippi and more particularly described above and incorporated herein for all purposes (the "Property"). For value received, the adequacy and sufficiency of which are hereby acknowledged, Owner does hereby impress the Property with the following deed restrictions.

1. For purposes of these deed restrictions, the following terms have the meaning indicated as per the Mississippi Home Corporation adopted HOME Program recapture requirements:

"Period of Affordability" means a period beginning on the date of this instrument ending on the date as indicated below according to activity in which HOME funds were provided.

| HOME Activity | Affordability Period |
|---|---|
| Homeowner Rehabilitation | 5 years |
| Homeowner Reconstruction | 10 years |
| Homeowner Replacement | 10 years |

"MHC" means the Mississippi Home Corporation, 735 Riverside Drive, Jackson, MS 39202.

“HOME funds” means the amount funded by MHC for the benefit of Owner, for the purpose of rehabilitating, reconstructing, or replacing of the Property for the HOME Investment Partnerships Program allocation.

“Recapture Requirements” means that if the Property does not continue as the principal residence of the family for the duration of the required Period of Affordability, that MHC recoups all or a portion of the HOME assistance. MHC will reduce the HOME investment amount to be recaptured on a pro rata basis for the time the homeowner has owned and occupied the housing as a principal residence measured against the required affordability period. The amount of recapture is limited to the net proceeds from the sale. “Net proceeds” means the Sales Price minus (-) outstanding loan payment (other than HOME funds) minus (-) closing costs.

2. MHC must receive prior written notification of any sale that occurs during the Period of Affordability at least two (2) business days prior to the transaction taking place for the correct amount of Recapture to be calculated.

3. **In the event of a sale** of the Property an amount equal to a pro rata share of the HOME assistance, reduced proportionately for every month of the Period of Affordability the selling Owner owned the Property, shall be repaid to MHC from any net proceeds realized upon the sale of the Property after deductions as indicated in the Net Proceeds definition.

4. The provisions of this instrument are hereby declared covenants running with the land and are fully binding on any successors, heirs, and assigns of Owner who may acquire any right, title, or interest in or to the Property, or any part thereof. The owner, its successors, heirs, and assigns hereby agree and covenant to abide by and fully perform the provisions of this instrument.

5. Owner occupant understands and agrees that this instrument shall be governed by the laws of the State of Mississippi and regulations of the U. S. Department of Housing and Urban Development.

6. Owner occupant understands that the property must be the principal residence of the family during the Period of Affordability. In the event the Property does not remain the principal residence, the Owner must repay MHC an amount equal to a pro rata share of HOME assistance, reduced proportionately for every month of the Period of Affordability the Owner has owned the Property.

7. Owner occupant understands the Period of Affordability is for a period of **X** years beginning on the date of this instrument and ending _________. At the ending date of this instrument, this deed restriction is canceled, and all HUD requirements satisfied.

EXECUTED this _______________ day of ________________, 20________.

By: _________________________________

By: _________________________________

STATE OF MISSISSIPPI
COUNTY OF ______________

PERSONALLY appeared before me, the undersigned authority in and for the said State and County, the within named ______________________________, who acknowledged that **he/she/they** signed and delivered the above foregoing instrument on the day and date therein above stated as for **his/her/their** own voluntary act and deed.

Given under my hand and Official Seal, this the ________ day of ____________, 20__.

______________________________________________________________________

(SEAL) Notary Public

My commission expires:

**Description of Property**

Filing instructions to Clerk:

Community Incentives Division (CID)
Mississippi Development Authority

COMMUNTIY DELOPMENT BLOCK GRANT
(CDBG)

MONITORING SYSTEM

CID Monitoring System – CDBG

CID MONITORING SYSTEM

I. Introduction

II. Selection

- A. Drawdown Activity
- B. Project Status Report
- C. Correspondence
- D. Past Performance

III. Scheduling

IV. On-Site Monitoring

- A. Desk Review
- B. Monitoring Review
- C. Monitoring Report

MONITORING SYSTEM

I. Introduction

The Community Incentives Division (CID) monitoring system represents a formal process for determining whether a grantee's project implementation conforms to federal and state regulations. The objectives of the monitoring processing are:

- to assist the grantee in carrying out activities~~,~~ as described in the grantee's application for funds;
- to assist the grantee in carrying out its project in a timely manner;
- to determine if the grantee is conducting the project with adequate control over program and financial performance, and in a manner which minimizes the opportunity for mismanagement, fraud or waste;
- to determine if the grantee is charging costs to the project which are eligible under applicable laws and regulations;
- to identify potential problem areas and to assist the grantee in complying with applicable laws and regulations;
- to assist grantees in resolving compliance problems through discussion, negotiation, or provision of technical assistance;
- to provide adequate follow-up measures to ensure that performance and compliance deficiencies or problems are corrected by grantees;
- to consider the scope, nature and timing of activities funded with program income retained by local governments and subject to requirements and carefully factor those considerations into the monitoring schedule, including scheduling of on-site reviews.
- to use program income report in planning and executing its monitoring strategy.

II. Selection Criteria

Projects are selected for on-site reviews based on the following sources of information. This information is used to identify program status and accomplishments, problems and potential problems. Analysis of this data by CID staff helps determine the need and the schedule for on-site reviews, as well as the compliance areas to be examined.

A. <u>Draw-down Activity</u> - Each project must have been cleared in the areas of environmental, special conditions as applicable prior to receiving funds with the exception of application preparation. The program manager tracks each grantee's rate of expenditures. All projects will be monitored at least once during the life of the project, which will be at 50% of completion of the project. Division Director or Bureau Manager may decide if some projects will be monitored more than once. In the event of implementation problems, lack of activity or a sudden change in activity, the program may qualify for an on-site review. In most cases, Economic Development projects will be monitored a second time when project construction activities are complete, when the National Objective for job creation has been satisfied, and the private investment match has been made.

B. Correspondence - General communication with a grantee whether oral or written may indicate implementation problems or potential problems. Should continuous communication with a grantee or its representative reveal a problem or potential problem, the program may qualify for an on-site review.

C. Past Performance - Grantees that have been funded previously and have had significant monitoring or audit findings may qualify for an on-site review at any stage of project implementation.

Any combination of the above factors may determine the need to schedule an on-site monitoring review.

III. Scheduling

The program manager, through coordination with the grantee, arranges the day and time of the visit. In accordance with the Community Incentives Division Monitoring Policy, the grantee is then notified in writing prior to the routine on-site review. The notification includes the following:

- the date of the on-site review, with the time of the entrance interview and approximate time of the exit interview
- name(s) and number(s) of the person(s) conducting the review
- purpose of the review
- a request that the grantee's representative and other appropriate staff be available during the review

CID reserves the right to reschedule monitoring reviews at the mutual convenience of all parties involved.

IV. On-Site Monitoring

Each program manager is responsible for the on-site review of all funded grants within their designated area of responsibility. Prior to visiting a project, the program manager conducts a desk review of the grantee's contract file and other relative reports and correspondence. The on-site review is then conducted in accordance with the monitoring schedule. This review includes verification that project activities are implemented and are within the defined area(s) as designated in the grantee's application. The program manager also reviews the project area to support eligibility and compliance of the program objectives under which the project was funded.

A. Desk Review

The desk review involves the completion of a standardized monitoring desk review form, which requires the following:

- the name of the grant file being reviewed
- the name of the authorized official (Mayor or President of Board of Supervisors)
- the factor(s) which qualify the project for monitoring
- the date, time and place of the monitoring visit for which the desk review is being completed
- the beginning and ending date of the contract
- the number and types of modifications to the original contract
- the date of clearance for special conditions and environmental clearance
- a listing of correspondence reviewed which normally includes letters and memorandums from the grantee and its representatives to CID and response from CID to grantees, or file memorandums relative to project activities
- a listing of the number of requests for cash as of date of review and the amounts of each request
- a listing of any previous monitoring or audit findings
- an outline of current contract budget
- a listing of compliance areas to be examined
- any other comments relative to review

Information gathered from the desk review is used to check project performance, cost overruns and overrun in time schedules during the on-site review.

CID Monitoring System – CDBG

B. Monitoring Review

The on-site review involves a comprehensive examination of project activities to ensure compliance with applicable federal and state regulations as well as applicable CID Policy Statements. In addition, the monitoring review gives the grantee the opportunity to receive technical assistance in areas needed.

Please note that the second public hearing should be conducted prior to any onsite monitoring review held at 50% of project completion.

Each on-site review begins with an entry interview during which the development specialist briefs the grantee's representative of the areas to be examined and the data required to complete the examination. At this time, the grantee's representative updates the reviewer on the status of project activities and the expected date of completion.

The applicable monitoring instruments are completed during the monitoring review depending on the areas of compliance to be examined.

- The Minority Business Enterprise/Fair Housing/Equal Opportunity Monitoring Checklist is used to check for compliance with federal and state regulations relative to civil rights, fair housing and equal opportunity for federally assisted grants.
- The Environmental Monitoring Checklist is used to check for compliance with federal and state regulations relative to environmental activities in a federally assisted grant.
- The Procurement Monitoring Checklist is used to check for compliance with federal and state guidelines relative to the procurement of supplies, equipment, construction, and services for federally assisted grants.
- The Acquisition Monitoring Checklist is used to check for compliance with federal and state guidelines relative to the acquisition of private property for use in federally assisted grants.
- The Labor Standards Monitoring Checklist is used to check for compliance with federal and state regulations relative to labor standards requirements for federally assisted grants.
- The Relocation Monitoring Checklist is used to check for compliance with federal and state regulations relative to relocation activities in a federally assisted grant.

CID Monitoring System – CDBG

- The Financial Management Monitoring Checklist is used to check for compliance with federal and state regulations relative to grant management and record keeping requirements for federally assisted grants.

- The Job Creation and Program Income Monitoring Checklist is use to check the number of jobs actually created and/or retained, and the amount of program income generated by federally assisted Economic Development grants.

- The National Objective Monitoring Checklist is used to check for compliance with federal and state regulations relative to the required objective of the federally assisted grant.

- The Citizen Participation Checklist is used to check for compliance with the State's Citizen Participation Plan.

