

Georgia’s National Housing Trust Fund Allocation Plan

**2017 STATE OF GEORGIA
NATIONAL HOUSING TRUST FUND ALLOCATION PLAN**

Table of Contents

I. Introduction 4

II. Definitions 5

IV. Eligible Applicants 8

V. Eligible Activities and Eligible Requirements 8

VI. Maximum Per-Unit Development Subsidy Limits 9

VII. Competitive Scoring Criteria 10

 Threshold Requirements 10

 1. Project Feasibility: 11

 2. Experience and Capacity: 11

 3. Project Based Rental Assistance: 12

 4. Market Feasibility (Market Study): 12

 5. Building Sustainability: 12

 6. Appraisals: 13

 7. Environmental Requirements: 13

 8. Site Control: 14

 9. Site Zoning: 15

 10. Site Access: 15

 11. Public Water/Sanitary Sewer/Storm Sewer: 16

 12. Operating Utilities: 16

 13. Site Information and Conceptual Site Development Plan: 17

 15. Accessibility Standards: 17

 16. Architectural Design & Quality Standards: 18

 17. Affirmative Fair Housing Marketing Plan: 18

 18. Optimal Utilization of Resources: 19

 Certification of Applicant: 20

 Priority for Funding Requirements: 20

VIII. Performance Goals and Benchmarks 24

IX. Rehabilitation Standards 25

X. Preference and Limitations 25

XI. Compliance and Other Federal Requirements 25

National Housing Trust Fund Rehabilitation Standards 27

Georgia's National Housing Trust Fund Allocation Plan

APPENDICES.....	28
APPENDIX A	29
ENVIRONMENTAL MANUAL	29
APPENDIX B	30
REHABILITATION GUIDE	30
APPENDIX C	31
AMENITIES GUIDE	31
APPENDIX D	32
ARCHITECTURAL STANDARDS	32
APPENDIX E	33
ACCESSIBILITY MANUAL.....	33

Georgia's National Housing Trust Fund Allocation Plan

I. Introduction

The National Housing Trust Fund (NHTF) was established under Title I of the Housing and Economic Recovery Act of 2008, Section 1131 (Public Law 110-289), to complement existing federal, state and local efforts to increase and preserve affordable housing for extremely low-income and very low-income households, including homeless families. Funded with a percentage of overall government-sponsored enterprise (GSE) business from Fannie Mae and Freddie Mac, the NHTF will provide the State of Georgia with a formula allocation of \$4,427,950 fiscal year (FY) 2017. This allocation will be used to create housing affordable to extremely low-income (ELI) households with incomes at or below 30% of Area Median Income (AMI). When the total NHTF funds available are equal to or exceed \$1 billion, the grantee must use at least 75 percent of its NHTF funds for the benefit of ELI families or families with incomes at or below the poverty line, whichever is greater. Any grant funds not used to serve ELI families must be used for the benefit of very low-income (VLI) households with incomes between 30% and 50% of the AMI.

The National Housing Trust Fund (NHTF) is a fund administered by the Department of Housing and Urban Development (HUD). The Governor has designated the Georgia Housing Finance Authority to receive and administer the annual NHTF grant from HUD for the State of Georgia. The Georgia Housing Finance Authority is administered by the Georgia Department of Community Affairs.

The Georgia NHTF Allocation Plan describes how the State of Georgia intends to use its NHTF funds to address priority housing needs and how the State will distribute the NHTF allocation. Moreover, the NHTF Allocation Plan describes the activities that may be undertaken, including how Applicants and projects will be selected.

DCA's Strategy for addressing housing priority needs include:

- Increasing access to thriving communities through outreach and development in areas of opportunity.
- Collaborating across Georgia to grow and achieve local visions for strong communities.
- Fostering communities free of barriers to individuals underserved by existing housing programs.
- Increasing health outcomes for residents of DCA funded multifamily properties.

First Time Homebuyer

Although the NHTF regulations allow funds to be used for both homeownership and rental housing, Georgia will limit the use of these funds to affordable rental housing due to the high demand for rental housing, especially for extremely low-income households. Because NHTF funds will not be used for first time homebuyer activities, there are no applicable resale, recapture, or affordability provisions related to homebuyer activities.

Subgranting of NHTF Funds

The State will not sub-grant any NHTF funds.

Refinancing Guidelines for NHTF developments

Georgia's National Housing Trust Fund Allocation Plan

Historically, the State of Georgia does not refinance existing debt and it does not intend to use NHTF funds to refinance existing debt in multifamily housing projects. Therefore, a guideline has not been established to refinance debt.

Davis Bacon Standards

HERA did not make the labor standards of Davis Bacon applicable to the NHTF, and HUD did not require Davis-Bacon standards in the NHTF final rule.

Affirmatively Furthering Fair Housing

The Affirmatively Furthering Fair Housing requirements applicable to HUD funding recipients and all fair housing laws do apply to NHTF activities, including HUD's recent guidance regarding screening of prospective tenants for criminal records.

The regulations that govern the NHTF are contained in 24 CFR Part 93.

II. Definitions

Applicant means qualified for-profit entities, eligible non-profit entities (501(C) (3) and 501(C) (4)) and public entities (such as Public Housing Authorities) that will undertake eligible activities on behalf of ELI households. The Applicant will receive NHTF assistance from GHFA as an owner or developer to carry out an NHTF-assisted project.

Commitment as defined in 24 CHR 93.2 means:

1. The grantee (GHFA) has executed a legally binding written agreement (that includes the date of the signature of each person signing the agreement) with an eligible applicant for the rehabilitation or new construction of a "specific local project" which meets the requirements in paragraph (2) of this Section II.
2. "Commit to a specific local project" means:
 - a. The project must be identified in the agreement and construction must reasonably be expected to start within 12 months of the agreement date.
 - b. The written agreement for rehabilitation or new construction of rental housing may also provide operating cost assistance and/or operating cost assistance for eligible reserves.
 - c. If the commitment is for the acquisition of an existing property, the grantee and applicant or the family have executed a written agreement under which NHTF assistance will be provided for the purchase of the rental housing and the property title will be transferred to the applicant within 6 months of the agreement date.
 - d. The written agreement for acquisition of rental housing may also provide operating cost assistance and/or operating cost assistance for eligible reserves.
 - e. If the project is for renewal of operating cost assistance or operating cost assistance reserves, the grantee and the applicant must have executed a legally binding written agreement under which NHTF funds will be provided to the applicant for operating cost assistance or operating cost assistance reserves for the identified NHTF project.

DCA means the Georgia Department of Community Affairs, an executive government agency in the State of Georgia. By state law, DCA administers the programs of the Georgia Housing

Georgia's National Housing Trust Fund Allocation Plan

Finance Authority.

Elderly means a person at least 62 years of age.

Extremely Low Income (ELI) means households whose annual incomes do not exceed 30% of the median family income of a geographic area, as determined by HUD with adjustments for smaller and larger families.

GHFA means the Georgia Housing and Finance Authority, a public corporation created by the Georgia General Assembly and designated by the Governor to receive and administer the NHTF fund for the State of Georgia.

Grantee means the state entity that prepares the Allocation Plan, receives the NHTF dollars from HUD, and administers the NHTF in the state. The Grantee for Georgia is the GHFA.

HOME means the HOME Investment Partnership Program

Housing and Economic Recovery Act of 2008 (HERA) means the Act signed into law by President Bush on July 30, 2008 that covers a range of housing issues.

HUD means the U.S. Department of Housing and Urban Development.

“Integrated Setting or Integrated Housing” means the “most integrated setting” possible which is defined as “a setting that enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible.” Integrated settings are those that provide individuals with disabilities opportunities to live, work, and receive services in the greater community in a manner similar to individuals without disabilities. Integrated settings are located in mainstream society and offer access to community activities and opportunities at times, frequencies, and with persons of an individual’s choosing. Integrated settings also afford individuals choice in their daily life activities and provide individuals with disabilities the opportunity to interact with non-disabled persons to the fullest extent possible. Settings that are not integrated include, but are not limited to, properties that target more than 20% of the units to individuals with disabilities. (Applicants should review the Justice Department Mandate for additional guidance on this issue: http://www.ada.gov/olmstead/q&a_olmstead.htm).

Period of Affordability means a period of at least 30 years from project completion in which a development receiving NHTF assistance will be required to maintain affordability to households at or below 30% AMI.

Persons with a Disability and Disabled Person means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment. In general, a physical or mental impairment includes hearing, mobility, and visual impairments; chronic substance abuse issues; chronic mental illness; AIDS; AIDS-related complexes; and developmental disability that substantially limit one or more major life activities. Major life activities include walking, talking, and hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself. DCA utilizes the HUD definition of “Disabled Person.” Applicants can refer to HUD guidance for further information.

Project Team means the General Partner, Developer, Consultant, and the Principal(s) thereof for proposed NHTF-assisted units.

Georgia's National Housing Trust Fund Allocation Plan

Very Low Income (VLI) means households whose annual incomes are in excess of 30% but not greater than 50% of the median family income of a geographic area, as determined by HUD with adjustments for smaller and larger families.

III. Distribution of funds

- Georgia was allocated \$4,427,950 in the 2017 funding cycle. As permitted by the Interim Rule, up to \$442,795 will be used to offset administrative costs. All programmatic funds will be distributed through the following existing DCA program structures: DCA Multifamily Loan/Grant Programs (includes DCA/GHFA's HOME, NHTF and TCAP funding Programs). These funds are distributed through a posted Notice of Funding Availability) and are not used in conjunction with the Georgia Low Income Housing Tax Credit Program.
- DCA Georgia Housing Tax Credit Program (includes the Federal LIHTC and Georgia State Credit)

The NHTF allocation will be available for distribution throughout the State of Georgia. All NHTF funds that Georgia receives will be used to create or preserve rental housing affordable for extremely low-income (ELI) households with incomes at or below 30% of Area Median Income (AMI). The NHTF allocation will be distributed directly to owner/developers of affordable housing through Notices of Funding Availability (NOFA), which will also be available through DCA's [website \(http://www.dca.ga.gov/housing/HousingDevelopment/programs/NationalhousingTrustFund.asp\)](http://www.dca.ga.gov/housing/HousingDevelopment/programs/NationalhousingTrustFund.asp).

The NHTF funds will be awarded on a competitive basis to eligible Applicants that address the criteria outlined in this allocation plan, the relevant NOFA, and the priority housing needs (*Appendix I*) as identified in the State's Consolidated Plan and Annual Action Plan. The NHTF will be limited to one award per developer in the 2017 funding cycle, unless no feasible alternative exists. DCA reserves the right to forward commit funding from future NHTF funding rounds and/or a different source of funding.

A competitive advantage will be given to properties seeking funds without a 4% or 9% Low Income Housing Tax Credits Application. If sufficient successful Applications are not received, Applicants may submit an application for NHTF funds during the 2017 Georgia Housing Credit Competitive Round (Pre-application). If DCA still has funds available, Applicants may submit an application for funding in a DCA Georgia Housing Tax Credit/4% Tax Exempt Bond Property beginning on July 1st, 2018.

Maximum Award Per Project Limit will be:

- 3,985,155 in the DCA Multifamily Grant/Loan Program (without LIHTC)
- 2,000,000 in the DCA Georgia Housing Tax Credit Program Competitive Round
- 3,985,155 for the DCA Georgia Housing Tax Credit/4% Tax Exempt Bond Program

Georgia's National Housing Trust Fund Allocation Plan

Loan Terms

- Funds awarded under the DCA Multifamily Grant/Loan Program will be structured as a 0%, 30-year deferred loan. At the end of the 30-year period and once all compliance has been met, then the loan is extinguished.
- Funds awarded under DCA Georgia Housing Tax Credit Programs will be structured as a 0% Construction Loan and .5% Cash Flow Permanent Loan.

IV. Eligible Applicants

Eligible Applicants include qualified for-profit entities, eligible non-profit entities 501(C) (3) and 501(C) (4), and public entities (such as Public Housing Authorities) that will undertake the eligible activities on behalf of the ELI households. In accordance with the definition at 24 CFR 93.2, eligible Applicants must also:

- Make acceptable assurances to the Grantee (GHFA), that applicant will comply with the requirements of the NHTF program during the entire period that begins upon selection of the applicant to receive NHTF funds and ends upon the conclusion of the NHTF required 30-year affordability period.
- Demonstrate sufficient experience and capacity to develop, own and operate the property for the Period of Affordability.
- Demonstrate it meets experience and capacity requirements required for other federal, state, or local housing programs that may be used in conjunction with NHTF funds to ensure compliance with all applicable requirements and regulations of such programs.

V. Eligible Activities and Eligible Requirements

Georgia NHTF funds may be used for the production, preservation, and rehabilitation of affordable rental housing. This specifically includes the following:

- Acquisition
- Site improvements and development hard costs
- Related soft costs
- Demolition
- Finalizing Costs
- Eligible reserves
- Approved developer fee

Georgia NHTF funds may not be used for the following:

- Provide assistance (other than renewal of operating cost assistance reserve) to a project previously assisted with NHTF funds during the period of affordability established by the grantee in the written agreement under 93.404 (c) (2) (iv).
- Pay for the acquisition of property owned by the Grantee (GHFA), except for property acquired by the Grantee (GHFA) with NHTF funds or property acquired in anticipation of carrying out an NHTF project.

Georgia's National Housing Trust Fund Allocation Plan

- Pay delinquent taxes, fees, or charges on properties to be assisted with NHTF funds.
- Pay for political activities, advocacy, lobbying (whether directly or through other parties), counseling services, travel expenses (other than those eligible under 93.202 (b)), or preparing or providing advice on tax returns.
- Pay for any cost that is not eligible under 93.201 and 93.202.

VI. Maximum Per-Unit Development Subsidy Limits

The maximum per unit subsidy limits for NHTF will be set at HUD's applicable limits for the HOME Partnership Investment Program. These limits are based on the per-unit dollar statutory limits for elevator-type projects as established under Section 234 of the National Housing Act. These limits will be applied statewide and are adjusted by the number of bedrooms per unit and for the geographic location of the project.

HUD Region IV has determined the following HOME subsidy limits for Georgia based on 240% of the base limit for the Section 234 Program.'

Due to the discontinuation of the Section 221(d) (3) mortgage insurance program, alternate maximum per-unit subsidy limits must be used for the HOME Investment Partnerships Program (HOME). HUD is required to undertake rulemaking to establish new maximum per-unit subsidy limits for the HOME Program because it is no longer updating and publishing limits for the Section 221(d) (3) mortgage insurance program. Until a new rule can be published, HUD published CPD Notice 15-003: Interim Policy on Maximum Per-Unit Subsidy Limits for the HOME Program establishing an interim policy that Field Office staff and participating jurisdictions (PJs) must follow directing PJs to use the Section 234- Condominium Housing basic mortgage limits, for elevator-type projects, as an alternative to the Section 221(d)(3) limits in order to determine the maximum amount of HOME funds a PJ may invest on a per-unit bases in HOME-assisted housing projects. This interim policy remains in effect until the effective date of the new final rule provisions, amending the existing provisions of 24 CFR 92.

In accordance with the current HOME limits, the NHTF limits will be set at **\$148,092 for OBRs, \$169,825 for 1BRs, \$206,506 for 2BRs, \$267,153 for 3BRs and \$293,249 for 4BRs+** for the 2017 NHTF awards.

The HOME maximum per-unit subsidy limits are subject to change annually and are available through the HUD Exchange website. As required by HUD, the NHTF maximum subsidy limits will be assessed and adjusted annually as well. For the NHTF Program, operating cost assistance and operating assistance reserves to an NHTF-assisted rental project do not count towards the maximum per-unit development subsidy amount. However, the operating cost subsidies are still capped at 30 percent of each year's allocation received by the State.

The decision to use the HOME subsidy limits for the Atlanta market statewide is based on a cost reasonableness analysis of total development cost for affordable multifamily rental housing properties in Georgia. Housing construction costs vary among the various areas of the state; however, it has been determined that a single limit is appropriate for the entire State. The Atlanta market typically has higher limits than other areas within the state.

Further, the subsidy limit described in this section will not be the only mechanism used by DCA

Georgia's National Housing Trust Fund Allocation Plan

to ensure appropriate costs throughout different areas of the state. Through the underwriting process, DCA will ensure that: 1) the level of NHTF subsidy provided does not exceed the actual NHTF eligible development cost of the unit, 2) the costs are reasonable and in line with similar projects in similar geographic areas, 3) the developer is not receiving excessive profit, and 4) NHTF funding does not exceed the amount necessary for the project to be successful for the required 30-year affordability period.

VII. Competitive Scoring Criteria

Funds will be awarded to qualified Applicants who have met all Threshold Requirements and receives the highest scores for the submitted Application round. Applications that do not meet the requirements of the distribution of funds will not be scored under the Threshold Requirements.

Threshold Requirements

DCA has determined that there are several criteria that must be met by each Application in order for the proposed project to be selected for funding. These criteria are designated Threshold Requirements. Projects that fail to meet any applicable Threshold Requirement at the time of application submission will not be considered for an award.

