

**Mississippi Home Corporation**  
**Home Investment Partnerships (HOME) Program**  
**Community Housing Development Organization (CHDO)**  
**Recertification Application**

ORGANIZATION NAME:

APPLICATION DATE:

CONTACT:

TITLE:

ADDRESS:

CITY / STATE:

ZIP:

PHONE:

FAX:

EMAIL:

DUNS NUMBER:

FEDERAL TAX I.D. (EIN):

# CHDO ELIGIBILITY STATUS QUESTIONNAIRE

So that Mississippi Home Corporation (MHC) is able to process and recertify your organization's eligibility for CHDO status, please answer all questions below and **attach** all supporting documentation as indicated. *Clearly mark "Yes" or "No" for each item.*

1. ☐ YES      Since your last CHDO application date, are there any amendments or other changes to your Bylaws, Charter or Articles of Incorporation? *If so, include a copy highlighting any amendments or changes.*  
☐ NO

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2. ☐ YES      Since your last CHDO application date, have you had any amendments or other changes to your tax-exempt ruling from the IRS under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986?  
☐ NO      *If so, include a copy highlighting such amendments.*

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3. ☐ YES      Does the CHDO among its purposes, have the provision of decent housing that is affordable to low- and moderate-income persons, as evidenced by its charter, articles of incorporation, by-laws or board resolutions?  
☐ NO

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4. ☐ YES      For your organization's CHDO, do you continue to have standards of financial accountability conforming to 24 CFR 84.21, "Standards for Financial Management Systems"? *Please notarize and include the enclosed form. Attach a copy of the organization's most recent IRS Form 990 and a copy of the current independent audit.*  
☐ NO

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5. ☐ YES      For your organization's CHDO activities, please map the service area (i.e., neighborhoods, jurisdictional boundaries, and etc.). *Attach a map that clearly shows your current service area. Has the service area changed? If 'YES', attach a brief explanation.*  
☐ NO

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6. ☐ YES      For your organization's CHDO, are there any major changes in capacity since the last CHDO certification; e.g., change in key staff, board members, or current contracted consultants? Include a roster of all current Board Members on the form included. List all paid employees on the attached roster with their respective IRS status; for each person listed include their resume and IRS W2.  
☐ NO

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7. ☐ YES      For your organization's CHDO, do you continue to provide a formal process for low-income program beneficiaries to a) advise the organization on design, location of sites, development and b) participate in management of affordable housing?  
☐ NO

Attach a copy of the current formal process for both a and b employed by the CHDO. Include any evidence of this process such as adopted resolutions, or other formal examples of your organization's policies and actions.

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8. ☐ YES      If you operate a HOME-funded rental property, does your organization's CHDO have a "Tenant Participation Plan" that includes fair lease, grievance procedures and a plan for tenant participation in management decisions? *Include your Tenant Participation Plan.*  
☐ NO

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  9. ☐ YES      If your organization has not met all of the CHDO criteria above, are you interested and willing to take the steps necessary to meet the required criteria?  
☐ NO

State measures that are being addressed:

# CHDO AUTHORIZED SIGNATURE & CHDO ROLE

## CHDO's Authorized Representative:

I certify the information provided in this CHDO Recertification Application, and all its attachments are true and correct to the best of my knowledge. The authorized representative is the highest executive position within the organization.

Signature

Date

Print Name

Title

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## CHDO's Board of Directors Chair or Highest Officer:

I certify the information provided in this CHDO Recertification Application, and all its attachments are true and correct to the best of my knowledge.

Signature

Date

Print Name

Title

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Based on the Code of Federal Regulations (CFR) Section 92.300 your organization expects to pursue the following CHDO roles (*check all that apply*):

- ☐ Rental Owner [CFR Section 92.300(a)(2)]
- ☐ Rental Developer [CFR Section 92.300(a)(3)]
- ☐ Rental Sponsor [CFR Section 92.300(a)(4)]
- ☐ Rental Sponsor [CFR Section 92.300(a)(5)]
- ☐ Homeownership Developer [CFR Section 92.300(a)(6)]

# AFFIDAVIT OF STANDARDS FOR FINANCIAL MANAGEMENT SYSTEMS

Date

Affiant

Recipient

(Insert exact legal name of the organization)