- Buy America, Build America Checklist is used to check for compliance with federal and HUD's Buy America Build America requirements.

- The Section 3 Checklist is used to track documentation of efforts to give opportunities for training, employment, contracting and other economic opportunities be given to low and very-low income residents of the project area. Also, efforts for contracts for work in connection with the project to be awarded to eligible business concerns which are located in, or owned in substantial part, by persons residing in the project area

Once all applicable compliance areas have been examined, the reviewer visits the project site to determine that the activities have taken place as outlined in the contract document. Following the project site review, the program manager then conducts an exit interview to briefly discuss any preliminary comments and recommendations, identify technical assistance needs, and address any questions by the grantee. The reviewer should also inform the grantee that a written report outlining any comments, concerns and/or findings, as well as recommendations or actions to be taken will be forwarded to the grantee.

C. Monitoring Report

After conducting the on-site review, the program manager then prepares a written report which should be completed within thirty (30) days from date of visit and ready for submission to compliance specialists, unless otherwise designated. The report should consist of a cover letter, signed by the Bureau Manager, which lists the date of review, areas examined, and the time period within which the grantee's response should be received.

CID Monitoring System – CDBG

A narrative report of comments, concerns, and/or findings with recommendations and actions to be taken for applicable compliance areas is attached to the cover letter. The report also incorporates verification of project activities, location, eligibility, and program objectives. If applicable, the grantee is required to respond to the report within a specified time period. The program manager then, either issues a resolution to the monitoring report, or requests the necessary information to resolve findings. Failure to respond to the monitoring comments and recommendations within thirty (30) days of issuance of the report will result in cash requests <u>BEING HELD UNTIL</u> such a response is received.

CID Monitoring System – CDBG

# 2023 SAGE Report_2023 HOPWA Final_Leniency Ending Memo

Sage HMIS REPORTING REPOSITORY

CAPER Aggregator 2.0

Aggregates data from CAPERs submitted to HUD by selected criteria (project type and/or specific question)

Due to changes in the CAPER as of 10/1/2023, some tables have been retired and replaced by updated versions. Depending on the date range of data included, you will automatically see previous versions of those tables, new ones, or both. Tables that are retired as of 10/1/2023 are marked as such in their title.

*Instructions: Select an option for each filter.* ***Aggregate mode*** *sums data together from separate CAPERRs and presents the output as the regular CAPER table shell.* ***Details mode*** *outputs one row for each included CAPER, with a column for each cell of data. Data in Q4 can't be summed, and only outputs in details mode.*

*In aggregate mode, numbers in green italics have been recalculated or weighted based on available totals.*

*If you attempt to pull an entire CAPER, especially aggregating over many recipients, you may have to wait several minutes for the result. Use the "Email me" button to run the report and email you the results when it's complete. You can navigate to other pages in Sage while that's running.*

*"Year" means the year of the start date for the submission.*

*This Aggregator uses data from reports with a status of Review in Progress, Reviewed, or Submitted.*

## Report criteria

**Year** 2023

**Recipient - ESG Grant** (1 selected) — ESG: Mississippi Nonentitlement - MS — Selected: ESG: Mississippi Nonentitlement - MS

*TIP: Hold down the CTRL key on the keyboard and click with the mouse in order to select more than one Recipient - ESG Grant.*

**CAPER Project Type**

*TIP: Hold down the CTRL key on the keyboard and click with the mouse in order to select more than one choice.*

(all)
Day Shelter
Emergency Shelter - Night-by-Night
Emergency Shelter - Entry Exit
Homelessness Prevention
PH - Rapid Re-Housing
Street Outreach
Transitional Housing
- archived -
Coordinated Assessment
Services Only

**View report as** ◉ Aggregate / summary ○ Details / data ○ Both aggregate and details

## Grant List

Showing 1 to 1 of 1 entries Show 50 entries — Download as Excel | Copy to clipboard | Activate filtering — Filter:

| Jurisdiction | Type | Start Date | End Date | Current Status |
|---|---|---|---|---|
| | CAPER | 7/1/2023 | 6/30/2024 | Submitted |

Showing 1 to 1 of 1 entries Show 50 entries — Previous 1 Next

## Q04a: Project Identifiers in HMIS

Please select details mode in the filters above to see Q4 information.

CSV uploads containing multiple project rows in Q4 will display as separate rows here using the same value in Project Info Row ID.

## Q05a: Report Validations Table

| Category | Count of Clients for DQ | Count of Clients |
|---|---|---|
| Total Number of Persons Served | 2,726 | 2,737 |
| Number of Adults (Age 18 or Over) | 1,814 | 1,825 |
| Number of Children (Under Age 18) | 900 | 900 |
| Number of Persons with Unknown Age | 12 | 12 |
| Number of Leavers | 1,938 | 1,949 |
| Number of Adult Leavers | 1,262 | 1,273 |
| Number of Adult and Head of Household Leavers | 1,278 | 1,289 |
| Number of Stayers | 788 | 788 |
| Number of Adult Stayers | 552 | 552 |
| Number of Veterans | 30 | 30 |
| Number of Chronically Homeless Persons | 79 | 81 |
| Number of Youth Under Age 25 | 184 | 185 |
| Number of Parenting Youth Under Age 25 with Children | 38 | 38 |
| Number of Adult Heads of Household | 1,726 | 1,737 |
| Number of Child and Unknown-Age Heads of Household | 20 | 20 |
| Heads of Households and Adult Stayers in the Project 365 Days or More | 184 | 184 |

● Effective 1/1/2023, this question includes separate columns for totals relevant to the DQ questions and totals relevant to the entire APR. Data uploaded prior to 1/1/2023 has been bulk updated to use the same totals for both columns in order to support calculations in the Aggregator.

## Q06a: Data Quality: Personally Identifying Information

| | Client Doesn't Know/Prefers Not to Answer | Information Missing | Data Issues | Total | % of Issue Rate |
|---|---|---|---|---|---|
| Name | 0 | 1 | 4 | 5 | *0.18%* |
| Social Security Number | 217 | 724 | 10 | 951 | *34.89%* |
| Date of Birth | 2 | 10 | 12 | 24 | *0.88%* |
| Race/Ethnicity | 15 | 25 | 0 | 40 | *1.47%* |
| Gender | 0 | 11 | 0 | 11 | *0.40%* |
| Overall Score | 0 | 0 | 0 | 970 | *35.58%* |

**New as of 10/1/2023.**
Numbers in *green italics* have been recalculated or weighted based on available totals.

## Q06b: Data Quality: Universal Data Elements

| Data Element | Client Doesn't Know/Prefers Not to Answer | Information Missing | Data Issues | Total | % of Issue Rate |
|---|---|---|---|---|---|
| Veteran Status | 0 | 14 | 0 | 14 | *0.77%* |
| Project Start Date | 0 | 0 | 2 | 2 | *0.07%* |
| Relationship to Head of Household | 0 | 1 | 14 | 14 | *0.51%* |
| Enrollment CoC | 0 | 7 | 0 | 7 | *0.40%* |
| Disabling Condition | 2 | 0 | 0 | 2 | *0.07%* |

Numbers in *green italics* have been recalculated or weighted based on available totals.

### Q06c: Data Quality: Income and Housing Data Quality

| Data Element | Client Doesn't Know/Prefers Not to Answer | Information Missing | Data Issues | Total | % of Error Rate |
|---|---|---|---|---|---|
| Destination | 29 | 232 | 0 | 261 | *13.47%* |
| Income and Sources at Start | 0 | 52 | 5 | 57 | *3.11%* |
| Income and Sources at Annual Assessment | 0 | 143 | 0 | 143 | *77.72%* |
| Income and Sources at Exit | 0 | 42 | 2 | 44 | *3.44%* |

Numbers in *green italics* have been recalculated or weighted based on available totals.

### Q06d: Data Quality: Chronic Homelessness

| Entering into project type | Count of Total Records | Missing Time in Institution | Missing Time in Housing | Approximate Date Started DK/R/missing | Number of Times DK/R/missing | Number of Months DK/R/missing | % of Records Unable to Calculate |
|---|---|---|---|---|---|---|---|
| ES-EE, ES-NbN, SH, Street Outreach | 704 | 0 | 0 | 116 | 5 | 6 | *17.47%* |
| TH | 0 | 0 | 0 | 0 | 0 | 0 | *0* |
| PH (All) | 411 | 0 | 0 | 2 | 0 | 0 | *0.49%* |
| CE | 0 | 0 | 0 | 0 | 0 | 0 | *0* |
| SSO, Day Shelter, HP | 375 | 0 | 1 | 0 | 0 | 0 | *.00* |
| Total | 1,490 | 0 | 0 | 0 | 0 | 0 | *8.46%* |

Numbers in *green italics* have been recalculated or weighted based on available totals.

### Q06e: Data Quality: Timeliness

| Time for Record Entry | Number of Project Start Records | Number of Project Exit Records |
|---|---|---|
| < 0 days | 5 | 30 |
| 0 days | 1,213 | 636 |
| 1-3 Days | 657 | 487 |
| 4-6 Days | 247 | 154 |
| 7-10 Days | 128 | 64 |
| 11+ Days | 384 | 568 |

### Q06f: Data Quality: Inactive Records: Street Outreach & Emergency Shelter

| Data Element | # of Records | # of Inactive Records | % of Inactive Records |
|---|---|---|---|
| Contact (Adults and Heads of Household in Street Outreach or ES - NbN) | 0 | 0 | *0* |
| Bed Night (All Clients in ES - NbN) | 0 | 0 | *0* |

Numbers in *green italics* have been recalculated or weighted based on available totals.