Applicants that submit an application that fails to meet any threshold requirement will be notified by email of the specific requirement(s) that the application did not meet. Applications that do not meet DCA requirements outlined in this plan will not be revised under the threshold requirement section. If an Applicant believes the requirement(s) were met, the Applicant must respond in writing within five (5) calendar days from the date of the DCA's preliminary failure notification letter for the threshold requirements.

Threshold Deficiencies: DCA may request clarification for such deficiencies that are administrative in nature such as missing or incomplete documentation, or further response from Applicant to provide clear and specific detail of information submitted in the application. Such a request is referred to as the "clarification request". DCA will provide this request in the form of an email to the applicant. This clarification period will only be used to help DCA understand the overall project or to clear up minor inconsistencies.

Applicants receiving a clarification request may supply missing or incomplete information and may clarify any inconsistencies related to the specific items identified by DCA in the clarification request. The clarification period will begin on the date of the clarification request and shall end on the date specified in the clarification request unless otherwise noted. The clarification request shall specify the means and methods by which missing items may be supplied, incomplete items completed, and inconsistencies clarified. It is the Applicants responsibility to ensure that submitted materials are addressed properly to the specified DCA Housing Finance and Development Division address (electronic or physical).

The response must provide a clear and specific explanation of why the Applicant believes DCA's initial determination was incorrect. Applicants may not submit additional items for increasing or further supporting their score. DCA will review the responses and make a final determination of whether the submitted application meets all threshold requirements.

Georgia's National Housing Trust Fund Allocation Plan

To be considered for an allocation of DCA resources, applications must meet each of the Threshold requirements describes below.

1. Project Feasibility:

In order to determine that a proposed project is feasibility for the Period of Affordability, the Applicant must submit a 30-year pro forma that provides:

- The sources and uses and the total financing planned for the project
- A development budget
- The reasonableness of development and operational costs of the project
- A pro forma that shows that the property will generate sufficient income to pay for operations during the period of affordability
- Preliminary Commitment of funds for all project funding sources (construction and permanent)
- Certification to DCA of all Federal, State and local subsidies

The Applicant must use DCA underwriting assumptions, which can found in *Appendix H* to this Plan unless otherwise agreed to by DCA and the published DCA pro forma template (Core Application).

2. Experience and Capacity:

- Both the Owner and the Developer must EACH currently own and operate at least one federally-financed affordable housing property of a similar size and scope to the proposed project. If there is more than one entity submitting an Application, the majority partner in both the Owner and Developer entities must meet this requirement.
- All project team members must be substantially compliant with DCA and Section 42 Program requirements and regulations (if applicable), and HOME Partnership Program requirements and regulations.
- All projects team members must be financially solvent with the capacity to successfully complete the project pay all costs associated with the development, and operate the property for the Period of Affordability. Any person (individual, corporation, partnership, association), or Principal (officer, director, owner, partner) that is bankrupt, insolvent or in danger or insolvency is ineligible to receive an award under this Plan. DCA may request information including but not limited to credit reports, financial statements, or other documentation relating to a participants financial status. In making this determination, DCA will also review the portfolio of the General Partner, the Developer, and Principals to consider whether loans are in default, have a high percentage of payables, have high vacancy rates or other solvency issues that might affect the successful development and ownership of the proposed property.
- The Applicant's compliance history will also be considered in determining whether

Georgia's National Housing Trust Fund Allocation Plan

the Owner and Developer entities have the required experience and capacity to construct and operate the proposed property.

- DCA's Performance Workbook must be completed as part of this review. DCA will use the 2017 QAP Qualification Threshold requirement as guidance in completing this review.

3. Project Based Rental Assistance:

The Applicant must provide a Commitment for Project Based Rental Assistance (PBRA) for all NHTF units for a minimum of 15 years. This will allow all NHTF units to serve those individual at 30% of the AMI.

4. Market Feasibility (Market Study):

Applications for the construction of more than 30 units will need to submit a market study at the time of Application. (Note: Applicants applying for funds to rehabilitate an existing supported housing property do not need to submit a market study until after the property had been selected for a preliminary Commitment of NHTF funds). The market study must be prepared in accordance with DCA guidelines and must be in the format required by the most current DCA Market Study Manual on the DCA website (http://www.dca.ga.gov/housing/HousingDevelopment/programs/downloads/A_HFDMain/FdgRd/2017/Manual/G.%20MarketStudy/2017MarketStudyManual.pdf) unless otherwise agreed by GHFA.

(It is the Applicant's responsibility to ensure that the market study accurately reflects the rental structure and unit mix of the proposed project, as reflected in the application, and meets all DCA requirements.)

Applications for 30 units or less are exempt from this requirement but must submit evidence of waiting lists or an assessment of housing needs in place of a market study. The needs assessment must address the needs of individuals living in the area to be served by the proposed development.

5. Building Sustainability:

All completed properties must achieve a minimum standard for energy efficiency and sustainable building practices. At minimum, all units at all projects must comply with all requirements in this section. (Historic properties may apply for an exemption when compliance means loss of historic character-defining features and finishes).

- **Compliance with Georgia State Minimum Standard Energy Code (International Energy Conservation Code with Georgia State Supplements and Amendments) in effect at the time of permit issuance.** Proof of compliance must be submitted prior to release of the 8609s (for Tax Credit projects) or within a 120 days of project completion.
- **Bathroom fans.** Comply with Energy Star specifications for sound level and minimum efficiency based on CFM size. Either fans must be wired with a light and equipped with a humidistat OR a timer that ensures that the fan operates for

Georgia's National Housing Trust Fund Allocation Plan

a minimum of 10 minutes once the light has been switched off.

- **Lighting**. Install fluorescent or LED lights for at least 80% (by fixture count) of the required lighting. Required lighting includes kitchens, dining rooms, living/family rooms, bathrooms, hallways, stairways, entrances/foyers, bedrooms, garages, utility rooms, and outdoor fixtures mounted on the building.
- **Plumbing fixtures**. In all units: shower heads < 2.0 gpm, bathroom faucets < 1.5 gpm, kitchen faucets < 2.0 gpm, toilets ≤ 1.28 gpf.
- **Low VOC wall and floor finishes**. Maximum VOC levels of 50 grams/liter for wall and 100 grams/liter for floor finishes.
- **Water heaters**. Comply with Energy Star Qualified Homes Version 3 National Program Requirements for Efficiency Factor.
- **Energy Star appliance**. (Refrigerators, dishwashers, laundry machines) provided by owners in units and community laundries.

The final construction documents must clearly indicate all components of the building envelope and all materials and equipment that meet these requirements. Refer to the DCA Architectural Manual located in the appendix of the document for additional information on basic design, appliances, and equipment.

6. Appraisals:

For all projects awarded NHTF Loans, DCA may commission an appraisal prepared in accordance with DCA policies. If there is an identity of interest between the buyer and seller, then DCA requires that the Applicant obtain an appraisal of the value of a property. (This includes a seller that is a member of the proposed Project Team, including a limited Partner.) While the appraisal will be an indication of fair market value, DCA will consider tax values as well as the lower of the appraised value or actual sales price established as indicative of the value of a property. All property values shall associate a land value as well as a value for the improvements. The appraisal shall conform to USPAP standards.

7. Environmental Requirements:

On-site and off-on-site specific environmental concerns identified in an environmental study are to be considered in the context of the criticality of the housing to be provided. DCA shall consider the public benefits of the housing and then weigh the benefits against the costs to mitigate the hazard, the potential health risks, and other financial and public policy implications.

Applicants must include a Phase I and Phase II (if required) Environmental Site Assessments (ESA) in the application. These ESA's must be prepared in accordance with the most current DCA Environmental Manual that can be found on DCA's website (http://www.dca.ga.gov/housing/HousingDevelopment/programs/downloads/A_HFDMain/FdgRd/2017/Manual/C.%20Environmental/Manuals/2017DCAEnvironmentalManual.pdf)

The Applicant and the qualified environmental professional must sign the environmental

Georgia's National Housing Trust Fund Allocation Plan

certification form and include it in the application. In addition to the environmental standards outlined in this document and DCA's environmental requirements specified in the most current version of the environmental manual, HTF regulations establish property standards for housing that receives HTF funds. These standards include Environmental Provisions for projects involving new construction and rehabilitation. The HTF Environmental Provisions for new construction and rehabilitation under the Property Standards at 24 CFR § 93.301(f)(1) and (2) are similar to HUD's Environmental Regulations at 24 CFR Parts 50 and 58. HTF projects are subject to the same environmental concerns that HUD-assisted projects are subject to. The HTF Environmental Provisions are outcome based, so HTF projects that do not include other federal funding sources exclude consultation procedures. Parts 50 and 58 are process based, and include consultation for laws and authorities where there may be environmental impacts.

Those requirements must be completed in addition to the requirements listed in this Allocation plan in order to successfully pass Threshold. These requirements can be found through the HUD Exchange website (<https://www.hudexchange.info/resources/documents/Notice-CPD-16-14-Requirements-for-HTF-Environmental-Provisions.pdf>) The HUD Exchange provides guidance for HTF projects with different funding scenarios (New Construction, Rehabilitation, HTF funds only, HTF Funds with Other HUD Funds).

The project will not pass Threshold until all environmental matters are resolved. If a project cannot meet the HTF Environmental Provisions, the project cannot be funded by HTF.

Environmental Study

Applicants must include a Phase I (and if applicable Phase II) ESA in the application. A Phase I ESA serves as a screening process designed to discover environmental concerns, recognized environmental conditions, historical recognized environmental conditions, controlled recognized environmental conditions, and non-scope issues which may potentially impact the subject property, and to ensure that "all appropriate inquiry" or "AAI" (as that term is defined by the EPA in 40 C.F.R. Part 312) is conducted. By contrast, a Phase II ESA ("Phase II") is intended to further investigate any issues raised by the Phase I. These assessments must be prepared in accordance with the most recent version of the DCA Environmental Manual. The applicant and the qualified environmental professional must sign the environmental certification form and include it in the application.

The Phase I ESA must fully address all recommendations of the qualified environmental professional. If a Phase II is recommended, all testing must be completed prior to Application Submission.

The Phase I, (and Phase II when recommended by the qualified environmental professional), ESA must have been conducted within six (6) months of the application submission. If a Phase I and/or Phase II was completed prior to this six- month period, a copy of this earlier ESA (and any others that are available) must also be included in the application along with a new environmental study.

All applicants must complete the HOME/HUD Environmental Questionnaire and include it as an appendix in the ESA.

8. Site Control:

Evidence must be provided if the Applicant has, and will maintain from the start of the application review process until the land is acquired, direct site control. Site control must be in

Georgia's National Housing Trust Fund Allocation Plan

the form of:

- A warrant deed that conveys title to the subject property to the Applicant.
- A legally binding contract to purchase the proposed project site in the name of the Applicant (or which provides for an assignment to the Applicant).
- A binding long-term ground lease or an option for a binding long-term ground lease with a minimum term of forty-five (45) years.

For competitive applications, contracts must be executed prior to Application Submission deadline, must include a discernible contract price, must be signed by the purchaser and seller, must include a legal description of the property, and must provide legal control of the site to the proposed General Partner or proposed LP at least through November 30, 2018.

An Applicant may also show site control if selected through a federal government RFP process and can document that there is a reasonable certainty that the final site control documents will be finalized within a reasonable time after award.

For Scattered Site Projects, evidence of site control is required for each non-contiguous parcel.

Minimum Documentation:

- Warranty Deed; legally binding Contract; or legally binding, long-term Ground Lease or Option
- Legal description
- Evidence of RFP selection

9. Site Zoning:

The applicant must show evidence that the appropriate zoning is in place at the time of application submittal. Zoning of the development site must conform to the site development plan and must be confirmed, in writing, by the authorized local government official. The letter from the authorized local government official must be included in the application. The letter must include the zoning and land use classification of the property and be accompanied by a clear explanation of the requirements (copy of the applicable sections of the zoning ordinance for the stated classification) and all conditions of these zoning and land use classifications. If the local government does not have or enforce a zoning ordinance, the Applicant must include a letter from a local government official to that effect.

The Applicant must provide documentation that demonstrated that the site layout conforms to any moratoriums, density, setbacks, or other imposed requirements of the local government. This documentation must be demonstrated on the Architectural Site Conceptual Development Plan either graphically or in written form.

Minimum Documentation:

- Written confirmation if zoning from local government official
- Explanation or copy of applicable zoning ordinance

10. Site Access:

All sites proposed for development must provide a specified entrance that is legally accessible by paved roads. The definition of a paved road is provided in DCA's most recent Architectural Manual (*Appendix A*). The application must include the appropriate drawings, survey, or other

Georgia's National Housing Trust Fund Allocation Plan

documentation that reflects such paved roads. If such paved roads are not in place at the time of the application submission, documentation evidencing local government approval to pave the road, a commitment for funding, and the timetable for completion for such paved road must be included in the application. If the road is to be paved by the applicant, those costs must be submitted with the application.

Minimum Documentation:

- Drawings, survey, or other documentation of legally-accessible paved roads
- Commitment for funding for paving of all non-paved legally-accessible roads to be paved during construction
- Proof of ownership and easements

11. Public Water/Sanitary Sewer/Storm Sewer:

Public water and sewer service must be available at the proposed development site as of the application submission. To be considered "available" for the purposes of this section, all easements necessary for the water and sewer authorities to extend the existing water and sewer services to the property must be secured at the time of application submission. Evidence of the easements and commitments from the water and sewer authorities must be included in the application. These letters from the appropriate public water and sewer authorities must be on letterhead and be included in the application.

Minimum Documentation:

- Letter(s) on letterhead of the local municipality or authority having jurisdiction from verifiable authorized public water/sanitary sewer/storm sewer authority that includes project name and locations and confirms that utilities will be available.

12. Operating Utilities:

Required project operating utilities (gas and electric service), as applicable, must be available to the proposed development site as of the application submission. To be considered "available" for the purposes of this section, all easements necessary for the utility providers to extend utilities to the property and commitments from the utility providers to extend utilities to the property must be secured at the time of application submission. Evidence of such easements and commitments from the utility provider must be included in the application.

The application must include a letter from the appropriate utility company confirming the availability of operating utilities at the proposed development site. The letters must be on letterhead and bear signatures from the appropriate utility company signatory.

Any charges for the off-site extension of utility services including sewer and water are not eligible for funding as project costs under the funding resources in the Plan. The requirements for Operating Utilities must be met for each non-contiguous parcel or each non-contiguous multifamily property.

Operating utilities cannot be contingent on annexation of the property, improvement of infrastructure, or funding to the utility provider from an outside source. Verification of the annexation and improvements must be submitted with the application. Any unclear or unresolved issues regarding operating utilities may result in Threshold failure of the Application.

Georgia's National Housing Trust Fund Allocation Plan

Minimum Documentation:

- Letter from verifiable authorized utility authorities that includes the project location and confirms that utilities will be available.

13. Site Information and Conceptual Site Development Plan:

A conceptual site development plan must be included in the application and prepared in accordance with instructions set forth in the most recent architectural manual. The conceptual site development plan must be at least 11"x17" and include all of the following (if applicable):

- All existing and proposed easements to be defined and indicated on plan
- Topographic contours at appropriate vertical intervals
- Wetlands, floodplains, and state waters located with areas of disturbance calculated for the wetlands, including required buffer zones clearly delineated to reflect how they will impact the development of the site
- Zoning setbacks and restrictions graphically indicated
- Indication of all driving and walking entrance access to the property and a layout of all building, roads, paved pedestrian walkways and parking areas
- Location of all interior and exterior site amenities indicated in the application form
- Defined areas of all tree and vegetation preservation

14. Required Services:

Each property must include at least one (1) service from each of the following categories:

- On-site enrichment classes (e.g. budgeting, avoiding identity theft, arts and crafts, computer tutoring, gardening, safety classes such as CPR and household safety)
- On-site health classes (e.g. nutrition, healthy cooking, asthma management classes and smoking cessation classes, exercise classes such as yoga, Pilates, strength training, group-led aerobic classes, and/or personal fitness).

15. Accessibility Standards:

All projects funded under the Plan must meet the following accessibility standards at the time of project completion:

- All projects that receive allocations or funding under the Plan must comply with all applicable Federal and State accessibility laws (including but not limited to): The Fair Housing Amendments Act of 1988, Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Georgia Fair Housing Law and Georgia Access Law as set forth in the most current Accessibility Manual. When two or more accessibility standards apply, the applicant is required to follow and apply both standards so that a maximum accessibility is obtained. An applicant claiming that a property is eligible for any of the stated statutory exemptions for any applicable Federal, State, and local accessibility law must support the claim with a legal opinion.
 - All applicable DCA accessibility requirements detailed in the most current Architectural and Accessibility Manuals. Copy is attached in the Appendix.