Affiant on oath swears that the following statements are true and are within the personal knowledge of Affiant:

1. Affiant is the Board of Directors Chair or President for the organization, or Chief Financial Officer of the organization or Certified Public Accountant of the Recipient and is authorized to make this affidavit on behalf of Recipient.
2. Recipients' financial management systems conform to the financial accountability standards set forth in 24 CFR 84.21, by providing for and incorporating the following.
  - (a) Accurate, current and complete disclosure of the financial results of each federally sponsored project
  - (b) Records, which identify the source and Application of funds for federally sponsored activities. These records contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, outlays, income and interest
  - (c) Control over and accountability for all funds, property and other assets; adequate safeguards of all such assets shall be adopted to assure that all assets are used solely for authorized purposes
  - (d) Comparison of outlays with budget amounts for each award
  - (e) Written procedures to minimize the time elapsing between the receipt of funds and the issuance or redemption of checks for program purposes by the recipient
  - (f) Written procedures for determining the reasonableness, allocability and allowability of costs in accordance with the provisions of Federal cost principles [OMB Circular A-122] and the terms and conditions of the award
  - (g) Accounting records, including cost-accounting records that are supported by source documentation.

Affiant Title

Subscribed and sworn before me on Day Month Year

by, On behalf of  
(Name of Affiant) (Name of Organization)

Notary Signature

Printed Name Commission Expires

Notary Seal

## APPLICANT'S ORGANIZATION PAID STAFF AND CAPACITY

1. List the name and title of each employee that works for the applicant's organization. In the "Title" column, indicate their title, and years working as an employee. In the "IRS Status" column, indicate either W-2 or W-4. Include a copy of each employee's W-2 or W-4.

2. List the name of each independent contractor whose experience you want to count toward the applicant's CHDO capacity requirement. In the "Title" column, indicate their title, and years working as a contractor. In the "IRS Status" column, indicate either W-9 or 1099. Attach a copy of each individual's W-9 or 1099. For each W-9 or 1099, provide a copy of the contract between the CHDO and the employee.

[illegible]

# GOVERNING BOARD REQUIREMENTS

*At least one-third* of all current board members must qualify as a “low-income representative.” *No more than one-third* of all current board members may be “public officials.” Elected, appointed public officials, or individuals appointed to the CHDO Board by an elected or appointed public officials will not count toward the one-third low-income representation.

*Each board member is required to complete the certification form included in this application, indicating whether they do or do not qualify as either a “public official” or a “low-income representative.”*

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## Roster of Current Board Members and Public Official and Low-Income Status

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Name / Officer  
Address

Date of Appointment                      Public Official                       Low-Income Representative

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Name / Officer  
Address

Date of Appointment                      Public Official                       Low-Income Representative

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Name / Officer  
Address

Date of Appointment                      Public Official                       Low-Income Representative

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Name / Officer  
Address

Date of Appointment                      Public Official                       Low-Income Representative

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Name / Officer  
Address

Date of Appointment                      Public Official                       Low-Income Representative

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Name / Officer  
Address

Date of Appointment                      Public Official                       Low-Income Representative

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Name / Officer  
Address

Date of Appointment                      Public Official                       Low-Income Representative

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# BOARD MEMBER COMBINED CERTIFICATION FOR COMMUNITY HOUSING DEVELOPMENT ORGANIZATION STATUS

*Each Board Member is required to (a) complete Sections 1 and 2; (b) provide their signature and printed name; and (3) provide date of signature.*

## Section 1. Public Official Certification

For the purposes of 24 CFR Part 92 (HOME Investment Partnerships Program) a “public official” is defined as any person serving in any of the following capacities: *(Check all that apply)*

- ☐ An elected official – council member, alderman, commissioner, state legislator, school board representative, etc.
- ☐ An appointed public official – members of a planning or zoning commission, or any other regulatory and/or advisory commission appointed by the Mayor, Council or other official.
- ☐ An employee of the public official.
- ☐ A person appointed by a public official to serve on the board – any individual who is not necessarily a public official, but who was appointed by a public official (as described above).