### Q07a: Number of Persons Served

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| Adults | 1,825 | 1,302 | 510 | 12 | 1 |
| Children | 900 | 5 | 868 | 20 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 2 | 1 | 1 | 0 | 0 |
| Data Not Collected | 9 | 0 | 9 | 0 | 0 |
| Total | 2,737 | 1,315 | 1,389 | 32 | 1 |
| For PSH & RRH – the total persons served who moved into housing | 599 | 351 | 240 | 8 | 0 |

### Q07b: Point-in-Time Count of Persons on the Last Wednesday

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| January | 437 | 215 | 216 | 6 | 0 |
| April | 517 | 248 | 262 | 7 | 0 |
| July | 530 | 244 | 282 | 3 | 1 |
| October | 502 | 227 | 273 | 2 | 0 |

### Q08a: Households Served

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| Total Households | 1,757 | 1,268 | 469 | 20 | 0 |
| For PSH & RRH – the total households served who moved into housing | 200 | 144 | 55 | 1 | 0 |

### Q08b: Point-in-Time Count of Households on the Last Wednesday

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| January | 281 | 205 | 70 | 6 | 0 |
| April | 321 | 235 | 79 | 7 | 0 |
| July | 325 | 232 | 91 | 2 | 0 |
| October | 306 | 219 | 85 | 2 | 0 |

### Q09a: Number of Persons Contacted

| Number of Persons Contacted | All Persons Contacted | First contact – NOT staying on the Streets, ES-EE, ES-NbN, or SH | First contact – WAS staying on Streets, ES-EE, ES-NbN, or SH | First contact – Worker unable to determine |
|---|---|---|---|---|
| Once | 14 | 14 | 0 | 0 |
| 2-5 Times | 0 | 0 | 0 | 0 |
| 6-9 Times | 0 | 0 | 0 | 0 |
| 10+ Times | 0 | 0 | 0 | 0 |
| Total Persons Contacted | 14 | 14 | 0 | 0 |

### Q09b: Number of Persons Newly Engaged

| Number of Persons Engaged | All Persons Contacted | First contact – NOT staying on the Streets, ES-EE, ES-NbN, or SH | First contact – WAS staying on Streets, ES-EE, ES-NbN, or SH | First contact – Worker unable to determine |
|---|---|---|---|---|
| Once | 3 | 3 | 0 | 0 |
| 2-5 Contacts | 0 | 0 | 0 | 0 |
| 6-9 Contacts | 0 | 0 | 0 | 0 |
| 10+ Contacts | 0 | 0 | 0 | 0 |
| Total Persons Engaged | 3 | 3 | 0 | 0 |
| Rate of Engagement | *21.43%* | *21.43%* | *0* | *0* |

Numbers in *green italics* have been recalculated or weighted based on available totals.

### Q10a: Gender

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| Woman | 1,854 | 955 | 874 | 24 | 1 |
| Man | 791 | 339 | 445 | 7 | 0 |
| Culturally Specific Identity | 0 | 0 | 0 | 0 | 0 |
| Transgender | 6 | 6 | 0 | 0 | 0 |
| Non-Binary | 4 | 3 | 1 | 0 | 0 |
| Questioning | 0 | 0 | 0 | 0 | 0 |
| Different Identity | 0 | 0 | 0 | 0 | 0 |
| Woman/Man | 105 | 70 | 35 | 0 | 0 |
| Woman/Culturally Specific Identity | 0 | 0 | 0 | 0 | 0 |
| Woman/Transgender | 2 | 1 | 1 | 0 | 0 |
| Woman/Non-Binary | 0 | 0 | 0 | 0 | 0 |
| Woman/Questioning | 0 | 0 | 0 | 0 | 0 |
| Woman/Different Identity | 0 | 0 | 0 | 0 | 0 |
| Man/Culturally Specific Identity | 0 | 0 | 0 | 0 | 0 |
| Man/Transgender | 0 | 0 | 0 | 0 | 0 |
| Man/Non-Binary | 0 | 0 | 0 | 0 | 0 |
| Man/Questioning | 0 | 0 | 0 | 0 | 0 |
| Man/Different Identity | 0 | 0 | 0 | 0 | 0 |
| Culturally Specific Identity/Transgender | 0 | 0 | 0 | 0 | 0 |
| Culturally Specific Identity/Non-Binary | 0 | 0 | 0 | 0 | 0 |
| Culturally Specific Identity/Questioning | 0 | 0 | 0 | 0 | 0 |
| Culturally Specific Identity/Different Identity | 0 | 0 | 0 | 0 | 0 |
| Transgender/Non-Binary | 0 | 0 | 0 | 0 | 0 |
| Transgender/Questioning | 0 | 0 | 0 | 0 | 0 |
| Transgender/Different Identity | 0 | 0 | 0 | 0 | 0 |
| Non-Binary/Questioning | 0 | 0 | 0 | 0 | 0 |
| Non-Binary/Different Identity | 0 | 0 | 0 | 0 | 0 |
| Questioning/Different Identity | 0 | 0 | 0 | 0 | 0 |
| More than 2 Gender Identities Selected | 1 | 1 | 0 | 0 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 0 | 0 | 0 | 0 | 0 |
| Data Not Collected | 11 | 3 | 7 | 1 | 0 |
| **Total** | 2,737 | 1,308 | 1,330 | 32 | 1 |

New as of 10/1/2023.

Q10d: Gender by Age Ranges

| | Total | Under Age 18 | Age 18-24 | Age 25-64 | Age 65+ | Client Doesn't Know/Prefers Not to Answer | Data Not Collected |
|---|---|---|---|---|---|---|---|
| Woman | 1,882 | 484 | 141 | 1,215 | 42 | 2 | 4 |
| Man | 828 | 417 | 56 | 329 | 26 | 0 | 5 |
| Culturally Specific Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Transgender | 6 | 0 | 3 | 3 | 0 | 0 | 0 |
| Non-Binary | 4 | 1 | 1 | 2 | 0 | 0 | 0 |
| Questioning | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Different Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Woman/Man | 2 | 1 | 1 | 0 | 0 | 0 | 0 |
| Woman/Culturally Specific Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Woman/Transgender | 2 | 1 | 0 | 1 | 0 | 0 | 0 |
| Woman/Non-Binary | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Woman/Questioning | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Woman/Different Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Man/Culturally Specific Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Man/Transgender | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Man/Non-Binary | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Man/Questioning | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Man/Different Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Culturally Specific Identity/Transgender | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Culturally Specific Identity/Non-Binary | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Culturally Specific Identity/Questioning | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Culturally Specific Identity/Different Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Transgender/Non-Binary | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Transgender/Questioning | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Transgender/Different Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-Binary/Questioning | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-Binary/Different Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Questioning/Different Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| More than 2 Gender Identities Selected | 1 | 0 | 0 | 1 | 0 | 0 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Data Not Collected | 11 | 8 | 1 | 2 | 0 | 0 | 0 |
| **Total** | 2,737 | 912 | 203 | 1,553 | 68 | 2 | 9 |

New as of 10/1/2023.

## Q11: Age

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| Under 5 | 316 | 2 | 305 | 6 | 0 |
| 5-12 | 415 | 3 | 398 | 10 | 0 |
| 13-17 | 169 | 0 | 165 | 4 | 0 |
| 18-24 | 203 | 137 | 61 | 4 | 1 |
| 25-34 | 525 | 295 | 226 | 4 | 0 |
| 35-44 | 519 | 345 | 171 | 3 | 0 |
| 45-54 | 311 | 270 | 40 | 1 | 0 |
| 55-64 | 198 | 190 | 8 | 0 | 0 |
| 65+ | 68 | 65 | 3 | 0 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 2 | 1 | 1 | 0 | 0 |
| Data Not Collected | 9 | 0 | 9 | 0 | 0 |
| **Total** | 2,737 | 1,308 | 1,388 | 32 | 1 |

**New as of 10/1/2023.**

Q12: Race and Ethnicity

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| American Indian, Alaska Native, or Indigenous | 20 | 12 | 8 | 0 | 0 |
| Asian or Asian American | 10 | 2 | 8 | 0 | 0 |
| Black, African American, or African | 1,611 | 713 | 880 | 18 | 0 |
| Hispanic/Latina/e/o | 55 | 10 | 43 | 2 | 0 |
| Middle Eastern or North African | 1 | 1 | 0 | 0 | 0 |
| Native Hawaiian or Pacific Islander | 5 | 4 | 1 | 0 | 0 |
| White | 862 | 521 | 333 | 7 | 1 |
| Asian or Asian American & American Indian, Alaska Native, or Indigenous | 0 | 0 | 0 | 0 | 0 |
| Black, African American, or African & American Indian, Alaska Native, or Indigenous | 9 | 8 | 1 | 0 | 0 |
| Hispanic/Latina/e/o & American Indian, Alaska Native, or Indigenous | 2 | 1 | 1 | 0 | 0 |
| Middle Eastern or North African & American Indian, Alaska Native, or Indigenous | 0 | 0 | 0 | 0 | 0 |
| Native Hawaiian or Pacific Islander & American Indian, Alaska Native, or Indigenous | 0 | 0 | 0 | 0 | 0 |
| White & American Indian, Alaska Native, or Indigenous | 3 | 3 | 0 | 0 | 0 |
| Black, African American, or African & Asian or Asian American | 2 | 1 | 1 | 0 | 0 |
| Hispanic/Latina/e/o & Asian or Asian American | 0 | 0 | 0 | 0 | 0 |
| Middle Eastern or North African & Asian or Asian American | 0 | 0 | 0 | 0 | 0 |
| Native Hawaiian or Pacific Islander & Asian or Asian American | 0 | 0 | 0 | 0 | 0 |
| White & Asian or Asian American | 1 | 0 | 1 | 0 | 0 |
| Hispanic/Latina/e/o & Black, African American, or African | 4 | 2 | 1 | 1 | 0 |
| Middle Eastern or North African & Black, African American, or African | 0 | 0 | 0 | 0 | 0 |
| Native Hawaiian or Pacific Islander & Black, African American, or African | 4 | 1 | 3 | 0 | 0 |
| White & Black, African American, or African | 60 | 7 | 51 | 2 | 0 |
| Middle Eastern or North African & Hispanic/Latina/e/o | 0 | 0 | 0 | 0 | 0 |
| Native Hawaiian or Pacific Islander & Hispanic/Latina/e/o | 0 | 0 | 0 | 0 | 0 |
| White & Hispanic/Latina/e/o | 24 | 12 | 12 | 0 | 0 |
| Native Hawaiian or Pacific Islander & Middle Eastern or North African | 0 | 0 | 0 | 0 | 0 |
| White & Middle Eastern or North African | 0 | 0 | 0 | 0 | 0 |
| White & Native Hawaiian or Pacific Islander | 1 | 1 | 0 | 0 | 0 |
| Multiracial – more than 2 races/ethnicity, with one being Hispanic/Latina/e/o | 10 | 2 | 8 | 0 | 0 |
| Multiracial – more than 2 races, where no option is Hispanic/Latina/e/o | 5 | 2 | 3 | 0 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 8 | 6 | 2 | 0 | 0 |
| Data Not Collected | 39 | 6 | 31 | 2 | 0 |
| Total | 2,737 | 1,315 | 1,388 | 32 | 1 |

New as of 10/1/2023.