Georgia's National Housing Trust Fund Allocation Plan

- Each project selected for funding is required to retain a DCA qualified consultant to monitor the project for accessibility compliance.
- The Consultant cannot be a member of the proposed Project Team nor have an Identity of Interest with any member of the proposed Project Team.
- The DCA qualified Consultant must perform the following:
 - A pre-construction plan and specification review to determine that the proposed property will meet all required accessibility requirements. At a minimum, the report will include the initial comments from the consultant; all documents related to resolution of identified accessibility issues and a certification from the consultant that the plans appear to meet all accessibility requirements.
 - At least two training sessions for the General Contractor and Subcontractors regarding accessibility requirements. One training must be on site.
 - An inspection of the construction site after framing is completed to determine that the property is following the approved plans and specifications as to accessibility. DCA must receive a copy of the report issued by the consultant as well as documentation that all issues, if any, have been resolved.

16. Architectural Design & Quality Standards:

All applications must meet the Architectural Standards contained in the most current Architectural Manual (Appendix A) for quality and longevity. The standards are intended to promote the integration of new construction/rehabilitation into the existing community and to promote sustainable design and the protection of resources. The marketability of the property and appearance of the site are important components in the final product.

17. Affirmative Fair Housing Marketing Plan:

It is the policy of DCA to administer the NHTF affirmatively, as to achieve a condition in which individuals of similar income levels in the same housing market area have a like range of housing choices available to them regardless of their race, color, religion, sex, disability, familial status or national origin. Each applicant shall implement affirmative fair housing marketing policies in soliciting tenants and outreaching to underserved populations.

Each project selected for an award of NHTF resources must prepare and submit an Affirmatively Furthering Fair Housing Marketing Plan outlining how the project will market units to underserved tenants including tenants with disabilities. The Plan must be submitted and approved prior to the start of lease up.

At a minimum, Affirmatively Furthering Fair Housing Plans must include:

- Outreach efforts to each service provider, homeless shelter or local disability advocacy organization in the county in which the projects is located.
- A strategy to affirmatively market to persons with disabilities and the homeless
- A strategy to complete a mandatory Fair Housing training which will establish and maintain relationships between the management agent and community service

Georgia's National Housing Trust Fund Allocation Plan

- providers
- A referral and screening process that will be used to refer tenants to the projects, the screening criteria that will be used, and make reasonable accommodations to facilitate the admittance of persons with disabilities or the homeless into the project.
- Marketing of properties to underserved populations 2-4 months prior to occupancy
- Applications for affordable units shall be made available in public locations including at least one that has night hours
- Outreach to Limited English Proficient groups for languages as being prevalent in the surrounding market area.

The applicant agrees to provide reasonable accommodation for these tenants in the property management's tenant application. The leasing criteria must clearly facilitate admission and inclusion of the targeted population tenants and must not violate federal or state fair housing laws.

18. Optimal Utilization of Resources:

DCA is required to take any actions necessary or convenient to ensure the complete, effective, efficient, and lawful allocation and utilization of the NHTF resources. DCA will not select projects that will result in a waste of NHTF and/or DCA resources, have an inferior project design or site, or which result in the unjust enrichment of a Project Team. DCA will also not select applications where a Project Team member has made conditional promises or financial commitments to a Local Government (controlling elected governing body of the local jurisdiction (as defined in its Charter) in which the property is located at the time of application) in order to obtain support. DCA may request additional documents or explanations in order to clarify or confirm information required for the appropriate analysis of the proposed property.

Examples of factors that will be considered will include but are not limited to:

- Property acquisition and rehabilitation cost versus the cost to demolish and build a similar property in the same market area
- Ratio of acquisition costs versus rehab hard costs
- Work scope for rehabs
- DCA resources allocated to develop each unit
- Effectiveness and marketable use of the site, considering size and layout, to accommodate the number and type of units and amenities proposed
- Undue enrichment of any project participant or contractor, particularly where there are identities of interest
- Impact on affordable housing stock
- Other uses proximate to the site
- Market information generated by or available to DCA
- Property is already affordable and not a priority to receipt of resources
- Transaction appears to be primarily driven by the transfer of the property
- Unreasonable per unit costs
- Excessive soft costs
- Oversized units
- Unit mix not matching the market demand
- High acreage
- Other factors which are contrary to the policies and objectives of DCA

Georgia's National Housing Trust Fund Allocation Plan

- Applications that misrepresent sources of funds or attempt to conceal pertinent facts related to the proposed project

Certification of Applicant:

The State requires each eligible applicant to certify that housing units assisted with NHTF funds will comply with all NHTF requirements. The certification must include:

- The number of units in a NHTF-assisted project by income group: extremely low-income, very low-income, moderate income and above moderate income.
- A statement declaring that all tenants of a NHTF-assisted development will meet the income limits as required by relevant program guidelines. HUD has released the FY 2017 National Housing Trust Fund (NHTF) Rent Limits and Income Limits (Appendix F & Appendix G), effective July 1, 2017. They are available through the HUD Exchange website (https://www.hudexchange.info/resource/reportmanagement/published/HTF_IncomeLimits_State_GA_2017.pdf and https://www.hudexchange.info/resource/reportmanagement/published/HTF_RentLimits_State_GA_2017.pdf).

Priority for Funding Requirements:

Scoring categories are as follows:

- 1) **Geographic Diversity (up to 15 points):** NHTF funds will be available on a statewide basis. Achieving this end requires that the State invest in both improving neighborhoods that already serve low-income residents and providing new housing options in historically less affordable communities that provide residents access to a broad array of jobs, services, and amenities.
 - a. Properties that do not fall within a food desert, defined as a low-income census tract where a significant number or share of residents is more than 1 mile (USDA urban) or 10 miles (USDA rural) from the nearest supermarket **4 points**
 - b. Properties near traditional town square which include an operational anchor institution (e.g. county courthouse, city hall) and which serve as a hub for both commercial activity and community events **2 points**
 - c. Properties near a grocery store with meat, dairy, and produce (high end specialty stores and convenience stores not eligible) **4 points**
 - d. Properties near a community or Recreational Center (e.g. YMCA, Boys & Girls Club, Public Pool, Senior Community or Multipurpose Facility) that is relevant to the proposed tenant population. **2 points**

Minimum Documentation:

- Site map(s) indicating the specific locations of each activity/characteristic. The map(s) must contain a key stating the type of activities/characteristics identified and their addresses and must include the following:
 - Location of site including an indication of major access roads and site entrance(s)
 - Indication of distances in ¼ mile increments

Georgia's National Housing Trust Fund Allocation Plan

- 456USDA Food Desert Map: <https://www.ers.usda.gov/data-products/food-access-research-atlas/go-to-the-atlas.aspx>

- 2) **Obligate funds and undertake eligible activities in a timely manner (up to 20 points)**: Applicants must show the ability to obligate NHTF dollars and undertake funded activities in a timely manner through the development team's capacity; project readiness; projected implementation schedule; record of accomplishment for developing projects within a reasonable timeframe; experience with federal affordable housing programs; and history of managing the project (in good standing) throughout the affordability period.

Project team capacity (up to 10 points):

- Project team has developed **two (2)** affordable housing developments using Federal, State, or local funds **2 points**

OR

- Project team has developed **four (4)** affordable housing developments using Federal, State, or local funds. **4 points**

AND

- Applicant has demonstrated a history of serving tenants that are extremely low income. **5 points**
- Applicants have developed at least one development using HOME funds. **1 point**

Project Readiness (5 points):

- Applicant had the ability to show that the land being used to develop has been acquired (closed on the acquisition of land). **5 points**

Compliance History (5 points):

- Ability to show that the proposed Project Team has no history of outstanding non-compliance for a federally funded development **5 points**

Minimum Documentation:

- Organizational Chart
- Proposed Project Narrative Form
- Resumes of all principles and key staff involved in the development
- Each project team member must complete a DCA Compliance History Summary (CHS)
- Performance Workbook

Georgia's National Housing Trust Fund Allocation Plan

- 3) **Project-Based Rental Assistance (up to 15 points)**: Applicants will be scored based on ability to secure federal, state or local project-based rental assistance so rents are affordable to extremely low-income families at or below 30% AMI for NHTF-assisted units. The type of project-based rental assistance and the length of commitment for the assistance will also be considered. Other mechanisms that ensure affordability for extremely low-income households, such as cross-subsidization or operating assistance reserves, will be considered. The applicant will receive points based on their ability to:
- Documentation must be provided to show that the project-based subsidies will be in place for the term of five (5) years with renewal provision. **5 points**
 - Documentation must be provided to show that the project-based subsidies will be in place for the term of ten (10) years with renewal provision. **10 points**
 - Documentation must be provided to show that the project-based subsidies will be in place for the term of fifteen (15) years with renewal provision. **15 points**

Minimum Documentation:

- Applicant must show letter committing PBRA
- 4) **Financial Sustainability (up to 15 points)**: Developments supported by NHTF funds will be required to enter into a restrictive covenant agreement pledging to maintain the units in the program for a 30-year period. Applications that best present operating sustainability for the entire 30-year period will receive points as follows:
- Budget demonstrated a debt coverage ratio of 1.05 **5 points**
 - Budget demonstrates a debt coverage ratio of 1.10 **10 points**
 - Budget demonstrates a debt coverage ratio of 1.15 **15 points**

Minimum Documentation:

- Budget demonstrating positive or breakeven cash flow
- 5) **Priority Housing Needs (15 points)**: Georgia has many cost-burdened renter families that need quality affordable housing. The NHTF is primarily a funding source meant to add NHTF-assisted units to the supply of affordable housing for extremely low-income households. DCA's Consolidated Plan highlights the priority housing need as increasing more affordable housing options across the state by fostering inclusive communities free of barriers to individuals underserved by existing housing programs. As indicated in SP-25, the housing priority housing needs for extremely low-income renters include:
- Families with children
 - Frail Elderly
 - Chronic Homelessness
 - Severe and Persistent Mental Illness
 - Persons with Physical Disabilities
 - Persons with Development Disabilities
 - Persons with Alcohol or Other Addictions
 - Veterans

Georgia’s National Housing Trust Fund Allocation Plan

- Persons with HIV/AIDs
- Victims of Domestic Violence

Applicants that identify the group of persons based on the list above that the development will serve and can provide a short explanation as to how this group will be served and what services will be provided will receive full **fifteen (15) points** in this section. Applicants that are not able to show services will only receive a maximum of **ten (10) points** in this section. Applicants that are not able to provide a short explanation of the group of persons this development will serve will only receive a maximum of **five (5) points**.

In addition, DCA’s Supportive Housing Policy reflects HUD’s and the DOJ’s intent that public entities administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

DCA will not fund the new constructions of congregate housing for persons with a disability. To that end, DCA will focus on the creation of affordable, supportive housing options in Integrated Settings. New construction projects must provide housing for persons with a disability in an Integrated Setting. DCA will periodically assess this policy to ensure that the current strategy is consistent with Federal and State policy. DCA will fund the preservation of existing affordable housing for persons with a disability.

Minimum Documentation:

- Narrative stating how the ELI population will be served
- Applicants must provide a commitment of services

6) ***Leveraging (up to 20 points):*** Given the 30% AMI income targeting requirements, viable developments will likely require additional sources of funding. Funding or assistance provided must be binding and unconditional. DCA will require that any funding or assistance subordinate to the use restrictions in the Land Use Restriction agreement that are required to reflect NHTF requirements.

Applicants that are able to provide a grant for at least 10% of the total development costs will receive **twenty (20) points**.

Applicants that have a commitment of federal funds for the development of the proposed project qualify for points according to the following point scales.

Federal Funding Point Scale	Amount at least 10% of Total Development Cost (TDC) of ELI units 20 Points Amount at least 5% but less than 10% of TDC of ELI units 15 Points Amount at least 2% but less than 5% of TDC of ELI units 10 Points
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Qualifying Sources: New loan or new grants from the following sources that will provide new capital funding will qualify for points under this category:

- a) Community Development Block Grant (CDBG) program funds
- b) Federal Home Loan Bank Affordable Housing Program (AHP)

Georgia's National Housing Trust Fund Allocation Plan

- c) HOME/TCAP funds
- d) Beltline Grant/Loan
- e) Foundation grants that meet the following legal and financial requirements:
 - The foundation must be a private foundation as defined in the U.S. Tax Code 26 USCA 509 or a community foundation that is accredited by the National Standards for U.S. Community Foundations. Points will only be counted in this section if the foundation is not related to any entity or person in the General Partner or Developer teams and has a history of supplying grants to affordable housing developments and/or investing in the target population.
- f) Government grant funds or loans with interest rates below AFR
- g) Other non-federal sources approved by DCA

Minimum Documentation:

- Commitment letter for such new loan and/or grant.

Tiebreaker Criteria:

1. Developments in which Applicant and/or developer are community-based organizations that shows the ability to demonstrate a local commitment to developing collaborative holistic solutions in the community in which the proposed development is located.
2. Developments in which the Applicant and/or developer are a part of a transformational community plan such as Choice Neighborhood or Purpose Built Community.

VIII. Performance Goals and Benchmarks

Affirmatively, DCA will receive \$4,427,950 in the FFY17; DCA will anticipate that the FFY18 allocation will be no less than the allocated minimum of \$3,000,000. Georgia has already received an allocation of \$3,318,674 in the first year's allocation and the awarded properties are currently finalizing underwriting. This will give Georgia a total of \$7,746,624 in NHTF funding over the course of the remaining to funding years under the 2013-2017 Consolidated Plan.

The FFY16 funds will create an additional 96 units in the construction (40) and rehabilitation of rental units (56) for ELI households for affordable rental housing which are currently finalizing the underwriting process. As the funds, have yet to be awarded and the State must prepare for the administration and implementation of this program, it is anticipated the funds will be awarded in 2017 and the projected completion of all the units will be in 2018.

Georgia's National Housing Trust Fund Allocation Plan

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
Construction/ Rehabilitation of Rental Units	2016	2017	Affordable Housing	Entitlement and Non-entitlement Areas within the State	Affordable Rental Housing	National Housing Trust Fund: \$3,318,674	Rental units constructed: 40 Rental units rehabilitated: 56
Construction/ Rehabilitation of Rental Units	2017	2018	Affordable Housing	Entitlement and Non-entitlement Areas within the State	Affordable Rental Housing	National Housing Trust Fund: \$4,427,950	Rental units constructed: 10 Rental units rehabilitated: 10

IX. Rehabilitation Standards

DCA's rehabilitation standards will apply to NHTF-assisted developments that will produce, preserve, and rehabilitate the affordable rental housing. DCA's rehabilitation standards specify that NHTF-assisted projects and activities must meet the standards that are set forth in 24 CFR 93.301(b) that provide the expectations for the longevity and market stability of a completed rehabilitation of an existing rental property. The Rehabilitation Guide describes the methods, materials and the applicable codes that the housing must meet at project completion. DCA has provided specific rehabilitation guidelines for the NHTF program. Additionally, DCA's rehabilitation standards can be found on DCA's website (http://www.dca.ga.gov/housing/HousingDevelopment/programs/downloads/A_HFDMain/FdgRd/2017/Manual/B.%20Architectural/Manuals/Architectural/E2017AppendixIVRehabilitationGuide.pdf) and can be found in *Appendix A* of this plan. The inspectable areas and observable deficiencies from HUD's Uniform Physical Condition Standards are available through the HUD Exchange website (<https://www.hudexchange.info/onecpd/assets/File/HTF-FAQ-Appendices-UPCS-for-Multifamily-and-Single-Family-Housing-Rehabilitation.pdf>) and in the Appendix of this document.

X. Preference and Limitations

Any limitation or preference must not violate non-discrimination requirements in the NHTF interim rule at 24 CFR 93.350, and the applicant must have affirmative marketing procedures and requirements that apply in the context of the limited/preferred tenant eligibility for the project. As shown in Section IX, DCA will give preference to segments of the ELI population based on the State's priority Housing Needs as described in the Consolidated Plan and Annual Action Plan. Preferences and/or limitations will not be given to students.

XI. Compliance and Other Federal Requirements

Applicants must comply with all applicable federal or state laws, regulations and other requirements now or hereafter in effect. The Project Team is responsible for ensuring the proposed program, activities, goals and timetables comply with all federal or state laws, regulations and other requirements.

Georgia's National Housing Trust Fund Allocation Plan

In accordance with state or local codes, ordinances, and requirements, or such other requirements that HUD may establish disaster mitigation (if applicable) will apply.

Areas covered by the applicable laws and regulations include but are not limited to non-Discrimination and Equal Access; Fair Housing and Equal Opportunity; Accessibility; Contracting and Procurement; Environmental; Lead Based Paint; Acquisition and Relocation; Financial Management; Labor Standards; and Immigration.

National Housing Trust Fund Rehabilitation Standards

NATIONAL HOUSING TRUST FUND REHABILITATION GUIDE

INTRODUCTION

The purpose of this National Housing Trust Fund Rehabilitation Guide is designed to outline the requirements for building rehabilitation for all rental housing developments under the National Housing Trust Fund Program (single-family or multi-family) or other funding sources, which consist of HOME and Low –Income Housing Tax Credit (LIHTC). The goal of this Rehabilitation Guide is to standardize DCA’s expectations for the longevity and marketability of completed rehabilitation of existing rental property. This Guide is also intended to provide the owner/applicant with guidance and requirements for the DCA rehabilitation process. The requirement mentioned in this Guide meets the minimum NHTF requirements as outlined in the HUD requirements for NHTF Rehabilitation standards, additional Guides can be found in the Appendix of this document.