*Check Only One (Check at least one box below)*

- ☐ By signing and dating this statement, I hereby certify that **I DO NOT** serve in any of the “public official” capacities stated above.
- ☐ By signing and dating this statement, I hereby certify that **I DO** serve in one of the “public official” capacities stated above.

## Section 2. Low-Income Representation Certification

For the purposes of 24 CFR Part 92 (HOME Investment Partnerships Program) a person who does not serve as a “public official” in any elected or appointed capacity, and who meets any of the following characteristics is recognized as representing the low-income community. *(Check all that apply)*

- ☐ I live in a low-income area – where 51% or more of the households in my U.S. Census tract have incomes at or below 80% of the median household income, as defined by HUD. My address is:
- ☐ I am an elected representative of the following low-income area neighborhood organization. State the name of the organization below.
- ☐ My household has an income at or below the 80% of the median household income for the area in which I live, according to HUD. Please attached a notarized affidavit stating annual income and number of household members.

*Check Only One (Check at least one box below)*

- ☐ By signing and dating this statement, I hereby certify that **I DO NOT** represent the low-income community in any of the ways stated above.
- ☐ By signing and dating this statement, I hereby certify that **I DO** meet the low-income representation characteristic checked above.

Board Member's Signature

Board Member's Printed Name

Date \_\_\_\_\_

## Code of Federal Regulations

### 24 C.F.R. § 92.300 Set-side For Community Housing Development Organizations (CHDOs).

(a) Within 24 months after the date that HUD notifies the participating jurisdiction of HUD's execution of the HOME Investment Partnerships Agreement, the participating jurisdiction must reserve not less than 15 percent of the HOME allocation for investment only in housing to be owned, developed or sponsored by community housing development organizations. For a State, the HOME allocation includes funds reallocated under §92.451(c)(2)(i) and, for a unit of general local government, includes funds transferred from a State under §92.102(b). The participating jurisdiction must certify the organization as meeting the definition of "community housing development organization" and must document that the organization has capacity to own, develop, or sponsor housing each time it commits funds to the organization. For purposes of this paragraph:

(1) Funds are reserved when a participating jurisdiction enters into a written agreement with the community housing development organization (or project owner as described in paragraph (a)(4) of this section) committing the funds to a specific local project in accordance with paragraph (2) of the definition of "commitment" in §92.2.

(2) Rental housing is "owned" by the community housing development organization if the community housing development organization is the owner in fee simple absolute of multifamily or single-family housing (or has a long-term ground lease) for rental to low-income families in accordance with §92.252. If the housing is to be rehabilitated or constructed, the community housing development organization hires and oversees the developer that rehabilitates or constructs the housing. At minimum, the community housing development organization must hire or contract with an experienced project manager to oversee all aspects of the development, including obtaining zoning, securing non-HOME financing, selecting a developer or general contractor, overseeing the progress of the work and determining the reasonableness of costs. The community housing development organization must own the rental housing during development and for a period at least equal to the period of affordability in §92.252. If the CHDO acquires housing that meets the property standards in §92.251, the CHDO must own the rental housing for a period at least equal to the period of affordability in §92.252.

(3) Rental housing is "developed" by the community development housing organization if the community housing development organization is the owner of multifamily or single family housing in fee simple absolute (or has a long term ground lease) and the developer of new housing that will be constructed or existing substandard housing that will be rehabilitated for rent to low-income families in accordance with §92.252. To be the "developer," the community development housing organization must be in sole charge of all aspects of the development process, including obtaining zoning, securing non-HOME financing, selecting architects, engineers and general contractors, overseeing the progress of the work and determining the reasonableness of costs. At a minimum, the community housing development organization must own the housing during development and for a period at least equal to the period of affordability in §92.252.

(4) Rental housing is "sponsored" by the community development housing organization if it is rental housing "owned" or "developed" by a subsidiary of a community housing development organization, a limited partnership of which the community housing development organization or its subsidiary is the sole general partner, or a limited liability company of which the community housing development organization or its subsidiary is the sole managing member.

(i) The subsidiary of the community housing development organization may be a for-profit or nonprofit organization and must be wholly owned by the community housing development organization. If the limited partnership or limited liability company agreement permits the community housing development organization to be removed as general partner or sole managing member, the agreement must provide that the removal must be for cause and that the community housing development organization must be replaced with another community housing development organization.