### Q13a1: Physical and Mental Health Conditions at Start

| | Total Persons | Without Children | Adults in HH with Children & Adults | Children in HH with Children & Adults | With Children and Adults ♿ | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|---|---|
| Mental Health Disorder | 557 | 435 | 94 | 979 | 0 | 6 | 0 |
| Alcohol Use Disorder | 41 | 34 | 6 | 1 | 0 | 0 | 0 |
| Drug Use Disorder | 165 | 141 | 24 | 0 | 0 | 0 | 0 |
| Both Alcohol Use and Drug Use Disorders | 73 | 68 | 4 | 0 | 0 | 1 | 0 |
| Chronic Health Condition | 304 | 234 | 49 | 17 | 0 | 4 | 0 |
| HIV/AIDS | 28 | 26 | 1 | 1 | 0 | 0 | 0 |
| Developmental Disability | 110 | 57 | 18 | 1,340 | 0 | 0 | 0 |
| Physical Disability | 352 | 278 | 53 | 195 | 0 | 1 | 0 |

♿ The "With Children and Adults" column is retired as of 10/1/2019 and replaced with the columns "Adults in HH with Children & Adults" and "Children in HH with Children & Adults".

### Q13b1: Physical and Mental Health Conditions at Exit

| | Total Persons | Without Children | Adults in HH with Children & Adults | Children in HH with Children & Adults | With Children and Adults ♿ | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|---|---|
| Mental Health Disorder | 477 | 370 | 82 | 198 | 0 | 2 | 0 |
| Alcohol Use Disorder | 35 | 30 | 4 | 1 | 0 | 0 | 0 |
| Drug Use Disorder | 130 | 109 | 21 | 0 | 0 | 0 | 0 |
| Both Alcohol Use and Drug Use Disorders | 65 | 59 | 5 | 0 | 0 | 1 | 0 |
| Chronic Health Condition | 204 | 152 | 34 | 15 | 0 | 3 | 0 |
| HIV/AIDS | 17 | 15 | 2 | 0 | 0 | 0 | 0 |
| Developmental Disability | 93 | 48 | 15 | 205 | 0 | 0 | 0 |
| Physical Disability | 256 | 190 | 44 | 196 | 0 | 1 | 0 |

♿ The "With Children and Adults" column is retired as of 10/1/2019 and replaced with the columns "Adults in HH with Children & Adults" and "Children in HH with Children & Adults".

### Q13c1: Physical and Mental Health Conditions for Stayers

| | Total Persons | Without Children | Adults in HH with Children & Adults | Children in HH with Children & Adults | With Children and Adults ♿ | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|---|---|
| Mental Health Disorder | 90 | 74 | 9 | 3 | 0 | 4 | 0 |
| Alcohol Use Disorder | 6 | 5 | 1 | 0 | 0 | 0 | 0 |
| Drug Use Disorder | 32 | 31 | 1 | 0 | 0 | 0 | 0 |
| Both Alcohol Use and Drug Use Disorders | 14 | 13 | 1 | 0 | 0 | 0 | 0 |
| Chronic Health Condition | 89 | 71 | 12 | 5 | 0 | 1 | 0 |
| HIV/AIDS | 12 | 11 | 0 | 1 | 0 | 0 | 0 |
| Developmental Disability | 24 | 14 | 4 | 6 | 0 | 0 | 0 |
| Physical Disability | 86 | 75 | 8 | 3 | 0 | 0 | 0 |

♿ The "With Children and Adults" column is retired as of 10/1/2019 and replaced with the columns "Adults in HH with Children & Adults" and "Children in HH with Children & Adults".

Q14a: History of Domestic Violence, Sexual Assault, Dating Violence, Stalking, or Human Trafficking

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| Yes | 914 | 597 | 308 | 9 | 0 |
| No | 883 | 680 | 197 | 6 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 0 | 0 | 0 | 0 | 0 |
| Data Not Collected | 47 | 29 | 12 | 5 | 1 |
| Total | 1,845 | 1,306 | 517 | 20 | 1 |

Q14b: Most recent experience of domestic violence, sexual assault, dating violence, stalking, or human trafficking

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| Within the past three months | 641 | 474 | 257 | 7 | 0 |
| Three to six months ago | 40 | 27 | 18 | 1 | 0 |
| Six months to one year | 28 | 22 | 5 | 1 | 0 |
| One year ago, or more | 93 | 68 | 25 | 0 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 0 | 70 | 33 | 0 | 0 |
| Data Not Collected | 8 | 5 | 3 | 0 | 0 |
| **Total** | 914 | 527 | 275 | 9 | 0 |

New as of 10/1/2023.

Q15: Living Situation

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| **Homeless Situations** | | | | | |
| Place not meant for habitation | 266 | 222 | 44 | 0 | 0 |
| Emergency shelter, including hotel or motel paid for with emergency shelter voucher, Host Home shelter | 132 | 89 | 42 | 1 | 0 |
| Safe Haven | 3 | 0 | 3 | 0 | 0 |
| **Subtotal - Homeless Situations** | 401 | 311 | 89 | 1 | 0 |
| **Institutional Situations** | | | | | |
| Foster care home or foster care group home | 1 | 0 | 0 | 1 | 0 |
| Hospital or other residential non-psychiatric medical facility | 13 | 11 | 2 | 0 | 0 |
| Jail, prison, or juvenile detention facility | 29 | 29 | 0 | 0 | 0 |
| Long-term care facility or nursing home | 1 | 1 | 0 | 0 | 0 |
| Psychiatric hospital or other psychiatric facility | 12 | 12 | 0 | 0 | 0 |
| Substance abuse treatment facility or detox center | 34 | 33 | 1 | 0 | 0 |
| **Subtotal - Institutional Situations** | 90 | 86 | 3 | 1 | 0 |
| **Temporary Situations** | | | | | |
| Transitional housing for homeless persons (including homeless youth) | 8 | 8 | 0 | 0 | 0 |
| Residential project or halfway house with no homeless criteria | 4 | 3 | 0 | 1 | 0 |
| Hotel or motel paid for without emergency shelter voucher | 56 | 33 | 21 | 2 | 0 |
| Host Home (non-crisis) | 3 | 3 | 0 | 0 | 0 |
| Staying or living in a friend's room, apartment, or house | 223 | 170 | 51 | 2 | 0 |
| Staying or living in a family member's room, apartment, or house | 268 | 168 | 97 | 3 | 0 |
| **Subtotal - Temporary Situations** | 562 | 385 | 169 | 8 | 0 |
| **Permanent Situations** | | | | | |
| Rental by client, no ongoing housing subsidy | 498 | 339 | 157 | 2 | 0 |
| Rental by client, with ongoing housing subsidy | 56 | 40 | 16 | 0 | 0 |
| Owned by client, with ongoing housing subsidy | 10 | 5 | 5 | 0 | 0 |
| Owned by client, no ongoing housing subsidy | 51 | 34 | 17 | 0 | 0 |
| **Subtotal - Permanent Situations** | 615 | 418 | 195 | 2 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 4 | 1 | 2 | 1 | 0 |
| Data Not Collected | 172 | 105 | 59 | 7 | 1 |
| **Subtotal - Other Situations** | 176 | 106 | 61 | 8 | 1 |
| **TOTAL** | 1,845 | 1,306 | 517 | 20 | 1 |

**Updated 10/1/2023:** Rows reordered and grouped differently. New "Rental by client, with ongoing housing subsidy" row includes data previously reported under separate subsidy types.
☾ Interim housing is retired as of 10/1/2019.

### Q16: Cash Income - Ranges

| | Income at Start | Income at Latest Annual Assessment for Stayers | Income at Exit for Leavers |
|---|---|---|---|
| No income | 909 | 9 | 572 |
| $1 - $150 | 21 | 0 | 9 |
| $151 - $250 | 24 | 0 | 16 |
| $251 - $500 | 51 | 2 | 37 |
| $501 - $1000 | 341 | 15 | 227 |
| $1,001 - $1,500 | 165 | 11 | 122 |
| $1,501 - $2,000 | 91 | 0 | 82 |
| $2,001+ | 68 | 0 | 58 |
| Client Doesn't Know/Prefers Not to Answer | 0 | 0 | 0 |
| Data Not Collected | 49 | 0 | 51 |
| Number of Adult Stayers Not Yet Required to Have an Annual Assessment | 0 | 365 | 0 |
| Number of Adult Stayers Without Required Annual Assessment | 0 | 144 | 0 |
| Total Adults | 1,825 | 552 | 1,273 |

### Q17: Cash Income - Sources

| | Income at Start | Income at Latest Annual Assessment for Stayers | Income at Exit for Leavers |
|---|---|---|---|
| Earned Income | 404 | 19 | 344 |
| Unemployment Insurance | 12 | 0 | 3 |
| Supplemental Security Income (SSI) | 206 | 7 | 136 |
| Social Security Disability Insurance (SSDI) | 136 | 4 | 106 |
| VA Service-Connected Disability Compensation | 2 | 0 | 1 |
| VA Non-Service Connected Disability Pension | 3 | 0 | 3 |
| Private Disability Insurance | 1 | 0 | 1 |
| Worker's Compensation | 0 | 0 | 0 |
| Temporary Assistance for Needy Families (TANF) | 13 | 0 | 10 |
| General Assistance (GA) | 0 | 0 | 0 |
| Retirement Income from Social Security | 12 | 2 | 8 |
| Pension or retirement income from a former job | 3 | 0 | 2 |
| Child Support | 46 | 1 | 34 |
| Alimony and other spousal support | 1 | 0 | 0 |
| Other Source | 32 | 0 | 22 |
| Adults with Income Information at Start and Annual Assessment/Exit | 0 | 40 | 1,212 |