In accordance with federal requirements established by 24 CFR 92.25 (HOME), IRS Section 42 (LIHTC), and the 1989 Georgia General Assembly Housing Trust Fund (HTF) for the Homeless and 24 CFR 91 and 93, the National Housing Trust Fund (NHTF), the Georgia Department of Community Affairs (DCA) has established these Architectural Standards. All projects receiving DCA resources for the construction of new and/or rehabilitation of existing rental housing, including HOME, 9% LIHTC, 4% LIHTC/Bonds, and/or National Housing Trust Fund (NHTF), must meet these Architectural Standards. It is the Project Team’s responsibility to ensure 100% compliance with this Manual (and approved DCA Architectural Waivers).

The use of National Housing Trust Fund dollars requires that projects funded under this program meet applicable Federal, State, and DCA codes, acts, and regulations. These architectural standards are not meant to replace Federal, State or local codes. These standards shall be in addition to the following that are applicable to all properties funded in the program:

- I. Georgia State Minimum Standard Codes (with Georgia Amendments)
- II. International Building Code
- III. International Energy Conservation Code
- IV. International Fire Code
- V. International Fuel Gas Code
- VI. International Mechanical Code

- VII. International Plumbing Code
- VIII. International Residential Code
- IX. National Electrical Code
- X. HUD Housing Quality Standards (HQS)
- XI. HUD Minimum Property Standards (MPS)
- XII. HUD Uniform Physical Condition Standards (UPCS).

The use of NHTF funds to be funded under this Plan must meet all applicable federal and state accessibility standards as well as all DCA accessibility requirements. For further information on the accessibility laws and requirements that are applicable to projects funded under the Plan, refer to the DCA Accessibility Manual, found in *Appendix A* of this document.

By some measures, DCA architectural and accessibility requirements will exceed the referenced state and federal requirements.

All new and rehabilitation construction work scopes must give consideration to the property marketability and residential quality of life which includes, but is not limited to, upgraded building exteriors and unit interiors, and improved site conditions and amenities

DCA may determine that projects which exceed customary and reasonable construction costs, even if they are within published per unit cost limits, represent a poor utilization of resources and may fail Threshold.

Final determination of compliance with the Architectural Standards rests solely with the mortgage lender, the credit enhancement provider, and the Georgia Department of Community Affairs.

A **Pre-construction Conference** will be scheduled prior to project commencement to review federal compliance requirements and draw request procedures.

An onsite **OAC Meeting** will be scheduled during the last week of each month. The DCA Construction Project Manager will be notified via email of monthly OAC meeting dates and times. DCA staff may not attend all onsite OAC meetings.

The Internal Revenue Code requires that all low-income units in a project receiving Credits remain rent-restricted and income-restricted for the 15-year Compliance Period and for 15 years after the close of the Compliance Period for tax credit projects. The requirements for HOME projects are 20 years. The National Housing Trust requirements are for 30 years. Projects that propose rehabilitation must present a scope of work that will position the property to meet the entire extent of its statutory obligations. The Fannie Mae Expected Useful Life Tables should be used as

guide to determine the components and systems that need to be replaced in order to meet the duration of all tax credit program obligations. It is expected that all work scopes will propose:

- A minimum "dwelling unit" per unit hard cost budget of \$25,000, excluding the construction of new community buildings and community building additions. The costs of furniture, fixtures, new community buildings, and common use amenities are not included in the minimum amount.
- A substantial gut rehabilitation (where applicable) where major systems are removed and replaced according to the Fannie Mae Expected Useful Life Table.
- The replacement of existing exterior stairs, breezeways, and handrails that have no roof cover with covered vertical circulation.

Compliance with the Georgia State Minimum Standard Codes and Life Safety Code for new construction regarding stairs, handrails, guardrails, smoke detectors, fire alarms, and unit fire separation (attic draft stops, fire separation, rated party walls and floor/ceiling components, and caulking of all penetrations in the fire assemblies). Life Safety items that do not meet current codes will not be 'grandfathered'.

- Materially the same scope of work in all units
- Compliance with the Architectural Manual upon completion of work
- Compliance with all current building codes upon completion of work
- Compliance with all DCA accessibility requirements upon completion of work
- Compliance with UPCS upon completion of work, subject to inspection

DCA will review the type of construction and associated hard construction costs. Applications for the rehabilitation of a substandard property will not be funded if, in the opinion of DCA, the rehabilitation will not result in improved, safe and decent long-term housing, the proposed rehabilitation does not meet DCA standards, or if new construction would be more appropriate.

DCA reserves the right, to perform its own Physical Needs Assessment (PNA) or decline any application for rehabilitation if it is determined that the Rehabilitation Work Scope:

- Is inadequate or excessive;
- Does not address the issues of the Physical Needs Assessment;

- Does not address major structural issues, building codes, health, safety, marketing or any other conditions observed on the site;
- Will not result in safe, decent housing;

All provisions in the Architectural Standards, Submittal, Accessibility, and Amenities Manuals apply to rehabilitation properties. However, DCA may consider waivers for some following requirements if it can be documented that compliance will be cost prohibitive. The burden of proof is on the owner/applicant.

Waivers may be requested for:

- Architectural Standards:
- Central HVAC in a multi-floor building where it can be demonstrated that the existing central system is most efficient and economical system for conditioning the indoor space
- Flat roofs
- Room and unit size, closet and cabinet/counter requirements, number of bathrooms only if documentation of the marketability of existing conditions is provided
- One bedroom units where the bathroom is accessed through the bedroom

Threshold Section, Required Amenities: Additional Requirements and Amenities for senior projects that requires Fair Housing compliance on all units built BEFORE 1991 only if clear documentation of the burdensome cost to provide accessibility to all units is provided

Above per unit rehabilitation amount only if there is an overriding public policy or historic preservation need and the physical needs assessment clearly documents that the existing property does not require a comprehensive rehabilitation. A certification from the architect must also be provided documenting that the proposed work scope is sufficient to ensure that the completed project will be viable and meet DCA useful life requirements. The useful life requirements for each major system can be found in the useful life table for Fannie Mae. For multifamily family housing with 26 or more total units, the useful life of systems must be determined through this needs assessment that determines the work to be performed and identifies the needs of the project. If the remaining useful life of one or more major system is less than the applicable period of affordability for any LIHTC or HUD Funded program, the applicant must establish a replacement reserve with adequate monthly payments to either repair or replace the system identified in the assessment. DCA may require as a condition of the waiver, that the financial pro forma clearly provide for the full funding of the Capital Replacement Reserve.

The Capital Replacement Reserve study must clearly schedule all component/system replacements required by the Fannie Mae Expected Useful Life Table and the UPCS as described in 24 CFR 5.703.

DCA reserves the right to deny waivers if the completed rehabilitation will not result in safe and decent housing that is equal to comparable housing in the marketplace. In no case will DCA waive federal, state or local building or accessibility laws or codes, state energy conservation codes or health and safety requirements

No waivers will be allowed for the rehabilitation of existing units with room layouts that do not meet architectural standards requirements for bathrooms that open from areas of food preparation, or be used as a sole passageway to a habitable room, hall, basement or to the exterior or for habitable rooms in basement or cellar spaces unless egress is provided according to applicable fire codes.

The application for funding shall include a Physical Needs Assessment and comprehensive Rehabilitation Work Scope outlined below. Rehabilitation projects selected for funding must submit all pre-construction due diligence documentation outlined in the Architectural Submittals Instructions, including a complete set of plans and specifications produced by an architect licensed in the state of Georgia. The DCA Rehabilitation Work Scope form submitted at application may not be changed between application submittal and Final Allocation without DCA's consent. All work proposed must be completed.

PHYSICAL NEEDS ASSESSMENTS

The Physical Needs Assessment (PNA) is required at Application for all rehabilitation, adaptive reuse, and Historic Preservation properties applications presented for potential funding by programs administered through the DCA Office of Affordable Housing. The purpose of the PNA is to provide a property description, document the existing condition of the property, to identify existing building code and program violations, identify immediate physical needs and to estimate capital needs over the long term. The PNA, including an on-site investigation, narrative report, and Fannie Mae forms must be conducted by a DCA Qualified Consultant. Refer to DCA's 2017 Funding Round website for a list of qualified consultants.

The PNA must be no more than 6 (six) months old at the time the Application is submitted. The report must include a signed statement from the Consultant with the following language inserted in the Consultant's signature block: "The investigation has been completed in accordance with DCA requirements, is accurate, and can be relied upon by DCA as a true evaluation of the existing property conditions." DCA reserves the right to verify all information contained in the report with an on-site inspection of the property conducted during the application process.

The Consultant shall inspect:

- All vacant and down units
- At least 10% of the occupied units
- One units in each building
- One of each type of the accessible units (where they exist);
- One of each unit configuration type; and
- All other community/common areas and maintenance spaces.

The report is not expected to identify regular maintenance items that are part of the property owner's operating responsibility such as occasional window glazing replacement and/or caulking, minor plumbing repairs, annual HVAC and appliance servicing. However, the Consultant must comment on such items if they do not appear to be routinely addressed or in need of immediate repair, as well as report any observed or documented building code violations.

The Physical Needs Assessment must include descriptions of the condition of the following items and identification of the Remaining Useful Life in the Fannie Mae forms format of the following items:

SITE SYSTEMS AND CONDITIONS

- Landscaping
- Irrigation
- Grading/storm water drainage
- Lighting - building mounted
- Lighting - pole mounted
- Parking
- Pedestrian paving (sidewalks)
- Utilities (piping & equipment such as pumps etc.)
 - Water
 - Fire
 - Gas
 - Electrical
 - Sanitary
 - Storm water drainage structures & piping
 - Cable/Phone/Communications
- Mailboxes
- Property sign
- Traffic signage
- Retaining walls
- Fencing
- Exterior stairs
- Exterior railings
- Site amenities

COMMON AREAS/COMMUNITY BUILDING

- Common area amenities
- Common area doors
 - Interior
 - Exterior
- Common area floors
- Common area ceilings
- Common area walls

- Common area kitchens
 - Countertop
 - Cabinets
 - Sink
 - Appliances
- Common area HVAC
 - Ductwork
 - Equipment
- Common area/public bathrooms
 - Bath fans & ventilation
 - Fixtures
 - Hot water heating
 - Water piping
 - Waste/vent piping
 - Bathroom accessories
- Sprinklers
- Electrical
 - Light fixtures
 - Outlets/switches
 - Wiring
 - Equipment (panels/breakers)
- Life safety
 - Smoke alarms
 - Fire alarm system

BUILDING ARCHITECTURE

- Foundations
- Crawl Spaces/Basements
- Framing
 - Wall
 - Floor
 - Ceiling/roof
- Exterior wall sheathing
- Exterior cladding

- Roof sheathing
- Roofing
- Gutters & downspouts
- Soffits
- Windows
- Insulation
 - Wall
 - Floor
 - Attic

DWELLING UNITS

- Cabinets
- Countertops
- Interior doors
- Exterior doors
- Floor underlayment
- Floor finishes
- Interior wall sheathing (gypsum wall board)
- Wall finishes
- Ceilings
- Bathroom vanities
- Bathtubs/showers
- Tub/shower surrounds
- HVAC
 - Ductwork
 - Equipment
 - Bath fans & ventilation
- Plumbing
 - Fixtures (faucets, shower valves, toilets, sinks)
 - Hot water heating
 - Water piping
 - Waste/vent piping
 - Wall

- Under slab
- Appliances
- Elevators
- Sprinklers
- Electrical
 - Light fixtures
 - Outlets/switches
 - Wiring
 - Equipment (panels/breakers)
- Life safety
 - Smoke alarms
 - Fire alarm system
- Attic draft stop/fire walls

The PNA must also include a discussion of known building code and health/life safety violations.

The PNA consultant is not expected to assume liability for compliance with accessibility regulations during design of post-rehabilitation. The consultant is expected to identify potentially costly barriers to required property accessibility, i.e., changes in grade for accessible routes or parking and unit framing changes for required clearances. Through completion of the Accessibility Checklists, the PNA must identify major violations of The Americans with Disabilities Act, The Fair Housing Act, and The Uniform Federal Accessibility Standards where these standards are applicable to the existing property. The Uniform Federal Accessibility Standard is applicable to all properties either as a federal requirement through the use of federal funds or as a DCA program specific state requirement through the use of tax credits.

The Capital Replacement Reserve study shall extend for 20 years with no capital replacements within the first five years (apart from regular maintenance and turnkey operations that are part of the operation and management of the property). The Capital Replacement Reserve shall reflect the condition of the property "As Improved". That is, the Capital Replacement Reserve study must take into consideration the entire Rehabilitation Work Scope proposed by the Owner, not just the needs identified by the Physical Needs consultant. The Capital Replacement Reserve study shall be a true and accurate representation of the needs of the property once the proposed rehabilitation is completed.

Any item that is determined to have an Effective Remaining Life of 15 years or less must be replaced as part of the work scope. Where major systems (such as roofing) have been replaced within the last 5 years, DCA may allow for replacement in the 15 year term if the cost is clearly documented in the Capital Replacement Reserve study and the project underwriting proposes full funding of the Reserve. It is recognized that the Expected Useful Life Tables represents one judgment of the expected life of the various components. The Tables provide a useful and consistent standard for all evaluators to use. The Tables avoid debate on what the appropriate expected life is and permit focus on the evaluator's judgment of the effective remaining life of the actual component.

It is incumbent upon the project team to provide adequate documentation substantiating the differences between the Effective Remaining Life as a calculated difference between Effective Useful Life and Age and the Evaluator's opinion of the remaining useful life.

The report should emphasize all systems/components with no Effective Remaining Life and those with Effective Remaining Life less than DCA requirements, all deferred maintenance, and repairs or replacements involving significant expense or outside contracting. The Consultant must note any suspected environmental hazards seen in the course of the inspection. Confirmation of suspected environment-related hazards, such as mold, lead-based paint, or asbestos containing materials, will be addressed in a separate environmental engineer's report.

THE DCA REHABILITATION WORK SCOPE FORM

Whereas the PNA documents the existing conditions and immediate physical needs, the DCA Rehabilitation Work Scope form must include these considerations as well as future property marketability, durability, and energy efficiency that will add to the residential quality of life. The DCA Rehabilitation Work Scope form must be compiled by the Applicant/Owner, Architect/Engineer, and Construction Contractor in DCA's required format to include materials, quantities and unit costs. The DCA Rehabilitation Work Scope form shall be based on:

- Requirements for the replacement of components with no Effective Remaining Life at the end of 15 years, building code and health/safety violations, and immediate needs from the Physical Needs Assessment;

Requirements for the replacement of components in order to comply with DCA's Architectural Standards and Specific Systems Replacement Guidance below;

- All applicable Threshold and Scoring upgrades as indicated in the DCA Application including amenities construction;
- All costs that will be incurred in bringing the property into compliance with federal, state, local, and DCA accessibility regulations (see the DCA Accessibility Manual (*Appendix B*) for further guidance);
- Remediation of all issues identified in the Phase I and II environmental reports.

DCA must be able to determine that all major issues identified in the PNA and Environmental Reports are addressed in the DCA Rehabilitation Work Scope form.

SPECIFIC SYSTEMS REPLACEMENT GUIDANCE

Site Utilities

The DCA Rehabilitation Work Scope form must contain a budget line item to investigate and repair or replace all main utility lines on the property, regardless of age. If more than 50% of the lines sanitary sewer, storm sewer, water service, fire service, electrical, cable, or gas are identified as failed, the entire line must be replaced. Failure to adequately substantiate the condition of existing utility lines may result in DCA re-capturing credits for failure to confirm the utilities systems operational conditions. If funded, a copy of the sewer investigation must be submitted to DCA with the final inspection documentation.

Site Utilities – Special Considerations: Polybutylene Piping

In all cases where polybutylene piping is identified on the property, an investigation must be conducted to adequately confirm the condition and performance of the plumbing system. The Consultant must document the investigation and provide an opinion on the system and whether or not the piping should be repaired or replaced. Particular note must be made of the condition of the fittings, and in all cases the last 3'-0" of the hot water lines from the water heater must be replaced with copper piping if this is identified as polybutylene piping.

Landscaping/Storm Water Drainage/Erosion

All areas of washout, exposed dirt, dead trees and overgrown landscaping must be corrected. Details must be provided in the DCA Rehabilitation Work Scope form as to how this will be

accomplished. If DCA determines erosion conditions are severe, DCA may require, as a condition of funding, that a civil engineer be engaged to address the issue.

Site Improvements

Broken or un-useable amenities equipment, non-compliant site stairs and handrails, failed/deteriorated sidewalks, paving, and retaining walls must be corrected. Sidewalks and paving in particular must meet the minimum standards set forth in UPCS. All deficient paving and sidewalks are expected to be altered for compliance with federal and DCA accessibility requirements.

Foundations

All cracking or settling of concrete foundations and masonry must be addressed. If DCA determines foundation conditions are severely deteriorated, DCA may require, as a condition of funding, that a structural engineer be engaged to address the issue.