(ii) The HOME funds must be provided to the entity that owns the project.

(5) HOME-assisted rental housing is also "sponsored" by a community housing development organization if the community housing development organization "developed" the rental housing project that it agrees to convey to an identified private nonprofit organization at a predetermined time after completion of the development of the project. Sponsored rental housing, as provided in this paragraph (a)(5), is subject to the following requirements:

(i) The private nonprofit organization may not be created by a governmental entity.

(ii) The HOME funds must be invested in the project that is owned by the community housing development organization.

(iii) Before commitment of HOME funds, the community housing development organization sponsor must select the nonprofit organization that will obtain ownership of the property.

(A) The nonprofit organization assumes the community housing development organization's HOME obligations (including any repayment of loans) for the rental project at a specified time after completion of development.



(B) If the housing is not transferred to the nonprofit organization, the community housing development organization sponsor remains responsible for the HOME assistance and the HOME project.

(6) Housing for homeownership is “developed” by the community development housing organization if the community housing development organization is the owner (in fee simple absolute) and developer of new housing that will be constructed or existing substandard housing that will be rehabilitated for sale to low-income families in accordance with §92.254.

(i) To be the “developer” the community development housing organization must arrange financing of the project and be in sole charge of construction. The community housing development organization may provide direct homeownership assistance (e.g., downpayment assistance) when it sells the housing to low-income families and the community housing development organization will not be considered a subrecipient. The HOME funds for downpayment assistance shall not be greater than 10 percent of the amount of HOME funds for development of the housing.

(ii) The participating jurisdiction must determine and set forth in its written agreement with the community housing development organization the actual sales prices of the housing or the method by which the sales prices for the housing will be established and whether the proceeds must be returned to the participating jurisdiction or may be retained by the community housing development organization.

(A) While proceeds that the participating jurisdiction permits the community housing development organization to retain are not subject to the requirements of this part, the participating jurisdiction must specify in the written agreement with the community housing development organization whether the proceeds are to be used for HOME-eligible activities or other housing activities to benefit low-income families.

(B) Funds that are recaptured because the housing no longer meets the affordability requirements under §92.254(a)(5)(ii) are subject to the requirements of this part in accordance with §92.503.

(7) The participating jurisdiction determines the form of assistance (e.g., grant or loan) that it will provide to the community housing development organization receives or, for rental housing projects under paragraph (a)(4) of this section, to the entity that owns the project.

(b) Each participating jurisdiction must make reasonable efforts to identify community housing development organizations that are capable, or can reasonably be expected to become capable, of carrying out elements of the jurisdiction's approved consolidated plan and to encourage such community housing development organizations to do so. If during the first 24 months of its participation in the HOME Program a participating jurisdiction cannot identify a sufficient number of capable community housing development organizations, up to 20 percent of the minimum community housing development organization set-aside of 15 percent specified in paragraph (a) of this section, above, (but not more than \$150,000 during the 24 month period) may be committed to develop the capacity of community housing development organizations in the jurisdiction.

(c) Up to 10 percent of the HOME funds reserved under this section may be used for activities specified under § 92.301.

(d) HOME funds required to be reserved under this section are subject to reduction, as provided in §92.500(d).

(e) If funds for operating expenses are provided under §92.208 to a community housing development organization that is not also receiving funds under paragraph (a) of this section for housing to be owned, developed or sponsored by the community housing development organization, the participating jurisdiction's written agreement with the community housing development organization must provide that the community housing development organization is expected to receive funds under paragraph (a) of this section for a project within 24 months of the date of receiving the funds for operating expenses, and specifies the terms and conditions upon which this expectation is based.

(f) The participating jurisdiction must ensure that a community housing development organization does not receive HOME funding for any fiscal year in an amount that provides more than 50 percent or \$50,000, whichever is greater, of the community housing development organization's total operating expenses in that fiscal year. This also includes organizational support and housing education provided under section 233(b)(1), (2), and (6) of the Act, as well as funds for operating expenses provided under §92.208.

[61 FR 48750, Sept. 16, 1996, as amended at 62 FR 28930, May 28, 1997; 78 FR 44677, July 24, 2013]