Q19b: Disabling Conditions and Income for Adults at Exit

| | AO: Adult with Disabling Condition | AO: Adult without Disabling Condition | AO: Total Adults | AO: % with Disabling Condition by Source | AC: Adult with Disabling Condition | AC: Adult without Disabling Condition | AC: Total Adults | AC: % with Disabling Condition by Source | UK: Adult with Disabling Condition | UK: Adult without Disabling Condition | UK: Total Adults | UK: % with Disabling Condition by Source |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Earned Income | 66 | 141 | 202 | *32.67%* | 26 | 107 | 130 | *20.00%* | 0 | 0 | 0 | *0* |
| Unemployment Insurance | 0 | 3 | 3 | *0%* | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* |
| Supplemental Security Income (SSI) | 71 | 41 | 111 | *63.96%* | 9 | 13 | 21 | *42.86%* | 0 | 0 | 0 | *0* |
| Social Security Disability Insurance (SSDI) | 83 | 6 | 88 | *94.32%* | 10 | 4 | 14 | *71.43%* | 0 | 0 | 0 | *0* |
| VA Service-Connected Disability Compensation | 1 | 0 | 1 | *100.00%* | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* |
| VA Non-Service-Connected Disability Pension | 1 | 0 | 1 | *100.00%* | 1 | 0 | 1 | *100.00%* | 0 | 0 | 0 | *0* |
| Private Disability Insurance | 1 | 0 | 1 | *100.00%* | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* |
| Worker's Compensation | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* |
| Temporary Assistance for Needy Families (TANF) | 3 | 3 | 6 | *50.00%* | 2 | 1 | 3 | *66.67%* | 0 | 0 | 0 | *0* |
| General Assistance (GA) | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* |
| Retirement Income from Social Security | 2 | 5 | 7 | *28.57%* | 0 | 1 | 1 | *0%* | 0 | 0 | 0 | *0* |
| Pension or retirement income from a former job | 1 | 1 | 2 | *50.00%* | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* |
| Child Support | 3 | 13 | 15 | *20.00%* | 5 | 15 | 20 | *25.00%* | 0 | 0 | 0 | *0* |
| Alimony and other spousal support | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* | 0 | 0 | 0 | *0* |
| Other source | 3 | 9 | 12 | *25.00%* | 4 | 9 | 13 | *30.77%* | 0 | 0 | 0 | *0* |
| No Sources | 146 | 243 | 389 | *37.53%* | 31 | 129 | 159 | *19.50%* | 0 | 1 | 1 | *0%* |
| Unduplicated Total Adults | 367 | 447 | 806 | | 80 | 265 | 340 | | 0 | 1 | 1 | |

Numbers in *green italics* have been recalculated or weighted based on available totals.

### Q20a: Type of Non-Cash Benefit Sources

| | Benefit at Start | Benefit at Latest Annual Assessment for Stayers | Benefit at Exit for Leavers |
|---|---|---|---|
| Supplemental Nutrition Assistance Program (SNAP) (Previously known as Food Stamps) | 599 | 20 | 388 |
| Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) | 43 | 2 | 34 |
| TANF Child Care Services | 5 | 0 | 4 |
| TANF Transportation Services | 2 | 0 | 3 |
| Other TANF-Funded Services | 0 | 0 | 2 |
| Other Source | 1 | 0 | 3 |

### Q21: Health Insurance

| | At Start | At Annual Assessment for Stayers | At Exit for Leavers |
|---|---|---|---|
| MEDICAID | 1,170 | 20 | 818 |
| MEDICARE | 121 | 5 | 77 |
| State Children's Health Insurance Program | 50 | 2 | 39 |
| Veteran's Health Administration (VHA) | 12 | 0 | 13 |
| Employer-Provided Health Insurance | 54 | 0 | 37 |
| Health Insurance obtained through COBRA | 2 | 0 | 2 |
| Private Pay Health Insurance | 36 | 0 | 27 |
| State Health Insurance for Adults | 27 | 0 | 19 |
| Indian Health Services Program | 7 | 0 | 7 |
| Other | 78 | 0 | 162 |
| No Health Insurance | 1,123 | 15 | 713 |
| Client Doesn't Know/Prefers Not to Answer | 12 | 0 | 5 |
| Data Not Collected | 162 | 223 | 139 |
| Number of Stayers Not Yet Required to Have an Annual Assessment | 0 | 287 | 0 |
| 1 Source of Health Insurance | 1,313 | 18 | 992 |
| More than 1 Source of Health Insurance | 118 | 5 | 101 |

### Q22a2: Length of Participation – ESG Projects

| | Total | Leavers | Stayers |
|---|---|---|---|
| 0 to 7 days | 533 | 491 | 42 |
| 8 to 14 days | 258 | 221 | 37 |
| 15 to 21 days | 156 | 124 | 32 |
| 22 to 30 days | 217 | 180 | 37 |
| 31 to 60 days | 403 | 331 | 72 |
| 61 to 90 days | 300 | 214 | 86 |
| 91 to 180 days | 346 | 257 | 89 |
| 181 to 365 days | 239 | 106 | 133 |
| 366 to 730 days (1-2 Yrs) | 213 | 12 | 201 |
| 731 to 1,095 days (2-3 Yrs) | 38 | 11 | 27 |
| 1,096 to 1,460 days (3-4 Yrs) | 20 | 0 | 20 |
| 1,461 to 1,825 days (4-5 Yrs) | 12 | 0 | 12 |
| More than 1,825 days (> 5 Yrs) | 0 | 0 | 0 |
| Total | 2,736 | 1,948 | 788 |

Q22c: Length of Time between Project Start Date and Housing Move-in Date

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| 7 days or less | 148 | 65 | 82 | 1 | 0 |
| 8 to 14 days | 15 | 11 | 4 | 0 | 0 |
| 15 to 21 days | 11 | 9 | 2 | 0 | 0 |
| 22 to 30 days | 15 | 9 | 6 | 0 | 0 |
| 31 to 60 days | 10 | 8 | 2 | 0 | 0 |
| 61 to 90 days | 8 | 6 | 2 | 0 | 0 |
| 91 to 180 days | 3 | 3 | 0 | 0 | 0 |
| 181 to 365 days | 1 | 1 | 0 | 0 | 0 |
| 366 to 730 days (1-2 Yrs) | 5 | 2 | 3 | 0 | 0 |
| Total (persons moved into housing) | 216 | 114 | 101 | 1 | 0 |
| Average length of time to housing | *19.87* | *23.15* | *16.37* | *0* | *0* |
| Persons who were exited without move-in | 232 | 125 | 107 | 0 | 0 |
| Total persons | 448 | 239 | 208 | 1 | 0 |

Numbers in *green italics* have been recalculated or weighted based on available totals.

Q22d: Length of Participation by Household Type

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| 7 days or less | 533 | 241 | 290 | 2 | 0 |
| 8 to 14 days | 258 | 107 | 135 | 16 | 0 |
| 15 to 21 days | 156 | 86 | 69 | 1 | 0 |
| 22 to 30 days | 217 | 102 | 113 | 2 | 0 |
| 31 to 60 days | 403 | 191 | 209 | 3 | 0 |
| 61 to 90 days | 300 | 149 | 149 | 2 | 0 |
| 91 to 180 days | 346 | 170 | 174 | 2 | 0 |
| 181 to 365 days | 239 | 124 | 113 | 2 | 0 |
| 366 to 730 days (1-2 Yrs) | 213 | 104 | 107 | 2 | 0 |
| 731 days or more | 70 | 41 | 28 | 0 | 1 |
| Total | 2,737 | 1,315 | 1,388 | 32 | 1 |

Updated 10/1/2023: Data previously in categories of 1,096 days at higher has been collapsed into 731 days or more.

Q22e: Length of Time Prior to Housing - based on 3.917 Date Homelessness Started

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| 7 days or less | 681 | 329 | 344 | 8 | 0 |
| 8 to 14 days | 36 | 6 | 29 | 1 | 0 |
| 15 to 21 days | 12 | 4 | 8 | 0 | 0 |
| 22 to 30 days | 19 | 7 | 12 | 0 | 0 |
| 31 to 60 days | 36 | 27 | 9 | 0 | 0 |
| 61 to 90 days | 38 | 15 | 23 | 0 | 0 |
| 91 to 180 days | 48 | 17 | 31 | 0 | 0 |
| 181 to 365 days | 25 | 14 | 11 | 0 | 0 |
| 366 to 730 days (1-2 Yrs) | 29 | 16 | 13 | 0 | 0 |
| 731 days or more | 31 | 23 | 8 | 0 | 0 |
| Total | 957 | 458 | 490 | 9 | 0 |
| Not yet moved into housing | 0 | 0 | 0 | 0 | 0 |
| Data not collected | 885 | 382 | 489 | 14 | 0 |
| Total persons | 1,878 | 842 | 1,011 | 24 | 1 |

Q22f: Length of Time between Project Start Date and Housing Move-in Date by Race and Ethnicity

| | American Indian, Alaska Native, or Indigenous | Asian or Asian American | Black, African American, or African | Hispanic/ Latina/e/o | Middle Eastern or North African | Native Hawaiian or Pacific Islander | White | At Least 1 Race and Hispanic/Latina/e/o | Multi-racial (does not include Hispanic/Latina/e/o) | Unknown (Don't Know, Preferred not to Answer, Data not Collected) |
|---|---|---|---|---|---|---|---|---|---|---|
| Persons Moved Into Housing | 9 | 9 | 449 | 38 | 0 | 2 | 416 | 3 | 6 | 2 |
| Persons Exited Without Move-In | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Average time to Move-In | .21 | .01 | 27.60 | 4.52 | 0 | 7.51 | 19.03 | .67 | 5.73 | .00 |
| Median time to Move-In | Cannot calculate | Cannot calculate | Cannot calculate | Cannot calculate | Cannot calculate | Cannot calculate | Cannot calculate | Cannot calculate | Cannot calculate | Cannot calculate |

New as of 10/1/2023.