Crawlspaces

All crawlspaces must be investigated and assessed for the presence of mold, plumbing leaks, and deteriorating structures. All crawl spaces must meet minimum energy and fire code requirements.

Rough Carpentry

Deteriorated subfloor, wall sheathing, roof sheathing, and structural framing must be addressed and allowances for the quantity of this work must be substantiated.

EIFS & Stucco

EIFS may not be repaired but must be replaced by a DCA-approved material. Hard-coat stucco must be replaced if more than 25% of the existing material has failed. DCA must approve any repair or replacement of hard-coat stucco.

Acoustical Isolation

The DCA Rehabilitation Work Scope form must meet the Architectural Standards for acoustical isolation wherever party and exterior wall structures, ceiling, and floor construction are exposed during the course of construction.

Drywall

The DCA Rehabilitation Work Scope form must indicate the approximate percentage of drywall to be removed and replaced (i.e. Is this a gut removal of all drywall or small scale patching as required to address isolated leaks or penetrations into walls by other trades). Allowances must be substantiated.

HVAC

Heating, ventilating, and air conditioning systems must be replaced if they do not meet the requirements of applicable building codes, do not meet Threshold Section Building Sustainability, or do not have the required Effective Remaining Life. The duct system must be replaced as required to meet applicable codes and DCA required life expectancy. If ductwork is not replaced, it must be cleaned and sealed in accordance with the Georgia State Minimum Standard Energy Code.

Fire and Life Safety

Through strict code compliance, the property design shall provide a safe environment for all tenants. Compliance with the Life Safety Code for new construction is required for the following regardless of local building authority enforcement: stairs, handrails, guardrails, smoke detectors, carbon monoxide detectors, fire alarms, and unit fire separation (attic draft stops, fire/smoke separations, rated party walls and floor/ceiling components, and caulking of all penetrations in the fire assemblies). Life Safety items that do not meet current codes will not be 'grandfathered' in. Adherence to the most recently adopted editions of the *Georgia State Minimum Standard Codes (with Georgia Amendments)* is required. This includes but is not limited to:

- Smoke detectors must be hard-wired and located per code for all construction, either rehabilitation or new. DCA will not waive this requirement for rehabilitation proposals. Carbon Monoxide Detectors shall be in accordance with NFPA 101 Life Safety Code and NFPA 720.
- Fire alarms and sprinklers must meet fire department, state and local code requirements.
- Attics must be constructed or rebuilt to meet all current fire and life safety codes, **regardless of the requirements of the local building authority**. These include draft stop walls, and rated ceiling, floor, and wall assemblies.

- All through-penetrations of smoke walls, draft stops, and rated assemblies must meet current fire codes.
- Projects shall comply with all disaster mitigation-related requirements of the latest editions of the applicable mandatory State Minimum Standards as adopted and amended by the Department of community Affairs, and with all local ordinances regarding disaster mitigation.

HISTORIC REHABILITATION

Rehabilitation

Rehabilitation is defined by the Secretary of the Interior as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values." As such, the standards to be applied to specific rehabilitation projects must be done so in a reasonable manner, taking into consideration economic and technical feasibility. The *Secretary of the Interior's Standards for Rehabilitation* (36 CFR Part 68) should be followed to rehabilitate the property's interior and exterior features, including, but not limited to, windows, doors, siding, masonry, ceilings, walls, floors, closets, fireplaces and floor plans. DCA's environmental requirements, including the testing and abatement (encapsulation) of lead, must be completed. These exterior and interior guidelines can be found at <http://www.nps.gov/tps/standards/rehabilitation.htm>.

Summary

DCA recognizes that certain projects deemed historic in nature might require rehabilitation that varies from the general requirements set forth in the other sections of this Guide. Therefore, if a Preservation Professional, as defined in the Environmental Manual, determines that the proposed project has an adverse effect or is a contributing structure which is either listed in the National Register or is eligible for listing in the National Register (or a lot within such a listed or eligible district) and Georgia State Historic Preservation Office (SHPO) has cleared the proposed activities to proceed, then, depending upon the action approved (rehabilitation, demolition and/or new construction), the general rehabilitation standards set forth in the other sections of this Guide may not apply. However, DCA still requires that the completed rehabilitation results in housing that will meet the duration of all tax credit program obligations.

The Applicant must submit to DCA a detailed scope of work that sets forth the proposed rehabilitation or new construction activity in accordance with recommended practices as set forth in *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*.

Review the Historical Significance of the Property

If the historic building is to be rehabilitated, it is critical that the new use not require substantial alteration of distinctive spaces or removal of character defining architectural features or finishes. The construction materials, the form and style of the property, the principal elevations, the major architectural or landscape features, and the principal public spaces constitute some of the elements that should be preserved. Every effort should be made to minimize damage to the materials and features that convey a property's historical significance. Review of any record documentation on file with the National Register of Historic Places or local preservation commissions and supplemented with a physical investigation to identify which character defining features and spaces must be protected whenever any changes are anticipated.

Reconstruction (demolition and replacement) of Historic Properties

The Applicant shall ensure that, to the greatest extent feasible, the reconstruction of any historic structure deemed infeasible for rehabilitation shall be carried out in a manner that is compatible with the architecture of the original unit and/or other buildings within the surrounding historic district in terms of set-backs, size, scale, massing, design, color, features, and materials, and is responsive to the recommended approaches for new construction set forth in the Secretary's *Standards for the Treatment of Historic Properties*. Therefore, the Applicant shall consult with the Preservation Professional to develop a set of historically compatible model replacement building plans in advance of any planned reconstruction activities, which shall be shared with the public during the initial public hearings, held. Final construction drawings used in the bidding process, including elevations, shall be submitted to the Preservation Professional for review and comment and forwarded to SHPO for final approval prior to the award of a construction contract and the initiation of construction activities. If the Applicant determines that the proposed plans and specifications for the reconstruction do not meet the *Standards* as interpreted by the Preservation Professional, the Applicant shall notify the Advisory Council on Historic Preservation and initiate consultation as set forth at 36 CFR Section 800.5 (e). The Applicant shall follow the recordation and demolition guidelines as established by the Secretary of the Interior prior to the start of any demolition activities.

Questions concerning these requirements should be directed to SHPO and DCA prior to application submission.

Any modifications of the historic rehabilitation work scope must be approved in writing by DCA in advance of the project start-up.

BUILDING EXTERIOR DESIGN STANDARDS

Building exteriors should create a residential image appropriate to the market. DCA encourages the use of materials that provide low maintenance and longevity for the life span of the property. All materials are to be installed using standard construction methods and means, and result in the issuance of manufacturers guarantees.

Roofing:

Anti-fungal dimensional (architectural) shingles with a minimum 30-year warranty are required for all shingle roof applications. Flat roofs are not encouraged, but DCA will allow flexibility in roof design if it is part of an energy conservation green building component or a roof design that mimics existing contextual surroundings. Applicants must obtain DCA pre-approval before using one of these alternatives. All edges of the roof must have an aluminum drip edge that extends a minimum 3" under the shingles, 2" onto the fascia and have a minimum ½" 45 degree kick out at the bottom end of the fascia extension.

Gutters and Downspouts:

Seamless gutters and downspouts are mandatory for all construction and on all buildings.

Exterior Cladding:

Insulated vinyl siding must be impact resistant commercial grade with a minimum thickness of .046" and a minimum 30 year warranty to be provided by the manufacturer and must meet or exceed ASTM 07793 standards.

Fiber Cement/Cementitious Siding must be 5/16" nominal thickness with a 30-year warranty to be provided by the manufacturer.

Other materials: The use of exterior insulation and finish systems

(EIFS), and stucco must be pre-approved by DCA prior to application submission. Wood siding is not permitted.

Natural or manufactured stone.

All exterior trim, including fascia and soffits, window and door trim, gable vents, etc. must also be constructed of no or very low maintenance materials. Vinyl soffit must be commercial grade with a minimum thickness of .046" and a minimum 30-year warranty to be provided by the manufacturer. Wood fascia must be covered completely with prefinished aluminum with a minimum thickness of .024".

Where exterior brick does not extend to an eave line, aluminum flashing shall be installed that extends a minimum of 2" under/behind the above exterior wall surface material and over the outer edge of the brick to prevent water penetration.

EXTERIOR DOORS AND WINDOWS:

- Exterior doors must be 1 ¾" high durability, insulated (such as steel or fiberglass) and meet the requirements of the *Georgia State Minimum Standard Codes (with Georgia Amendments)*.
- All primary entries must either be within a breezeway or have a minimum roof covering of 3 feet deep by 5 feet wide, including a corresponding porch or concrete pad.
- Exterior doors for fully accessible units must include spring hinges.
- Wood windows are not permitted.
- Windows must not be located within a shower surround area or over shower units.
- Install a continuous bead of silicone caulk behind all nail fins before installing new windows per manufacturer's specifications.
- Skylights, windows and locations, sizes and operable panels must meet the requirements of the *Georgia State Minimum Standard Codes (with Georgia Amendments)*.

Exterior Stairs:

All exterior stairs are to be covered and protected from the elements in both new and the rehabilitation of existing buildings.

BUILDING INTERIORS DESIGN STANDARDS

Applicants must submit waivers at the pre-application stage only if the request is for a change that deviates more than 10% from DCA standards. Requests for a waiver that deviates 10% or less from DCA's architectural standards should be submitted in the full Application. If a room size, unit size, or cabinets' linear frontage or dimension is at least 90% of DCA requirements, then a waiver may be granted. The Applicant must demonstrate that efforts were taken to meet the minimum design criteria.

Room Configuration:

Room configuration should be functional while providing economic use of space:

- The primary bathroom shall be accessible from a common area such as a hall. Exceptions may be considered for the rehabilitation of one-bedroom units.
- The kitchen should be accessible from the entry.
- Bathrooms must not open from areas of food preparation or be used as a sole passageway to a habitable room, hall, basement, or the exterior.
- No habitable rooms are permitted in basement or cellar spaces unless egress is provided according to applicable fire codes.
- All windows in bedroom units must comply with all local and state life safety requirements. No windowless bedrooms will be allowed unless an architectural standards pre-application waiver is submitted with documentation evidencing the approval of such by the local code official and/or State Fire Marshal.

Unit Sizes:

The following criteria are the minimum requirements and submissions that appear to violate the spirit and intent of these minimums may be considered by DCA as a poor use of resources.

Net Rentable (Leasable) Square Footage:

This is the DCA definition for calculating “Residential Unit Square Footage” as it pertains to the Architectural Manual and other documents. It is calculated for each individual dwelling type.

The unit net rentable area is measured from the inside face of each of the unit’s perimeter walls.

- Net area included air-conditioned space only.
- Measure from the inside (paint) face of all unit perimeter walls.
- Do not include any patio, balcony, or breezeway areas.
- Do not include any outside storage closets.
- Do not deduct any interior walls.
- Include non-revenue units in total net rentable living area (Total Residential Unit Square Footage)

Closets

- According to market demand, a suitable number of closets should be provided for each dwelling unit.
- All closets designed to contain clothes must be a minimum of 2'-0" deep.
- Closets and defined storage areas must not be included in the room area square footage computations.
- Closets and storage spaces in accessible units must meet applicable reach range requirements.

Ceiling Heights

- Flat ceilings must be a minimum of 8'-0" above finished floor.
- Sloped ceilings must not be less than 5'-0" for the purposes of computing floor areas.
- Ceiling heights must meet minimum requirements established by the *Life Safety Code* and the Georgia State Fire Marshal's Office.

Floor Finishes:

Floor finishes are to be suitable for market conditions and appropriate to the space considered.

- Living Areas and Bedrooms: Carpet or LVT
- Bathrooms, Mechanical Closets, Laundry Areas, Kitchen and other high moisture areas: Sheet Vinyl, VCT, LVT or Ceramic Tile.

DCA will evaluate kitchen and living room flooring materials for appropriate marketability, durability, sound transmission, and tenant comfort.

All materials are to be installed to manufacturer's specifications using standard methods and resulting in the issuance of a manufacturer's guarantee. DCA may approve material upgrades that possess improved maintenance qualities, durability, safety and/or indoor air quality for the tenants. Manufacturer's warranties must be submitted to the Owner.

- Carpet: Unit carpeting may have a level loop, textured loop, level cut pile, or level cut/uncut pile texture. DCA may approve alternate carpeting materials and installation methods in units intended for the elderly or disabled. Carpeting shall comply with HUD's Use of Materials Bulletin No. 44d.
- Carpet pad must be installed under all carpeting for which it is intended and should comply with HUD's *Use of Materials Bulletin No. 72a*.

- Sheet vinyl must be a minimum 0.095 thickness and provide a 20-year residential warranty.
- Ceramic floor tile shall be minimum 12" x 12" and installed over poured concrete slab or cementitious backing material.
- VCT must be at minimum 0.080 thickness.
- Luxury Vinyl Tile (LVT) must have a 12mil wear layer and provide a 15-year residential warranty. LVT installed in kitchens, bathrooms, laundry areas and mechanical closets must be 100% waterproof.

Additional Requirements:

- Bathrooms must have adequate storage. If adequate cabinet space is not available, bathrooms must have medicine cabinets. Medicine cabinets should not be placed in party walls unless fire separation is continuous behind and around the cabinet installation.
- Plastic laminate material must be installed the full length and depth on the bottom shelf of vanity sink cabinets and kitchen sink cabinets and must be sealed/caulked around the full perimeter to all cabinet sides to prevent moisture/water penetration.
- Kitchen countertops must be constructed of 3/4" plywood. No particle board, press board or fiber board will be allowed.
- All open voids above and below upper and lower kitchen cabinets shall be sealed with caulk or cabinet matching material/finish and all cabinets shall be caulked where the cabinet meets a wall surface to prevent pest infestation. No open voids will be allowed. All open voids/holes in cabinet backs must be sealed with caulk or expandable foam and all pipe penetrations must be covered with an escutcheon.
- Kitchen cabinets must be provided above and below countertops. Cabinets shall be constructed with solid wood or plywood stiles, rails, doors and drawer fronts. All cabinets will conform to the performance and fabrication requirements of HUD Severe Use and *ANSI/KCMA A161.1-2000* and bear the KCMA Certification Seal.
- Blinds: All windows should have neutral color horizontal mini-blinds. All glass doors should have either mini-blinds or vertical slat blinds.
- Cable outlets must be provided in the main living area and in all bedrooms.
- All interior finishes, especially interior paint, must be low in Volatile Organic Compounds (VOCs) as defined in the EarthCraft Multifamily program (<http://www.earthcraft.org/multifamily>).

- In new construction and adaptive re-use projects, all water heater tanks must be placed in an overflow pan piped to the exterior of the building, regardless of location and floor level unless a primed p-trap is installed. The temperature and relief valve must also be piped to the exterior. Water heaters must be placed in closets to allow for their removal and inspection by or through the closet door. Water heaters may not be installed over the clothes washer or dryer space.
- Bathroom shower walls shall be either ceramic tile, solid surface material, one-piece fiberglass tub/shower enclosure or one-piece fiberglass shower enclosure. Ceramic wall tile shall be installed over cementitious backing material.
- All dwelling units shall have washer and dryer hookups.

APPLIANCES:

Appliances must include washers, dryers, microwaves, refrigerators, ranges, and dishwashers. Minimum refrigerator sizes for one and two bedroom units—14 cubic feet.; three bedroom units—16 cubic feet. Other kitchen appliance sizes must be appropriate for the unit and number of tenants. Appropriate appliances listed in US EPA's Energy Star program must be provided. Further information is available at <http://www.energystar.gov/>.

Washers in units must be equipped with a drain pan or floor drain as required by the *Georgia State Minimum Standard Codes (with Georgia Amendments)*. Owner-furnished washers in dwelling units and community laundries shall be front-loading and Energy Star rated. All refrigerators shall have a built in icemaker.

Plumbing

Plumbing components must be replaced if they do not meet the requirements of applicable building codes, do not meet Threshold Section Building Sustainability, do not have the required Effective Remaining Life, 50% of the plumbing system needs replacement, or if lead in water testing results from the Phase I Environmental Site Assessment exceeds regulated levels

Where existing components of a system are to be reused, they will be examined and determined to be in good condition, code compliant and have a remaining useful life of a minimum of 30 years, or covered by the 20-year capital plan and/or subsequent 5-year updates during the 30-year affordability period. Substandard or critical non-code compliant components shall be replaced.

Kitchen fixtures – When existing kitchen fixtures are not reused in accordance with a. above, new sinks and faucets, and associated plumbing shall be installed in each apartment.

Bath fixtures – When existing bath fixtures are not reused in accordance with a. above, new water saving toilets, tubs and tub surrounds, lavatory sinks, and faucets shall be installed in each apartment.

Three and four-bedroom apartments are encouraged to be designed to include 1½ baths minimum where adequate space is available.

Provision for laundry rooms or laundry hook-ups may be made per project's program requirements.

Provision for other utility plumbing for janitor sinks, floor drains, outdoor faucets, drains for dehumidification systems, etc., may be made as desired or required.