Q22g: Length of Time Prior to Housing by Race and Ethnicity - based on 3.917 Date Homelessness Started

| | American Indian, Alaska Native, or Indigenous | Asian or Asian American | Black, African American, or African | Hispanic/ Latina/e/o | Middle Eastern or North African | Native Hawaiian or Pacific Islander | White | At Least 1 Race and Hispanic/Latina/e/o | Multi-racial (does not include Hispanic/Latina/e/o) | Unknown (Don't Know, Preferred not to Answer, Data not Collected) |
|---|---|---|---|---|---|---|---|---|---|---|
| Persons Moved Into Housing | 10 | 9 | 418 | 38 | 0 | 2 | 414 | 3 | 6 | 2 |
| Persons Not Yet Moved Into Housing | 0 | 0 | 108 | 1 | 0 | 1 | 29 | 0 | 0 | 0 |
| Average time to Move-In | *14.79* | *.01* | *69.12* | *5.28* | *0* | *212.51* | *51.51* | *353.33* | *12.73* | *.00* |
| Median time to Move-In | *Cannot calculate* | *Cannot calculate* | *Cannot calculate* | *Cannot calculate* | *Cannot calculate* | *Cannot calculate* | *Cannot calculate* | *Cannot calculate* | *Cannot calculate* | *Cannot calculate* |

New as of 10/1/2023.

Q23c: Exit Destination

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| **Homeless Situations** | | | | | |
| Place not meant for habitation (e.g., a vehicle, an abandoned building, bus/train/subway station/airport or anywhere outside) | 17 | 14 | 3 | 0 | 0 |
| Emergency shelter, including hotel or motel paid for with emergency shelter voucher, Host Home shelter | 53 | 22 | 31 | 0 | 0 |
| Safe Haven | 19 | 12 | 7 | 0 | 0 |
| **Subtotal - Homeless Situations** | 85 | 51 | 34 | 0 | 0 |
| **Institutional Situations** | | | | | |
| Foster care home or foster care group home | 20 | 2 | 18 | 0 | 0 |
| Hospital or other residential non-psychiatric medical facility | 12 | 11 | 1 | 0 | 0 |
| Jail, prison, or juvenile detention facility | 13 | 7 | 6 | 0 | 0 |
| Long-term care facility or nursing home | 0 | 0 | 0 | 0 | 0 |
| Psychiatric hospital or other psychiatric facility | 12 | 10 | 2 | 0 | 0 |
| Substance abuse treatment facility or detox center | 15 | 13 | 2 | 0 | 0 |
| **Subtotal - Institutional Situations** | 43 | 38 | 5 | 0 | 0 |
| **Temporary Situations** | | | | | |
| Transitional housing for homeless persons (including homeless youth) | 25 | 12 | 13 | 0 | 0 |
| Residential project or halfway house with no homeless criteria | 16 | 16 | 0 | 0 | 0 |
| Hotel or motel paid for without emergency shelter voucher | 20 | 6 | 14 | 0 | 0 |
| Host Home (non-crisis) | 2 | 0 | 2 | 0 | 0 |
| Staying or living with family, temporary tenure (e.g., room, apartment, or house) | 300 | 166 | 129 | 5 | 0 |
| Staying or living with friends, temporary tenure (e.g., room, apartment, or house) | 174 | 96 | 77 | 1 | 0 |
| Moved from one HOPWA funded project to HOPWA TH | 2 | 2 | 0 | 0 | 0 |
| **Subtotal - Temporary Situations** | 470 | 258 | 206 | 6 | 0 |
| **Permanent Situations** | | | | | |
| Staying or living with family, permanent tenure | 252 | 112 | 137 | 3 | 0 |
| Staying or living with friends, permanent tenure | 33 | 25 | 8 | 0 | 0 |
| Moved from one HOPWA funded project to HOPWA PH | 1 | 1 | 0 | 0 | 0 |
| Rental by client, no ongoing housing subsidy | 524 | 226 | 297 | 1 | 0 |
| Rental by client, with ongoing housing subsidy | 177 | 61 | 116 | 0 | 0 |
| Owned by client, with ongoing housing subsidy | 5 | 4 | 1 | 0 | 0 |
| Owned by client, no ongoing housing subsidy | 24 | 13 | 11 | 0 | 0 |
| **Subtotal - Permanent Situations** | 930 | 391 | 535 | 4 | 0 |
| **Other Situations** | | | | | |
| No Exit Interview Completed | 31 | 17 | 8 | 6 | 0 |
| Other | 12 | 7 | 5 | 0 | 0 |
| Deceased | 8 | 6 | 2 | 0 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 34 | 14 | 20 | 0 | 0 |
| Data Not Collected | 209 | 54 | 151 | 3 | 1 |
| **Subtotal - Other Situations** | 294 | 98 | 186 | 9 | 0 |
| Total | 1,949 | 894 | 1,034 | 19 | 1 |
| Total persons exiting to positive housing destinations | 984 | 404 | 576 | 4 | 0 |
| Total persons whose destinations excluded them from the calculation | 17 | 16 | 1 | 0 | 0 |
| Percentage | *50.93%* | *46.01%* | *55.76%* | *21.05%* | *0%* |

**Updated 10/1/2023:** Rows reordered and grouped differently. Destinations with subsidies are now detailed in Q23d. Existing data has been updated to match new row order and relocated to Q23d as appropriate.
Numbers in *green italics* have been recalculated or weighted based on available totals.

## Q23d: Exit Destination – Subsidy Type of Persons Exiting to Rental by Client With An Ongoing Subsidy

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| GPD TIP housing subsidy | 10 | 2 | 8 | 0 | 0 |
| VASH housing subsidy | 1 | 1 | 0 | 0 | 0 |
| RRH or equivalent subsidy | 74 | 28 | 46 | 0 | 0 |
| HCV voucher (tenant or project based) (not dedicated) | 9 | 3 | 6 | 0 | 0 |
| Public housing unit | 13 | 4 | 9 | 0 | 0 |
| Rental by client, with other ongoing housing subsidy | 33 | 9 | 24 | 0 | 0 |
| Housing Stability Voucher | 8 | 0 | 8 | 0 | 0 |
| Family Unification Program Voucher (FUP) | 0 | 0 | 0 | 0 | 0 |
| Foster Youth to Independence Initiative (FYI) | 0 | 0 | 0 | 0 | 0 |
| Permanent Supportive Housing | 3 | 3 | 0 | 0 | 0 |
| Other permanent housing dedicated for formerly homeless persons | 5 | 1 | 4 | 0 | 0 |
| TOTAL | 160 | 51 | 105 | 0 | 0 |

**New as of 10/1/2023:** Existing data from Q23c prior to 10/1/2023 has been relocated to Q23d as appropriate.

## Q23e: Exit Destination Type by Race and Ethnicity

| | Total | American Indian, Alaska Native, or Indigenous | Asian or Asian American | Black, African American, or African | Hispanic/ Latina/e/o | Middle Eastern or North African | Native Hawaiian or Pacific Islander | White | At Least 1 Race and Hispanic/Latina/e/o | Multi-racial (does not include Hispanic/Latina/e/o) | Unkno (Don't Know, Prefer not to Answ Data n Collec |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Homeless Situations | 76 | 0 | 0 | 35 | 4 | 0 | 0 | 30 | 0 | 0 | 3 |
| Institutional Situations | 43 | 1 | 0 | 11 | 0 | 0 | 0 | 27 | 1 | 0 | 0 |
| Temporary Housing Situations | 467 | 2 | 0 | 168 | 27 | 0 | 1 | 231 | 2 | 3 | 3 |
| Permanent Housing Situations | 930 | 9 | 1 | 579 | 12 | 0 | 2 | 276 | 2 | 11 | 4 |
| Other | 282 | 4 | 8 | 151 | 7 | 0 | 0 | 80 | 0 | 0 | 19 |
| **Total** | 1,949 | 16 | 9 | 945 | 50 | 0 | 3 | 644 | 5 | 14 | 29 |

**New as of 10/1/2023.**

Q24a: Homelessness Prevention Housing Assessment at Exit

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| Able to maintain the housing they had at project start--Without a subsidy | 245 | 102 | 143 | 0 | 0 |
| Able to maintain the housing they had at project start--With the subsidy they had at project start | 5 | 1 | 4 | 0 | 0 |
| Able to maintain the housing they had at project start--With an on-going subsidy acquired since project start | 7 | 3 | 4 | 0 | 0 |
| Able to maintain the housing they had at project start--Only with financial assistance other than a subsidy | 7 | 4 | 3 | 0 | 0 |
| Moved to new housing unit--With on-going subsidy | 19 | 7 | 12 | 0 | 0 |
| Moved to new housing unit--Without an on-going subsidy | 31 | 11 | 20 | 0 | 0 |
| Moved in with family/friends on a temporary basis | 51 | 27 | 24 | 0 | 0 |
| Moved in with family/friends on a permanent basis | 8 | 3 | 4 | 1 | 0 |
| Moved to a transitional or temporary housing facility or program | 15 | 10 | 5 | 0 | 0 |
| Client became homeless – moving to a shelter or other place unfit for human habitation | 2 | 2 | 0 | 0 | 0 |
| Jail/prison | 2 | 2 | 0 | 0 | 0 |
| Deceased | 0 | 0 | 0 | 0 | 0 |
| Client Doesn't Know/Prefers Not to Answer | 14 | 14 | 0 | 0 | 0 |
| Data not collected (no exit interview completed) | 21 | 11 | 10 | 0 | 0 |
| Total | 427 | 197 | 229 | 1 | 0 |

Q24d: Language of Persons Requiring Translation Assistance

| Language Response (Top 20 Languages Selected) | Total Persons Requiring Translation Assistance | Language Name[1] |
|---|---|---|
| 367 | 6 | *Spanish* |
| 148 | 0 | *Chinese* |
| 150 | 0 | *Choctaw* |
| 180 | 0 | *French* |
| 330 | 0 | *Portuguese* |
| 384 | 0 | *Thai* |
| Different Preferred Language | 0 | |
| **Total** | 6 | |

New as of 10/1/2023.
[1]This lookup is provided by Sage. The CSV upload contains only the response code.