Electrical

The existing electrical system shall be upgraded to meet all applicable codes. If 50% of the system needs replacement, the entire system must be replaced. This includes all wiring for the electrical system. Electrical distribution system minimum panel size is 100 amps, or per code. Electrical switches, outlets, thermostats, phone and television jacks and other controls are to be installed per Fair Housing Act Design Manual requirements in qualified units and per appropriate accessibility law in accessible units. All penetrations of smoke partitions and rated assemblies must comply with fire codes as administered by the local authorities.

Acoustical Isolation:

Acoustical isolation requires a minimum STC rating of 52. Acoustical isolation surpassing the required minimums will increase unit quality. Noise levels on funded properties must meet DCA and HUD noise limitations:

- exteriors – 65 dB
- interiors – 45 dB

In areas where daytime/nighttime noise levels are above these limitations, documentation of the construction and mitigation methods must accompany the application for funding. The following minimum standards apply:

- Between units: 1 hr. rated UL assembly with one layer 5/8" GWB on each side (minimum or per local fire requirements if greater) w/two sets of staggered 2x4 studs (or metal stud equivalent), sound insulated with blanket material to STC rating of 52. All wall edges must be caulked;

- Within unit: one layer ½” GWB on each side 2x4 studs (or metal stud equivalent);
- Floor to floor: 1 hr. rated UL assembly with a minimum STC rating 52. A minimum of 1” lightweight concrete or ¾” gypcrete topping over wood sub floor (optional floor construction may be considered for the rehabilitation of existing residential units).

Thermal Insulation:

Thermal insulation must meet minimum standards as defined in *Georgia State Minimum Standard Energy Code (International Energy Conservation Code)*. To prevent freezing of supply lines, all plumbing in exterior walls must be insulated on the cold side of the wall.

Radon:

All new construction must be built in accordance with current EPA requirements for radon resistant construction techniques, including, but not limited to, ASTM E1465 –08a Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings. Both new construction and rehabilitated buildings must be tested prior to tenant occupancy for compliance with EPA’s established limits for radon levels.

ELECTRIC RECEPTACLE AND FIXTURE LOCATION REQUIREMENTS FOR ELECTRICAL UPGRADES

INTERIOR LOCATIONS:

Kitchens:

- All kitchen receptacles **should** be on a 3-wire grounded 20 amp circuit and **shall** be GFCI protected unless for a dedicated appliance on a dedicated circuit (see NEC).
- Receptacle outlets **shall** be installed every 48 inches at each kitchen wall counter space 12 inches or wider, and **shall** be installed so that no point along the counter line is more than 24 inches from a receptacle outlet in that space (see NEC).
- The kitchen **shall** have two dedicated 20-amp small appliance branch circuits that serve only the kitchen.

- The kitchen **shall** have a non-GFCI protected receptacle for the refrigerator that **should** be located directly behind the refrigerator.
- A permanently installed overhead lighting fixture controlled by a wall switch **shall** be required in the kitchen.

Bathrooms:

- The bathroom **shall** have at least one dedicated 20-amp receptacle outlet, which **shall** be GFCI protected, marked in the service panel, and **shall** be located at least thirty 30 inches and not more than 48 inches above the floor adjacent to the lavatory and not more than 3 feet of the outside edge of each basin and at least 12 inches from the outer rim of any bathtub or shower opening.
- A permanently mounted switch controlled ceiling or wall lighting fixture **shall** be present. Hanging fixtures or lighting tracks **shall not** be located over the tub unless they are over 8 feet above the tub or labeled for wet locations.
- Exhaust fans **shall** include a closure device that seals the duct when the fan is not operating. Ducts **shall** lead directly to the outside air.
- All bathrooms **shall** have an exhaust fan. Newly installed bathroom exhaust fans **shall** be able to move enough air for 8 air changes per hour. All replacement or new exhaust fans **shall** be a maximum of **2.5** sones. The fan **should** be installed in a manner that will encourage the occupants to use it and to leave it on long enough to be effective, for 20 minutes to an hour after showering.

Habitable Rooms (Bedrooms/Living Room/Dining Room/Family Room/Den/Parlor):

One of the following **shall** occur:

- In each family room, dining room, bedroom, living room, parlor, library, den, sunroom, recreation room or similar room or area, receptacle outlets **shall** be placed so that at a minimum each wall has no less than one receptacle; or

- The receptacles **shall** be spaced so that no point along the perimeter of the floor is more than 6 feet from a receptacle. Receptacles **should** be spaced equal distances apart.
- All existing non-grounded receptacles **shall** be replaced with new polarized non-grounding receptacles, or GFCI receptacles, or the circuit shall be GFCI protected in a two-wire system, and **shall** meet the requirements of RRS 4.6.2.
- ARC-Fault Circuit Interruption (AFCI) protection may be required in bedrooms depending on local code interpretation. Refer to the NEC, which notes the requirements of installation in bedrooms. Local code **shall** be followed.

Laundry Rooms and Utility Areas:

- Every laundry room/utility area **shall** have a receptacle outlet. The washer **shall** have a dedicated (single outlet) receptacle on a separate dedicated 20-amp circuit labeled in panel box. See the requirements at RRS 4.4.1 and 4.6.5.
- The laundry room/utility area **shall** have a permanent lighting fixture controlled by a wall switch.

Closets and Pantries:

- Closet lights **should** be installed, and unsafe fixtures **shall** be removed.
- Only surface-mounted or recessed fluorescent fixtures or recessed incandescent fixtures with enclosed lamps **shall** be installed in closets in the wall or ceiling no less than 6 inches away from any storage as required by the NEC.

Hallways:

- A receptacle **shall** be installed in hallways 10 feet or longer. A convenience receptacle **should** be installed in each hallway.

Attics and Crawlspace:

- A permanent electric light fixture and outlet **shall** be installed near all heating equipment located in enclosed rooms, attics and crawl spaces to provide for maintenance needs. The light **shall** be controlled by a switch located at the passageway opening.

Unfinished Basements and Garages:

- Outlets installed in unfinished basements and or crawl spaces **shall** be GFCI protected (see NEC Article 210-8 (a) (4). Exception- a receptacle located in a dedicated space for an appliance, such as a washing machine or sump pump.
- Every basement **shall** have at least one switch controlled light fixture and one general-purpose outlet.
- Every attached garage (and detached garages with power), **shall** have at least one GFCI protected receptacle outlet located at least 48 inches above floor.

Equipment:

- Furnaces and Air Conditioning equipment **should** have their own electrical disconnects which are within sight of and readily accessible from equipment for which it is intended and are of correct amperage and installed in accordance with all relevant NEC provisions.
- A permanent electrical receptacle and lighting fixture **shall** be provided near all heating appliances located in enclosed rooms, attics, basements and crawlspaces.
- Wiring for room air conditioners **shall** conform to the NEC.
- Electrical circuits for well pumps (jet pumps or submersible pumps), sump pumps, and septic aerators **shall** be on dedicated circuits labeled in the panel box in accordance with NEC requirements.
- Equipment, such as washing machines and ranges **shall** be grounded per the requirements of NEC.

EXTERIOR LOCATIONS:

- Exterior outlets **shall** be GFCI weather protected per the NEC. Each dwelling **should** have two weather protected GFCI receptacles installed, one located at the front and one located at the rear of the unit.
- A permanently installed light fixture controlled by a wall switch **shall** be located at each exterior door.

ACCESSIBILITY

DCA requires that all projects which receive funding under the 2017 Qualified Allocation Plan be designed and constructed in a manner so that the units, common areas, facilities and services are readily accessible to and usable by disabled persons. All projects that receive allocations or funding under the Plan must comply with all applicable federal and state accessibility laws. When two or more accessibility standards apply, the provider is required to follow and apply both standards so that a maximum accessibility is obtained. All Rehabilitation Work Scopes must meet applicable federal, state, local, and DCA requirements. DCA requires 5% of the units to be fully accessible with an additional 2% equipped for the hearing and sight impaired. DCA maintains the same standard for new construction and rehabilitation regarding accessibility requirements. See the [Accessibility Manual](#) located in *Appendix A* of this document for further guidance. The work scope should specifically address the work required to bring the property into full compliance with federal, state, local, and DCA requirements. It is mandatory that the Property be designed to meet all applicable federal, state, and DCA requirements for accessibility by the disabled. The accessibility characteristics are to be incorporated in the layout and design of open spaces, building locations and unit designs. Refer to the DCA Accessibility Manual for additional information. Please note that DCA requirements may be more stringent than federal or state requirements.

For new and rehabilitation construction, DCA requires that:

- 1.) At least 5% of the total units (but no less than one unit) must be equipped for the mobility disabled, including wheelchair-restricted residents.**
- 2.) Roll-in showers must be incorporated into 40% of the mobility-equipped units (but no less than one unit).**

3.) At least an additional 2% of the total units (but no less than one unit) must be equipped for the hearing and sight impaired residents.

The same unit cannot be used to satisfy the 5% and 2% requirement.

Preservation of existing affordable housing that cannot be modified to meet accessibility requirements that are not required by law, may request a DCAwaiver.

For Scattered Site Projects, the 5% and 2% requirements are applicable to the project as a whole; however, the distribution of the units must be across the non-contiguous parcels.

Newly constructed and rehabilitated single-family and multi-family housing developments receiving DCA funding are subject to statutory and regulatory accessibility requirements. It is the responsibility of the Owner, Architect, and Contractor, to ensure compliance with all federal, state and local laws. DCA's direct relationship to the Owner pertains only to the awarding of funds. The Owner bears final responsibility for compliance, regardless of fault, though he may seek legal restitution from the source of non-compliance.

Specifically, the Owner, Architect, and Contractor must ensure that the project is designed and built to meet applicable standards. Failure to meet these standards may result in federal and state noncompliance and costly repairs or corrections. Projects receiving DCA funding must meet federal, state and local accessibility laws, including, but not limited to:

- *Title II and III of the Americans with Disabilities Act (ADA) applies to all actions of state and municipal governments as well as all "public entities" (Title II) and public accommodations (Title III). The ADA requires compliance with the ADA Accessibility Guidelines (ADAAG);*
- *Section 504 of the Rehabilitation Act of 1973 (Section 504) applies to all entities who receive federal funds. Section 504 requires compliance with the Uniform Federal Accessibility Standards (UFAS);*
- *The Fair Housing Amendments Act of 1988 (FHA) applies to all "covered units" of multifamily development regardless of funding source FHA requires compliance with the Fair Housing Accessibility Guidelines (FHAG);*
- *The Georgia Access Law (O.C.G.A. §30-3 et. seq.) and all applicable compliance standards;*
- *Georgia Fair Housing Law (O.C.G.A. §8-3-200 et. seq.) and all applicable compliance standards;*

- *Georgia Single Family Accessibility (O.C.G.A. §8-3-172 et. Seq.) and all applicable compliance standards;*
- Any other accessibility laws and regulations, including local (building and accessibility) codes, applicable to the project.

Each project selected for allocation is required to retain a DCA qualified consultant to monitor the project for accessibility compliance.

The Consultant cannot be a member of the proposed Project Team nor have an Identify of Interest with any member of the proposed Project Team.

The DCA qualified consultant must perform the following:

1. A pre-construction plan and specification review to determine that the proposed property will meet all required accessibility requirements. The Consultant report must be included with the Step 2 construction documents submitted to DCA. At a minimum, the report will include the initial comments from the consultant; all documents related to resolution of identified accessibility issues and a certification from the consultant that the plans appear to meet all accessibility requirements.
2. Provide at least two training sessions to the General Contractor and Subcontractors regarding accessibility requirements. One training must be on site.
3. An inspection of the construction site after framing is completed to determine that the property is following the approved plans and specifications as to accessibility. DCA must receive a copy of the report issued by the consultant as well as documentation that all issues, if any, have been resolved.
4. A final inspection of the property after completion of construction to determine that the property has been constructed in accordance with all accessibility requirements. DCA must receive a copy of the report issued by the consultant as well as documentation that all issues, if any, have been resolved prior to submission of the project cost certification.

Section 504 of the Rehabilitation Act of 1973

A. **Applicability.** Section 504 of the Rehabilitation Act of 1973 (Section 504) prohibits discrimination against persons with disabilities in the operation of programs receiving federal financial assistance. Specifically, Section 504 governs the design and construction of housing to ensure that federal programs are operated to be accessible to persons with disabilities, and to ensure that a portion of housing developed with federal funds is accessible to those with mobility,

visual, and hearing impairments. These programs include, but are not limited to HOME, CDBG, and other programs under the jurisdiction of the HUD Office of Multifamily Housing Program. HUD regulations implementing Section 504 contain accessibility requirements for new construction and rehabilitation of housing as well as requirements for ensuring that the programs themselves are operated in a manner that is accessible to and usable by persons with disabilities. Both individual units and the common areas of buildings must be accessible under Section 504. **All projects funded under the NHTF that provides for the new construction or rehabilitation of multifamily housing projects must be designed and built in accordance with the appropriate accessibility requirements of Section 504 if the projects will receive tax credit, HUD/HOME Program or other federal funding.** These specific design and construction standards can be found in the Uniform Federal Accessibility Standards (UFAS).

B. Specific 504 Requirements.

New Construction – A minimum of 5% or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with mobility impairments. In addition to the 5% of units made accessible to individuals with mobility impairments, a minimum of 2% or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with sensory impairments (hearing or vision).

Substantial Rehabilitation – If alterations are undertaken to a project that has 15 or more units and the cost of the alteration is 75% or more of the replacement cost of the completed facility, then the accessibility requirements for the projects are the same as for newly constructed projects.

Other Alterations- When other alterations are undertaken, including but not limited to modernization and rehabilitation which does not meet the Threshold of “substantial” rehab under the Act, such alterations are required to be accessible to the maximum extent feasible up to the point where at least 5% or the units in a project are accessible. If alterations of single elements or spaces of a dwelling unit when considered together amount to an alteration of a dwelling unit, then the entire dwelling unit shall be made accessible.

In some cases, Section 504 requirements may be stricter than requirements under the Fair Housing Act. For instance, in regards to townhome development, Section 504 would be applicable to a new construction project composed of all two story townhomes. HUD Notices CPD 00-09 and PIH 99-52 (HA) states that, "a development consisting entirely of multistory townhouses constructed with federal financial assistance is not a covered multifamily dwelling for purposes of

the design and construction requirements at 24 CFR §100.205 (FHAG), but would still have to meet the Section 504 5% + 2% accessibility requirements at 24 CFR §8.22 (Section 504). A townhouse development of five (5) or more single story units would still have to comply with the Fair Housing Act design and construction requirements. Whether or not the rehab of a development of two story townhouses would need to meet the 504 requirements would depend on the extent of the rehabilitation and whether the applicant could present documentation that the modifications would not be feasible.

Disaster Mitigation

To the extent applicable/ relevant, housing must be improved to mitigate the potential impact of potential disasters (e.g. earthquakes, hurricanes, floods, wildfires) in accordance with state or local codes, ordinances, and requirements, or such other requirements that HUD may establish.

Specifically regarding flood hazards, the most relevant potential natural disaster for the State of Georgia:

Projects shall meet FEMA federal regulations, and HUDs floodplain management requirements at 24 CFR 55, including the 8-Step Floodplain Management Process (when applicable) at 24 CFR 55.20.

Health & Safety

If the housing is occupied at the time of rehabilitation, any life-threatening deficiencies must be identified and addressed immediately. All critical health and safety items, which pose the possibility of death or more than a remote possibility of a critical health issue from long or short-term exposure by one or more of the occupants, shall be addressed. All items that pose a risk to one or more of the occupants, even though it is minimal, because of likely contact on a several times a week basis shall be addressed. All items that threaten the integrity of the house, because failure to replace will lead to deterioration, collapse, or other failure of a housing component shall be addressed. All items that must be done to ensure that all new work complies with the applicable building codes shall be completed. All items that are necessary for basic sanitation and privacy shall be completed. See *Appendix C* for a list of Inspectable Items and Observable

Deficiencies, including the identification of life-threatening deficiencies for the property site, building exterior, building systems, common areas, and units.

Lead-Based Paint

Lead-based paint (LBP) renovation work is necessary to address an important health and safety issue. Lead-based paint hazards and work pose a real health and safety risk to all occupants and need to be taken seriously in all housing unit (unit) constructed prior to 1978. The safety of children under the age of six, pregnant women and women of childbearing years are the most important people to protect from lead based paint exposure. The occupants may be an older couple, but have the grandchildren who visit frequently, thus exposing a child under six to lead hazards. To be effective, LBP work must accomplish the following:

- Identify all possible lead hazards
- Identify the household and family characteristics
- Provide qualified contractors to perform work
- Provide adequate monitoring of work and
- Ensure that all identified lead-based paint hazards are eliminated and that the unit is physically clear of lead dust above the allowable amounts.

It is up to the risk assessor to identify the lead hazards and family characteristics, and to develop a scope of work for dealing with the hazards, in conjunction with the rehabilitation specialist, who may be detailing the scope of other work to be done at the unit. A plan must also be put in place for the scheduling of the work, including any necessary relocation.

The program will need to ensure that qualified contractors will complete the work, and that they will be provided with adequate oversight to ensure that the work is done adequately and in a safe manner for both the workers and the occupants. Work not done properly or checked carefully could leave the unit less safe than when the work started.

The clearance examination is probably the most important item on the list, because it ensures that the work was completed correctly. When the unit passes clearance, the identified lead-based paint hazards and dust should no longer be a danger to any occupant in the unit. The following regulations must be adhered to during all rehabilitation of target housing:

Federal Regulations:

HUD Lead Safe Housing Rule (Title 24, Part 35) requires various levels of evaluation and treatment of lead paint hazards when federal money is used for rehabilitation of target housing.

EPA Renovation Repair and Painting Rule (40 CFR Part 745) – Requires contractors conducting renovation, repair or maintenance that disturbs paint in target housing or child-occupied facilities to be licensed by EPA and use lead-safe work practices to complete the work. Developers must ensure contractors are properly trained and licensed. More information is available at: <http://www2.epa.gov/lead>.

HUD/EPA Disclosure Regulations (Title 24, Part 35, Subpart A) – Requires owners of target housing to disclose all lead paint records and related information to potential buyers and/or tenants. More information is available at: http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_12347.pdf.

OSHA Lead in Construction Rule (29 CFR Part 1926.62) - Proscribes personal protection measures to be taken when workers are exposed to any lead during construction projects. More information is available at: https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10641.

The Fannie Mae Physical Needs Assessment Guidelines

Below is a reproduction of the directions for completing the Fannie Mae forms. Note that DCA may have detailed specific guidance above, which overrides these boilerplate directions. The Fannie Mae Physical Needs Assessment will be used in conjunction with the UPCS.

The inspectable areas and observable deficiencies from HUD's Uniform Physical Condition Standards are available through the HUD Exchange website (<https://www.hudexchange.info/onecpd/assets/File/HTF-FAQ-Appendices-UPCS-for-Multifamily-and-Single-Family-Housing-Rehabilitation.pdf>) and in the Appendix of this document. For all projects involving rehabilitation, the grantee **shall** use the Property Inspection List found in Appendix of this document. Utilizing the property inspection list will ensure that deficiencies are prioritized in a manner that ensures the most critical health and safety issues are addressed.

The property inspection sheet prompts the grantee to categorize deficiencies as "Level 1", "Level 2" or "Level 3". Deficiencies categorized as "Level 3" are assigned top priority and must be addressed as a part of the rehabilitation. Deficiencies categorized as "Level 2" must be addressed prior to addressing deficiencies categorized as "Level 1". Grantees, based upon project costs and available funds, will have flexibility in addressing deficiencies categorized as "Level 1". Thoroughness of the inspection of each potential rehabilitation project, as well as an understanding of the specific needs of the household is important; as similar deficiencies may be categorized at different levels based upon the lifestyle of the client. For example, an inspection may reveal that a bedroom containing only one wall receptacle has extension cords being utilized to power multiple electronic devices. The overloading of the lone receptacle is a health and safety concern that would be categorized as a "Level 3". Alternatively, a bedroom in another home might have only one receptacle, but because the homeowner does not use that bedroom for anything other than a spare room, and no receptacle overloading is observed, the deficiency is more of an inconvenience instead of a health and safety issue, and might be categorized as a "Level 1". Applicants must be able to demonstrate compliance with these standards.

The standard format forms are to help the Consultant conduct a comprehensive and accurate assessment. However, the forms should not constrain the Consultant from fully addressing other findings and may be supplemented as necessary to create a thorough record of the property's physical needs. The forms may be altered to serve the Consultants' needs if the basic format is maintained and the same information is presented.

SPECIFIC GUIDANCE TO THE PROPERTY EVALUATOR

Purpose

The purpose of the Physical Needs Assessment is to identify and provide cost estimates for the following key items:

Immediate Physical Needs - repairs, replacements and significant maintenance items, which should be done immediately.

Physical Needs Over the Term - repairs, replacements and significant maintenance items that will be needed over the term of the mortgage and two years beyond.

As part of the process, instances of deferred maintenance are also identified. The assessment is based on the evaluator's judgment of the actual condition of the improvements and the expected useful life of those improvements. It is understood that the conclusions presented are based upon the evaluator's professional judgment and that the actual performance of individual components may vary from a reasonably expected standard and will be affected by circumstances which occur after the date of the evaluation.

This package explains how to use the set of forms provided by Fannie Mae. It is important to recognize that the forms are intended to help the evaluator conduct a comprehensive and accurate assessment. They also present the results of that assessment in a relatively standard format that will be useful to the lender in making underwriting decisions. However, the forms should not constrain the evaluator from fully presenting concerns and findings. The forms should be used and supplemented in ways that facilitate the preparation and presentation of information useful to the lender regarding the physical needs of the property.

The Systems and Conditions forms may be altered and/or computerized to serve the evaluators' needs so long as information is provided on the condition and Effective Remaining Life of all components and the Effective Remaining Life is compared to the standard Expected Useful Life (EUL). The Summary forms may also be extended or computerized so long as the basic format is maintained.

Terms of Reference Form

The lender's inspector completes this form for the evaluator, as part of the needs assessment form. It serves as a reference point for the assessment and provides the evaluator with basic information about the property and the term of the loan. Four additional topics are covered:

1. Sampling Expectations - The lender's expectations about the number and/or percentage of dwelling units, buildings and specialized systems to evaluate may be stated. If there is no stated expectation, the evaluator should inspect sufficient units, buildings, and numbers of specialized systems to state with confidence the present and probable future condition of each system at the property. The evaluator should provide a separate statement indicating the sampling systems used to ensure a determination of conditions and costs with acceptable accuracy.

If a Sampling Expectation is provided by the lender, which is not adequate to achieve the requisite level of confidence, the evaluator should so advise the lender. Considerations in determining an adequate sample size are age and number of buildings (especially if the property was developed in phases), total number of units, and variations in size, type and occupancy of units.

Effective sampling is based on observing a sufficient number of each significant category. Using the above criteria, categories could include buildings by age of each building (e.g. inspect buildings in the 8 year old phase and in the 11 year old phase), buildings by type (e.g. row house, L-shaped row house, walkup, elevator) and/or buildings by construction materials (e.g. inspect the garden/flat roof/brick walls section and the garden/pitched roof/clapboard walls section).

Dwelling units are separate categories from buildings. At a minimum, sampling is by unit size (0/1/2/3/4 bedrooms). There may be further categories if units are differently configured or equipped, or have different occupants (especially family or elderly). Generally, we would expect the percentage of units inspected to decrease as the total number of unit's increases. Systems that are not unit specific, such as boilers, compactors, elevators and roofs, will often have a 100% sample.

The overriding objective: SEE ENOUGH OF EACH UNIT TYPE AND SYSTEM TO BE ABLE TO STATE WITH CONFIDENCE THE PRESENT AND PROBABLE FUTURE CONDITON.

2. Market Issues - In certain instances, market conditions may necessitate action on certain systems. Examples are early appliance replacement or re-carpeting, new entry paving, special plantings, and redecorated lobbies. If the owner or lender has identified such an action, the evaluator should include cost estimation for such action and indicate what, if any, other costs would be eliminated by such action.

3. Work In Progress - In some instances, work may be underway (which can be observed) or under contract. When known by the lender, this will be noted. For purposes of the report, such work should be assumed complete, unless observed to be unacceptable in quality or scope.
4. Management-Reported Replacements - In some instances, the property ownership or management will provide the lender with information about prior repairs or replacements that have been completed in recent years. The lender may provide this information to the evaluator to assist in the assessment of these components. The evaluator should include enough units, buildings, or systems in the sample to reasonably verify the reported repairs or replacements.

Systems and Conditions Forms

It is the responsibility of the evaluator to assess the condition of every system that is present at a property. All conditions, except as noted below, requiring action during the life of the loan must be addressed regardless of whether the action anticipated is a capital or operating expense.

To assist evaluators in reviewing all systems at a property, four Systems and Conditions Forms are provided. Each lists a group of systems typically related by trade and/or location. The four forms are Site, Architectural, Mechanical and Electrical, and Dwelling Units. While the forms have several columns, in which information may be recorded, in many instances only the first three columns will be completed. If the condition of a system is acceptable, the Effective Remaining Life exceeds the term of the mortgage by two years, and no action is required, no other columns need to be completed.

The report is not expected to identify minor, inexpensive repairs or other maintenance items that are clearly part of the property owner's current operating pattern and budget so long as these items appear to be taken care of on a regular basis. Examples of such minor operating items are occasional window glazing replacement and/or caulking, modest plumbing repairs, and annual boiler servicing.

However, the evaluator should comment on such items in the report if they do not appear to be routinely addressed or are in need of immediate repair.

The report is expected to address infrequently occurring "big ticket" maintenance items, such as exterior painting, all deferred maintenance of any kind, and repairs or replacements that normally involve significant expense or outside contracting. While the evaluator should note any

environmental hazards seen in the course of the inspection, environment-related actions, such as removal of lead-based paint, will be addressed in a separate report prepared by an environmental consultant.

USING THE SYSTEMS AND CONDITIONS FORMS

Purpose

The forms can be used both to record actual observations at a specific location and for an overall summary. For example, the Architectural form can be used for a specific building (or group or identical buildings) as well as for summarizing all information for buildings at a property. The same is true for the Dwelling Unit form. An unlabeled form is included which can be used as a second page for any of the Systems and Conditions Forms.

In some instances, the evaluator will note components, which, while they may continue to be functional, may reduce marketability of the property. For example, single-door refrigerators or appliances in outmoded colors may have such an impact in some properties. The evaluator should note these items, discuss them with the lender, and provide separate estimates of the cost to replace such items if requested.

Each of the four forms has a number of frequently occurring systems and components listed. This list represents only the most frequently observed and is not meant to be all-inclusive. Every system present at the property must be observed and recorded. Any system not listed on the form may be included in the spaces labeled "Other".

Note that the assessment includes the systems and components in both residential and non-residential structures. Thus, garages, community buildings, management and maintenance offices, cabanas, pools, commercial space, and other non-residential buildings and areas are included.

Items (EUL)

The Expected Useful Life (EUL) figure that appears in parentheses after the Item is taken from the Expected Useful Life Table provided. This table provides standard useful lives of many components typically found in apartment complexes. Where the parentheses do not contain a number, it is because there are various types of similar components with differing economic lives.

The evaluator should turn to the Expected Useful Life Table and select, and insert, the appropriate Expected Useful Life (EUL) number. If the Expected Useful Life (EUL) will, without question, far

exceed the term of the mortgage plus two years, the Expected Useful Life (EUL) number need not be inserted.

Note: It is recognized that the Expected Useful Life Tables represents only one possible judgment of the expected life of the various components. If we receive substantial material to the effect that one or more of the estimates are inappropriate, we will make adjustments. Until such changes are made, the Tables provide a useful and consistent standard for all evaluators to use. They avoid debate on what the appropriate expected life is and permit focus on the evaluator's judgment of the effective remaining life of the actual component in place, as discussed below.

Age

The evaluator should insert the actual Age of the component or may insert "OR" for original. If the actual age is unknown, an estimate is acceptable. If there is a range in Age (for example, components replaced over time), the evaluator may note the range (i.e., 5-7 years) or may use several lines for the same system, putting a different Age of that system on each line.

Condition

This space is provided to indicate the Condition of the component, generally excellent, good, fair, or poor, or a similar and consistent qualitative evaluation.

Effective Remaining Life

This space is provided for the evaluator to indicate the remaining life of the component as is. For standard components with standard maintenance, the Expected Useful Life Table provided by the Lender could be used to determine Effective Remaining Life by deducting the Age from Expected Useful Life (EUL). However, this should not be done automatically. A component with unusually good original quality or exceptional maintenance could have a longer life.

On the other hand, if the component has been poorly maintained or was below standard original quality, the useful life could be shorter than expected. The evaluator applies professional judgment in making a determination of the Effective Remaining Life. If the Effective Remaining Life is longer than the term of the loan plus two years, no deferred maintenance exists, and no action needs to be taken during the life of the loan, no other columns need to be filled out.

The only exception may be Diff? (Difference), as discussed below. This should be noted when the evaluator's estimate of the Effective Remaining Life varies by more than two years from the standard estimate.

(Difference)

The Age of the component should be deducted from the Expected Useful Life (EUL) in parentheses and the answer compared to the Effective Remaining Life estimated by the evaluator. Where there is a difference of over two years, the evaluator should insert a footnote number in the Diff? (Difference) column and supply in an attached list of footnotes a brief statement of why, in the evaluator's judgment, the Effective Remaining Life of the component varies from the standard estimate. This approach provides consistency among evaluators while making best of the evaluators' professional judgment.

Action

If any Action is required - immediately, over the life of the loan, or within two years thereafter - the Action should be recorded as repair, replace, or maintain. Repair is used when only a part of an item requires action, such as the hydraulics and/or controls of a compactor. Replace is used when the entire item is replaced. Maintain is used where special, non-routine maintenance is required, such as the sandblasting of a swimming pool. In cases where a repair or maintenance may be needed now, and replacement or further maintenance may be needed later, separate lines may be used to identify the separate actions and timing.

Now?

If the item involves a threat to the immediate health and safety of the residents, clearly affects curb appeal, will result in problems that are more serious if not corrected, or should otherwise be accomplished, as part of an immediate repair, maintenance or replacement program, this space should be checked. Replacements which may be needed in year one, but do not require immediate attention, need not be checked.

DM (Deferred Maintenance)

The DM (Deferred Maintenance) space is marked in any instances where current management practice is clearly inadequate and the owner's attention should be called to the item, even if no major expenditure or significant labor may be required.

Quantity

For items requiring action, the evaluator should note the Quantity of the system, with the applicable unit of measure entered (each, unit, square feet, square yards, linear feet, lump sum, etc.).

Field Notes

This space, as well as attachments may be used to record the type of component (16cf, frost-free, Hotpoint), the problem (valves leaking) or other information (consider replacement for marketing purposes, replace 30% per year, work in progress, etc.) that the evaluator will need to complete the Evaluator's Summary.

Sample Form

The following example from the Dwelling Unit Systems and Conditions form illustrates how this form is properly used. The example presumes an 11 story building containing 1 and 2 bedroom units. There are 100 units. The age of the building is 9 years. The term of the proposed loan is 7 years.

Countertop/sinks are 9 years old. (The entry could also be "OR"). Condition is excellent, with an Effective Remaining Life of 10 years. This is significantly different from the anticipated Effective Remaining Life of 1 (an EUL of 10 years minus an Age of 9 years). Therefore, there is a footnote entry "1" in the Diff? column. The footnote will indicate that this item is made of an exceptionally durable material, along with a top quality stainless steel sink.

The evaluator's estimate of an Effective Remaining Life of 10 years + is beyond the term of +2. No capital need would be reported.

Refrigerators are also original, reported as Hotpoint 16 cf frost-free. Replacement is expected around the Effective Remaining Life, noted as 20% annually and beginning in the 5th year of the loan when the refrigerators are 14 years old. Disposals range from new to original (Age = 0-9). 20% per year replacements will be needed starting in year 1. The evaluator notes that disposals appear to be replaced as part of the project's normal operations.

Bath fixtures are original, and in good condition. No replacement is expected to be required during the term +2 years. The note indicates that they are "dated looking," which may prompt a market consideration for replacement.

Ceiling is a special entry. The "04" stack of units has experienced water damage to ceilings from a major plumbing leak. This is noted for repair NOW. As this apparently occurs in all 10 units in this stack, and therefore is likely to have more than a modest cost, this action would be reported on the Immediate Physical Needs summary form.

Evaluator's Summary Forms

Two separate forms are used to summarize the evaluator's conclusions from the Systems and Conditions Forms. One summarizes Immediate Physical Needs and the other summarizes the Physical Needs over the Term +2 years.

Evaluator's Summary: Immediate Physical Needs

All of the items for which Now? Are checked are transferred to this form. This form provides for the listing of Items, Quantity, Unit Cost and Total Cost of each. The Item and Quantity are transferred directly from the Systems and Conditions Form.

Unit Cost - This is the cost per unit (sf, ea, lf, etc.) in current dollars to implement the required action. The source of the cost estimate should be listed in a separate attachment. The sources may include a third-party estimation service (e.g., R.S. Means: Repair and Remodeling Cost Data), actual bid or contract prices for the property, estimates from contractors or vendors, the evaluator's own cost files, or published supplier sources.

Total Cost - This is the result of multiplying the quantity times the unit cost. It is expressed in current year dollars.

DM (Deferred Maintenance) -If the item evidences deferred maintenance, this column is checked.

Comments - the comments column, or an attachment, should clearly provide information on the location and the nature of problem being addressed for each item. The information should be adequate for the owner to begin to implement the action.

Evaluator's Summary: Physical Needs over the Term

Those items not listed on the Immediate Physical Needs form, but for which action is anticipated during the term of the loan plus two years, are listed on the form. The item and Quantity are transferred directly from the Systems and Conditions Form. The Unit Cost is calculated in the same manner as on the Immediate Physical Needs Form.

An attachment should be provided which gives any necessary information on the location of action items and the problem being addressed for each item. The information should be adequate for the owner to begin to implement the action.