Q25a: Number of Veterans

| | Total | Without Children | With Children and Adults | Unknown Household Type |
|---|---|---|---|---|
| Chronically Homeless Veteran | 0 | 0 | 0 | 0 |
| Non-Chronically Homeless Veteran | 30 | 24 | 6 | 0 |
| Not a Veteran | 2,214 | 1,253 | 941 | 1 |
| Client Doesn't Know/Prefers Not to Answer | 0 | 0 | 0 | 0 |
| Data Not Collected | 130 | 38 | 87 | 0 |
| Total | 2,374 | 1,315 | 1,034 | 1 |

Q26b: Number of Chronically Homeless Persons by Household

| | Total | Without Children | With Children and Adults | With Only Children | Unknown Household Type |
|---|---|---|---|---|---|
| Chronically Homeless | 81 | 64 | 17 | 0 | 0 |
| Not Chronically Homeless | 2,557 | 1,205 | 1,312 | 21 | 19 |
| Client Doesn't Know/Prefers Not to Answer | 4 | 3 | 0 | 1 | 0 |
| Data Not Collected | 110 | 43 | 57 | 10 | 0 |
| Total | 2,752 | 1,315 | 1,386 | 32 | 19 |

| | |
|---|---|
| **From:** | HOPWAReports |
| **To:** | Tamara Stewart; Sharunda Chapman |
| **Cc:** | HOPWA Squad |
| **Subject:** | FINAL: 2023 HOPWA Consolidated APR/CAPER - Mississippi - Formula |
| **Date:** | Wednesday, October 23, 2024 10:55:17 AM |
| **Attachments:** | G_G544_MISS_24134_2526055.xlsx<br>S_G544_ASC23_24134_252650.xlsx<br>S_G544_GHI23_24134_252649.xlsx<br>S_G544_MCPS23_24134_2526332.xlsx<br>S_G544_SMATF23_24134_2526229.xlsx<br>Leniency Ending Memo Consolidated CAPER APR.revised.pdf |

Caution! This message was sent from outside your organization. Allow sender | Block sender

Greetings,

We are happy to tell you that your **2023** HOPWA annual report for your **Formula funds** is complete and final.

Attached are all your final workbooks. While you have already submitted these to HOPWAReports@hud.gov, please forward **the attached** final workbooks to your local HUD CPD representative and indicate in your submission that this is your finalized report. It is not necessary to copy Cloudburst or HOPWAReports@hud.gov on this final submission.

All the Best,

The Cloudburst Data Validation Team

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT

| | |
|---|---|
| BRIEFING MEMORANDUM FOR: | Housing Opportunities for Persons With HIV/AIDS (HOPWA) Grantees |
| | RITA Digitally signed by: RITA HARCROW Date: 2023.11.30 16:46:53 -05'00' |
| FROM: | Rita Harcrow, Director, Office of HIV/AIDS Housing (OHH) |
| SUBJECT: | New Consolidated APR/CAPER - January 1, 2024, OHH resumes scoring and tiering |

BACKGROUND:

On July 11, 2022, OHH announced a new Excel-based Consolidated APR/CAPER form and reporting process to fulfill the HOPWA annual reporting requirement, as outlined in 24 CFR Part 574, for all HOPWA grantees. The new Consolidated APR/CAPER included new data elements, and collects data at the provider level, among other changes.

OHH recognized the need for a transition period, allowing time for grantees and project sponsors to adapt to the new format and modify their data collection systems and processes. For grantees' first year using the new Consolidated APR/CAPER, OHH did not formally tier or score reports. Tiering information was not published, not made publicly available, nor used to inform monitoring decisions. The information was only provided to grantees to assist with planning for subsequent reporting years.

PURPOSE:

During this transition period, grantees were still expected to submit their annual reports on time, and all data elements that were unchanged from the prior paper-based APR or CAPER should have been reported completely including financial, output and outcome data. OHH expected grantees and project sponsors to evaluate and address gaps or limitations in reporting data during this first year.

ACTION REQUESTED:

The leniency period will be ending soon. The structured tiered system will resume on January 1, 2024, and the tier status will again be reported on the performance profiles and used in annual risk analysis. From this point, OHH anticipates only minor updates to the reporting format that will provide further clarity but will not impact data collection set up or reporting. OHH expects grantees to collect and report all required data for the consolidated APR/CAPER. The Consolidated APR/CAPER training can be found on the HUD Exchange landing page.

www.hud.gov espanol.hud.gov

## Citizen Participation Plan with Newspaper Ads

MISSISSIPPI HOME CORPORATION

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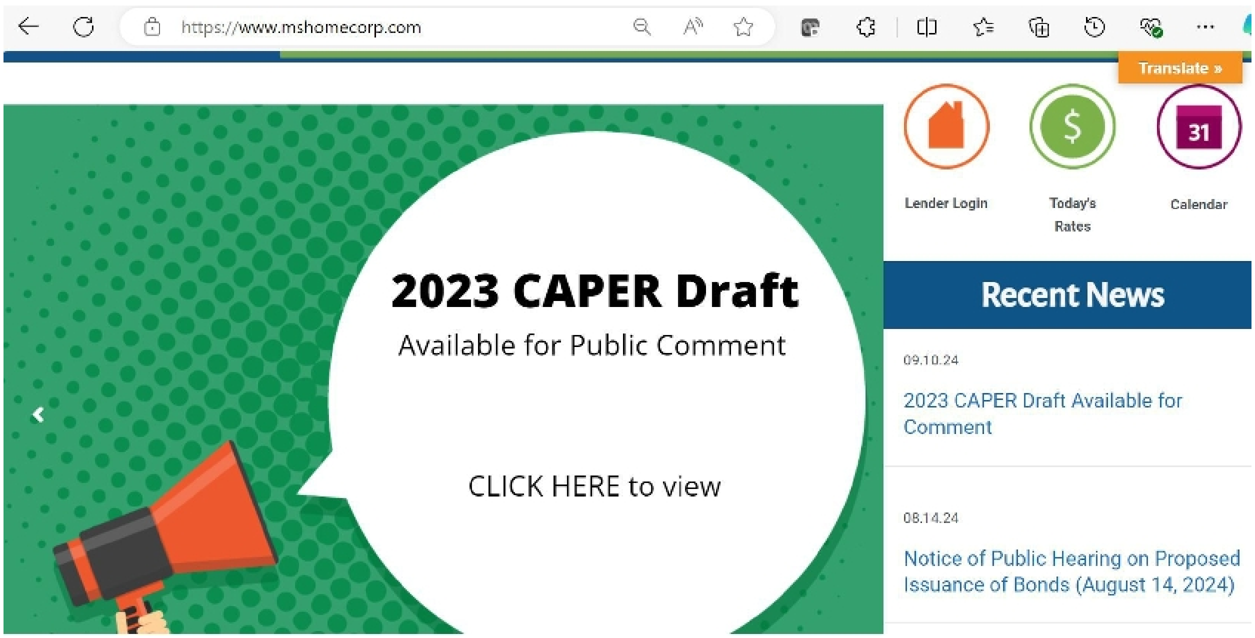
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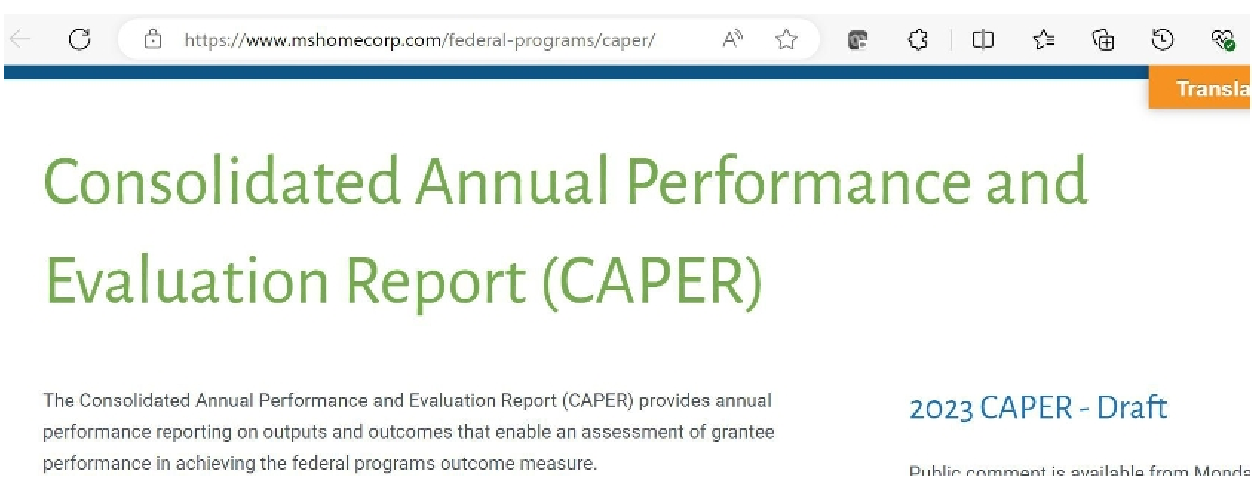
The Consolidated Annual Performance and Evaluation Report (CAPER) provides annual performance reporting on
2023 CAPER - Draft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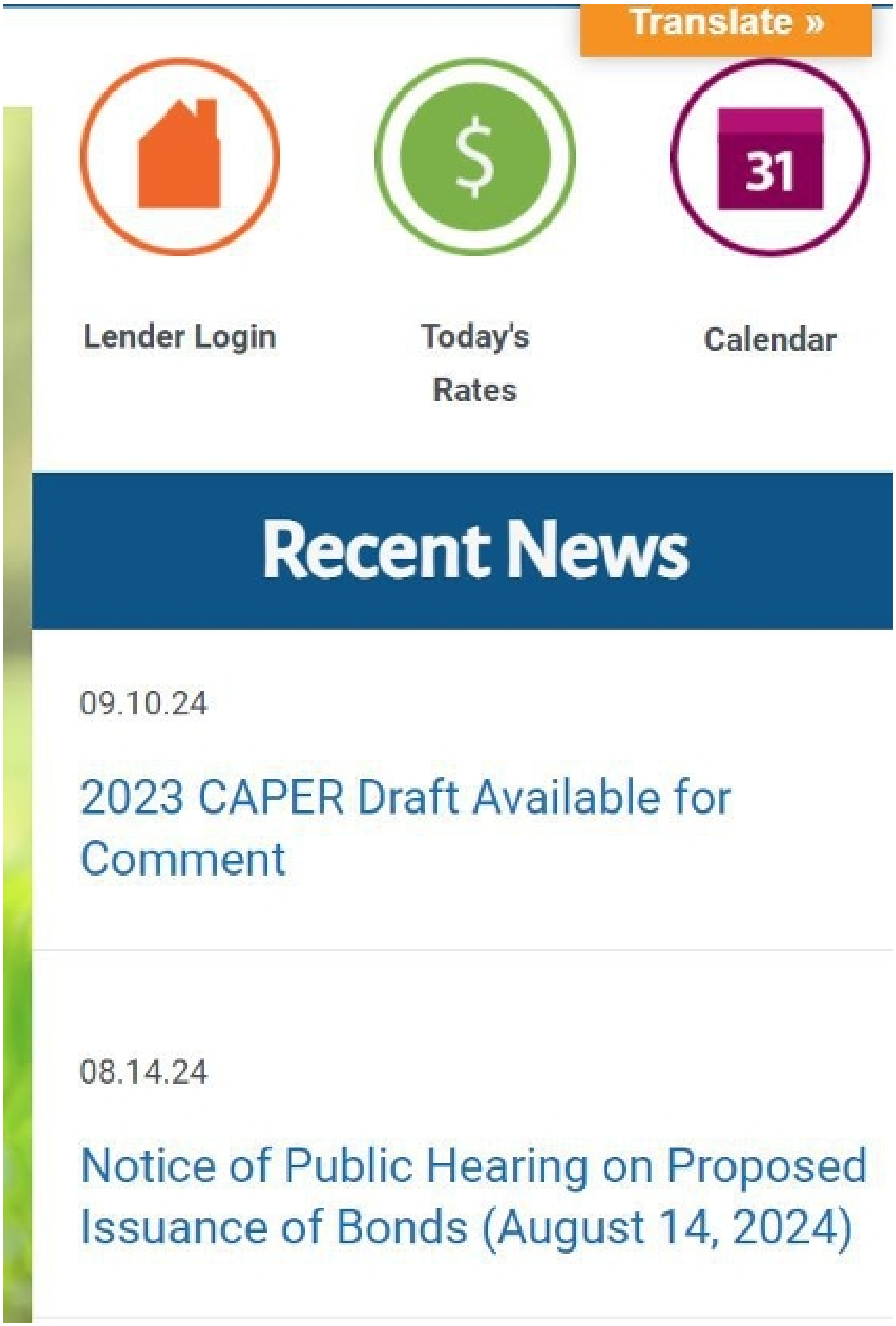
Consolidated Annual Performance and Evaluation Report (CAPER)
The Consolidated Annual Performance and Evaluation Report (CAPER) provides annual performance reporting on outputs and outcomes that enable an assessment of grantee performance in achieving the federal programs outcome measure.
2023 CAPER - Draft

# 2023 CAPER - Draft

Public comment is available from Monday, September 16 until Monday, September 30th at 5:00 PM. All comments can be emailed to david.hancock@mshc.com or mailed to:

Mississippi Home Corporation
Attn: David Hancock
735 Riverside Drive
Jackson, MS 39202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Notice of Public Hearing on Proposed Issuance of Bonds (August 14, 2024)

**State of Mississippi**

**Consolidated Annual Performance Evaluation Report (CAPER)**

**Program Year 2023**

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## CR-05 - Goals and Outcomes

**Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)**
This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2023 (July 1, 2023 through June 30, 2024) represents the third CAPER of the State of Mississippi's Consolidated Plan for Housing and Community Development for Plan Years 2020 – 2024. The report

MISSISSIPPI HOME CORPORATION

**El estado de Mississippi anuncia la disponibilidad del borrador del Informe anual consolidado de desempeño y evaluación del estado para los programas de vivienda y desarrollo comunitario**

Jackson, Mississippi – El estado de Mississippi anuncia la disponibilidad del borrador del Informe anual consolidado de desempeño y evaluación del estado para los programas de vivienda y desarrollo comunitario. Los programas incluidos en el Informe de desempeño son la Subvención en bloque para el desarrollo comunitario (CDBG), la Subvención para soluciones de emergencia (ESG), las Asociaciones de inversión HOME (HOME), el Fondo fiduciario nacional para la vivienda y los programas de Oportunidades de vivienda para personas con SIDA (HOPWA).

El estado de Mississippi ha preparado el borrador del Informe anual consolidado de desempeño y evaluación para los programas de vivienda y desarrollo comunitario para proporcionar el progreso del estado en el cumplimiento de sus objetivos programáticos al proporcionar viviendas dignas, crear entornos de vida adecuados y ampliar las oportunidades económicas.

El estado debe proporcionar este borrador del informe al público para solicitar la opinión de los ciudadanos, las organizaciones sin fines de lucro, los funcionarios locales y los grupos comunitarios con respecto a la evaluación del progreso del estado en la satisfacción de las necesidades de vivienda y desarrollo comunitario en el estado. El borrador del Informe Anual Consolidado de Desempeño y Evaluación estará disponible a pedido el **lunes 16 de septiembre de 2024** en las siguientes ubicaciones: Mississippi Home Corporation, 735 Riverside Drive, Jackson, MS 39202 y Mississippi Development Authority, Community Services Division, 501 North West Street, Jackson, MS 39201. El Informe también se puede descargar de los siguientes sitios web: www.mshomecorp.com/federal-programs/ y www.mississippi.org/csd.

Se aceptan comentarios hasta el **lunes 30 de septiembre de 2024** sobre el Borrador del Informe Anual Consolidado de Desempeño y Evaluación (CAPER). Se invita a los ciudadanos, las organizaciones sin fines de lucro, los funcionarios locales y los grupos comunitarios interesados en el desempeño del Estado en lo que respecta a la vivienda asequible y los servicios de desarrollo comunitario a que brinden comentarios. Los comentarios por escrito deben enviarse a Mississippi Home Corporation (MHC), 735 Riverside Drive, Jackson, MS 39202. Las consultas relacionadas con este aviso deben dirigirse a Tamara Stewart (programa ESG y HOPWA) al (601) 718-4654 o por correo electrónico a tamara.stewart@mshc.com o a Kimberly Stamps (programa HOME y HTF) al (601) 718-4638 o por correo electrónico a kimberly.stamps@mshc.com o a Tammie Lawrence (programa CDBG) al (601) 359-9339 o por correo electrónico a tlawrence@mississippi.org. Las personas con problemas de audición pueden comunicarse con MHC al (601) 718-4688 (TTY) para los programas HOME, HTF, ESG o HOPWA o con Mississippi Development Authority al 601-359-3119 (TTY) para el programa CDBG. Si necesita un intérprete, comuníquese con Tamara Stewart al (601) 718-4654.

Declaración sobre igualdad de oportunidades de vivienda: Estamos comprometidos con la letra y el espíritu de la política estadounidense para lograr la igualdad de oportunidades de vivienda en todo el país. Alentamos y apoyamos un programa de publicidad y marketing afirmativo en el que no existen barreras para obtener vivienda por motivos de raza, color, religión, sexo, discapacidad, estado familiar u origen nacional. El Estado no discrimina por motivos de discapacidad en el ingreso o acceso o tratamiento o empleo en sus programas o actividades.

EQUAL HOUSING


Jackson Advocate ■ Jackson, Mississippi September 13-16, 2021 ■ 7A

# HEALTH

## IAMH observes National HIV/AIDS and Aging Awareness Day

Clarion Ledger

## Public Notices

Originally published at clarionledger.com on 09/16/2024

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**Attention:** Mississippi Home

Mississippi Home Corporation
735 Riverside Drive
Jackson, MS 39202

kim.johnson@mshc.com

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IPL0193640
Sep 16 2024

**STATE OF MISSISSIPPI**
**COUNTY OF HARRISON**

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
09/16/24

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Mary Castro

Sworn to and subscribed before me this 16th day of September in the year of 2024

Stephanie Hatcher

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

HOME > LEGALS > LEGALS & PUBLIC NOTICES

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The State is required to provide this draft report to the public in order to solicit input from citizens, non-profit organizations, local officials, and community groups regarding the evaluation of the State's progress in meeting housing and community development needs in the State. The Draft Consolidated Annual Performance and Evaluation Report will be available Monday, September 16, 2024, upon request at the following locations: Mississippi Home Corporation, 735 Riverside Drive, Jackson, MS 39202 and Mississippi Development Authority, Community Services Division, 501 North West Street, Jackson, MS 39201. The report can also be downloaded from the following websites: www.mshomecorp.com/federal-programs/ and www.mississippi.org/csd.

Comments are invited and will be accepted through Monday, September 30, 2024, on the Draft Consolidated Annual Performance and Evaluation Report (CAPER). Citizens, non-profit organizations, local officials, and community groups interested in the State's performance as it relates to affordable housing, and community development services are encouraged to provide comments. Written comments should be sent to Mississippi Home Corporation (MHC), 735 Riverside Drive, Jackson, MS 39202. Inquiries regarding this notice should be directed to Tamara Stewart, (ESG & HOPWA Program) at (601) 718-4654 or email tamara.stewart@mshc.com or Kimberly Stamps, (HOME & HTF) at (601) 718-4638 or email kimberly.stamps@mshc.com or Tammie Lawrence, (CDBG Program) at (601) 359-9339 or email tlawrence@mississippi.org. The hearing impaired may contact MHC at (601) 718-4688 (TTY) for the HOME, HTF, ESG, or HOPWA Programs or Mississippi Development Authority at 601-359-3119 (TTY) for the CDBG Program. If an interpreter is needed, please contact Tamara Stewart at (601) 718-4654.

Equal Housing Opportunity Statement: We are pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the Nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, or national origin. The State does not discriminate on the basis of disability in the admissions or access to or treatment or employment in its programs or activities.
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