Cost by Year - the result of multiplying the quantity times the unit cost, in current dollars, is inserted in the column for the year in which the action is expected to take place. Generally, the Effective

Remaining Life estimate provided by the evaluator on the Systems and Conditions will indicate the action year. For example, if the evaluator has indicated that the Effective Remaining Life of the parking lot paving is 4 years, the cost, in current dollars, is inserted in Year 4.

If the items are likely to be done over a number of years, the costs, in current dollars should be spread over the appropriate period. For example, if the Effective Remaining Life of the Refrigerators is estimated to be 4 years, or 3-5 years, one third of the cost of replacing the refrigerators may appear in each of Years 3, 4, and 5.

Total Un-inflated - After inserting all of the appropriate action items, the evaluator should total the items for each year.

Total Inflated - The evaluator should multiply the Total Un-inflated times the factor provided to produce the Total Inflated.

Total Inflated All Pages - On the last sheet, the evaluator should include the Total Inflated Dollars for that page and all prior pages.

Cumulative Total All Pages - On the last sheet, the evaluator should insert the Total Inflated Dollars of that year and all prior years.

Special Repair and Replacement Requirements

While performing a property inspection, the evaluator must be aware that certain building materials and construction practices may cause properties to experience (or to develop in a short time period) problems that can be corrected only with major repairs or replacements.

The following identifies some specific construction related problems; however, the evaluator must be aware that other construction related problems may be found in any property and should be identified. If any of the following requirements are not met or if the evaluator determines that the following conditions or others are present, the evaluator must contact the lender immediately to discuss the timing as well as the cost of the repairs or replacements. The evaluator should ensure that any of these conditions are thoroughly addressed in the Physical Needs Assessment.

Minimum Electrical Capacity - Each apartment unit must have sufficient electrical capacity (amperage) to handle the number of electrical circuits and their use within an apartment. Therefore, the evaluator must determine, based on referencing the National Electric Code as well as local building codes, what is the minimum electrical service needed. In any event, that

service must not be less than **100 amperes** (This specific requirement is a DCA amendment to this section of the Fannie Mae Guidelines).

Electrical Circuit Overload Protection - All apartment unit circuits, as well as electrical circuits elsewhere in an apartment complex, must have circuit breakers as opposed to fuses as circuit overload protection.

Aluminum Wiring - In all cases, where aluminum wiring runs from the panel to the outlets of a unit, the evaluator's inspection should ascertain that the aluminum wiring connections (outlets, switches, appliances, etc.) are made to receptacles rated to accept aluminum wiring or that corrective repair can be done immediately by the owner.

Fire Retardant Treated Plywood - While performing the roof inspection, the evaluator should investigate whether there is any indication that fire-retardant treated plywood was used in the construction of the roof (primarily roof sheathing). This inspection should focus on sections of the roof that are subjected to the greatest amount of heat (e.g., areas that are not shaded or that are poorly ventilated) and, if possible, to inspect the attic for signs of deteriorating fire-retardant treated plywood or plywood that is stamped with a fire rating.

DCA's concern is that certain types of fire-retardant treated plywood rapidly deteriorate when exposed to excessive heat and humidity or may cause nails or other metal fasteners to corrode. Common signs of this condition include a darkening of the wood and the presence of a powder-like substance, warping of the roof and the curling of the shingles. Fire-retardant treated plywood is most likely to be in townhouse properties or other properties with pitched, shingled roofs that were constructed after 1981 and that are located in states east of the Mississippi River and some southwestern states.

APPENDICES

APPENDIX A

ENVIRONMENTAL MANUAL

2017 DCA ENVIRONMENTAL MANUAL

TABLE OF CONTENTS

	Page
I. INTRODUCTION AND OVERVIEW	3
II. ENVIRONMENTAL ASSESSMENT REQUIREMENTS	4
A. Phase I Requirements	4
B. Non-Scope Issues for Phase I Reports	13
1. Wetlands	14
2. State Waters	15
3. Floodplains	16
4. Noise	20
5. Water Leaks/ Mold/ Microbial Growth	23
6. Radon Gas	24
7. Asbestos	25
8. Lead-Based Paint	27
9. Lead in Drinking Water	27
10. Polychlorinated Biphenyls	28
11. Endangered Species	28
12. Other Hazards and Considerations	33
13. Historic Preservation	33
14. Vapor Intrusion	34
C. Required Documentation for Phase I Reports	35
D. Requirements for Phase II Investigations/Non-Scope Testing	36
E. Professional Opinion and Related Requirements	41
F. Insurance Requirements	42
G. HUD Requirements for HOME Projects	44
III. DCA EVALUATION & CONCLUSIONS	45
IV. OPERATIONS AND MAINTENANCE PLANS	46
V. REQUIRED FORMAT FOR PHASE I REPORT	48
VI. COMMON ERRORS/OMISSIONS/CHECKLIST	55
VII. GLOSSARY OF TERMS AND ACRONYMS	58

2017 DCA ENVIRONMENTAL MANUAL

This Manual contains the following:

- **Environmental Site Assessment Standards and Reporting Requirements**
- **Format for Phase I Environmental Site Assessment Reports**
- **Environmental Forms**
 1. **Environmental Certification**
 2. **Owner Environmental Questionnaire and Disclosure Statement**
 3. **Property Log and Information Checklist**
 4. **HOME and HUD Environmental Questionnaire**
 5. **HOME and HUD Environmental Questionnaire Guidance**

Environmental Site Assessment Standards and Reporting Requirements

The Georgia Department of Community Affairs (“DCA”) requires site-specific environmental assessment for all development proposals being considered for funding with 9% Tax Credits, 4% Tax Credits, and/or HOME Loans. At a minimum, DCA requires a Phase I Environmental Site Assessment (“Phase I”), in accordance with, but not limited to, standards developed by the American Society for Testing and Materials (“ASTM”) and set forth in the “Standard Practice for Environmental Site Assessments, Phase I Site Assessment Process,” ASTM 1527-13. If a Phase I recommends additional review or a Phase II report, the Phase II and/or the additional review documentation must be provided. For projects which request HOME funds or list other HUD funding sources, including but not limited to Project Based Rental Assistance (“PBRA”), the Environmental Professional (see Section A(3)(a) below) must complete the HOME and HUD Environmental Questionnaire. This form can be found in the Application Forms section of the Qualified Allocation Plan Documents available on the DCA website.

I. Introduction and Overview

The Phase I serves as a screening process designed to discover environmental concerns, recognized environmental conditions (RECs), historical recognized environmental conditions (HRECs), controlled recognized environmental conditions (CRECs), and non-scope issues which may potentially impact the subject property, and to ensure that “all appropriate inquiry” or “AAI” (as that term is defined by the EPA in 40 C.F.R. Part 312) is conducted. By contrast, a Phase II Environmental Site Investigation (“Phase II”) is intended to further investigate any environmental issues raised by the Phase I. For Phase I Environmental Site Assessments, DCA requires the Environmental Professional to follow ASTM E 1527-13, or the most current version of the Phase I standard that has been (1) promulgated by ASTM and (2) endorsed, in writing, by EPA as meeting AAI (the “ASTM Standards”). Please note, **DCA requires additional investigations and testing that exceed the ASTM Standards and are included throughout Section II. Some of these extra requirements are referred to as “non-scope considerations” in Section 13 of ASTM E 1527-13. Where DCA guidelines are more stringent than the ASTM Standards, the DCA guidelines must be followed.**

Any Phase I submitted to DCA must demonstrate that AAI regarding previous ownership and use of the property consistent with good commercial or customary practice was conducted. In short, Applicants must make “all appropriate inquiries” to learn the property’s true environmental condition. Applicants must become familiar with federal, state, and local health, safety, and environmental laws governing the property.

Applicants, including developers and owners, must disclose their knowledge of actual or suspected environmental concerns in accordance with ASTM Standards and are strongly encouraged to contact DCA if unusual or questionable conditions exist before they submit their formal Application to DCA.

II. Environmental Assessment Requirements

A. Phase I Requirements

1. The Phase I Report **must** be in the format shown in *Section V: Required Format for Phase I Report*, and include all of the information and documentation in the indicated appendices as well. Phase I Reports that deviate from this format may not be accepted. The inclusion of items in Appendix U, as shown on the format, or, if necessary, additional appendices to the Phase I Report is acceptable. Please note that if a prescribed sub-section or appendix is not applicable, the Environmental Professional must note “Not Applicable” or “Not Available” in that section of the report or that appendix. Please Note: During the competitive round, the Applicant may have points deducted from its score if the proper format is not followed.
2. The Phase I must substantially comply with ASTM E 1527-13 or the most current version of the Phase I standard that has been (1) promulgated by ASTM and (2) endorsed, in writing, by EPA as meeting AAI.
 - a. The Phase I Report must contain a statement that ASTM E 1527-13 (or the EPA-endorsed, updated version) was used in completing the Phase I and that “all appropriate inquires” were conducted.
 - b. The Environmental Professional must include a description of the procedures followed while conducting the Phase I investigation in the Phase I Report, including a detailed scope of services.
 - c. Generally, most Phase I Reports are performed to qualify for one of the three landowner liability protections under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 *et seq.* (1980): the innocent landowner limitation; the contiguous property owner limitation; or the *bona fide* prospective purchaser limitation. The Environmental Professional must consult with the Applicant to determine the Applicant’s purpose for performing the Phase I and must set forth the purpose for which the Phase I site investigation was undertaken in the Phase I Report. In addition, the Environmental Professional must expressly state that a purpose of the Phase I is to ascertain whether the property is environmentally suitable for construction of multifamily housing.
 - d. The Applicant must submit the number and type of duplicate originals of the Phase I Report specified in the applicable Qualified Allocation Plan.
3. The Phase I, performed under the supervision of an “Environmental Professional,” as that term is defined in 40 C.F.R. § 312.10(b), and must be reviewed, signed, and certified

by the Environmental Professional using the Environmental Consultant Signature Page for Phase I Reports, which can be found in the Forms Section of the Qualified Allocation Plan Documents. The Environmental Consultant Signature Page for Phase I Reports must appear immediately following the cover page of the Phase I Report.

- a. For DCA Applications, if the Environmental Professional's qualifications are premised, in part, on his or her status as a licensed Professional Engineer ("P.E.") or a Professional Geologist ("P.G."), the P.E. or P.G. license must have been issued by the State of Georgia.
 - b. The Environmental Professional must be an employee or principal of the environmental consulting firm retained to complete the environmental assessment.
 - c. The Phase I must include the resume(s) that describe the qualifications of all personnel involved with the Phase I environmental site assessment in the appendix; the qualifications of all such personnel must also be summarized in Section 2.4 of the Phase I Report.
 - d. The Environmental Professional may not be affiliated with the developer/owner, or a buyer or seller of the property, or a firm engaged in any business that might present a conflict of interest or give the appearance of a conflict of interest.
- 4.** The Phase I Report must include clear findings in Sections 1.2 and 7.0 regarding whether or not there are any recognized environmental conditions (RECs), historical recognized environmental conditions (HRECs), or controlled recognized environmental conditions (CRECs), as those terms are defined in Sections 3.2.18, 3.2.42, and 3.2.78 of ASTM E 1527-13.
- a. For any RECs identified, the Phase I must indicate whether any additional testing or analysis is recommended and, in the Environmental Professional's opinion, the rationale for recommending or declining to recommend additional testing or analysis.
 - b. For any HRECs identified, the Phase I must indicate that past remedial measures have been taken to the satisfaction of the applicable regulatory authority and/or that the property currently meets criteria established by the applicable regulatory authority permitting unrestricted use of the property without the use of any mandatory controls.
 - c. For any CRECs identified, the Phase I must indicate that the release has been addressed to the satisfaction of the applicable regulatory authority and what controls remain in place for that CREC. Note that ASTM E 1527-13 considers CRECs also to be RECs for the purpose of Phase I assessment findings.
- 5.** The Phase I Report must include a "Site Map" (must be to scale) in the appendix showing:
- a. An area large enough to display the relative location of the site in its orientation to

adjacent properties and facilities, with existing streets and drives within fifty (50) feet of the site.

- b. Delineation of the perimeter of any major existing structures on the site.
 - c. Any visible or reasonably ascertainable easements on the site.
 - d. Environmental concerns or recognized environmental conditions, where applicable.
 - e. Direction (established or presumed) of groundwater flow.
 - f. The boundaries of all floodplains, wetlands, and/or potential State Waters and related buffers on or adjacent to the site.
- 6.** The Phase I Report must include a comprehensive environmental record search, including all standard sources listed in Section 8.2.1 of ASTM E 1527-13.
- a. The Environmental Professional must consider the additional environmental record sources listed in Section 8.2.3 of ASTM E 1527-13. In particular, the following minimum additional environmental record sources must be reviewed:
 - (i) FINDS List (1/4 mile search distance);
 - (ii) TRI List (1/4 mile search distance); and
 - (iii) State “Non-HSI” List (a.k.a. Georgia HSRA Notification Files within one Mile). The Non-HSI List must be no older than six (6) months.
 - b. The Environmental Professional must field-verify the distance to any facilities identified in any of the standard environmental record or additional sources during the site reconnaissance, and document such verification in Section 4.1.1 and 4.1.2 of the Phase I Report.
 - c. If the property, or any sites that adjoin the property, are identified in the review of the environmental records searches, the Environmental Professional must perform a review of the regulatory files related to such properties and include that information in Section 4.1.1 or 4.1.2, as appropriate. If, in the Environmental Professional's opinion, such additional regulatory review is not warranted, the Environmental Professional must (1) specifically state as such in the Phase I Report and (2) provide an explanation justifying that decision.
- 7.** The Phase I Report must include a comprehensive historical review of the subject property.
- a. The Phase I must include in the appendix a copy of documentation provided by the Title Company or title professional regarding reasonably ascertainable recorded land title records, judicial records and records of environmental liens and activity and use limitations.
 - (i) The Environmental Professional must discuss the chain of title, judicial records, records of environmental liens and activity and use limitations associated with the property and any other pertinent records found by the title company or title

professional in the historical records review which, when reviewed in its entirety, clearly shows a history of previous uses of the property back to 1940 or the property's obvious first developed use, whichever is earlier.

- (ii) Although some of these items are designated “user” responsibilities in ASTM E 1527-13, DCA requires that the Environmental Professional research, evaluate and assess recorded land title records, judicial records and records of environmental liens and activity and use limitations.
- b. This review *must* consider the “standard historical sources” listed in Section 8.3.4.1 through 8.3.4.8 of ASTM E 1527-13, to the extent required by ASTM. DCA may, at its sole discretion, also require the review of any sources listed in Section 8.3.4.9 of ASTM E 1527-13.
- c. The Environmental Professional must comment on the results of the historical review and must:
 - (iii) State whether information about environmental liens or activity and use limitation records were reasonably ascertainable;
 - (iv) Describe what efforts were made to identify environmental liens and/or activity and use limitations, and give a professional opinion as to any potential environmental concerns; and
 - (v) Identify RECs, HRECs, CRECs, and/or non-scope issues uncovered during the historical review or state conclusively that no such RECs, HRECs, CRECs, and/or non-scope issues were identified.
- 8.** The Environmental Professional must make reasonable efforts to conduct all interviews required by ASTM as part of the Phase I site assessment.
 - a. Note that for abandoned properties, the Environmental Professional must also interview owners and occupants of neighboring properties.
 - b. The Environmental Professional must also make a reasonable attempt to interview at least one staff member at any one of the following: local fire department; state or local health department or environmental agency; the local agency responsible for the issuance of building permits; the local agency responsible for issuance of groundwater use permits; state or local agency with jurisdiction over hazardous waste disposal.
 - c. Documentation of all interviews (or documentation of attempts to complete such interviews) must be included in the appendix.
 - d. The consultant preparing the Phase I Report must gather from the user(s) of the Phase I Report all information required in Section 6 of ASTM. Information obtained from the user interview(s) must be included in Section 4.3.4 of the Phase I Report, and

documentation of the interview(s) must be included in the appendix.

- e. The Applicant must be interviewed as a “user” for every Phase I Report submitted to DCA. Additionally, for purposes of Applications submitted to DCA, all of the following parties are also considered “users”: the entity that has title to the property or the entity that will take title to the property, project development partners, equity partners for the project, and any other party which would be defined as a “user” within the meaning of Section 3.2.98 of ASTM E 1527-13.
 - f. Where there are multiple users, the text of Section 4.3.4 of the Phase I Report should make clear from which user the information was obtained.
 - g. If the consultant preparing the Phase I Report was unable to interview any one or more users, the consultant must describe what attempts were made to interview such users, include documentation of these attempts in the appendix, and discuss the data gap in Section 6.0.
- 9.** The Phase I Report (including, but not limited to, regulatory database reviews, interviews, and searches for recorded environmental liens) must be completed or updated fewer than one hundred eighty (180) days before Application submission. In no event may a Phase I Report greater than one year old at the time of Application submission be submitted or an update of such report submitted; once a Phase I Report is greater than one year old an entirely new Phase I Report is required. For projects applying for federal funds, DCA may request an updated or new Phase I report prior to loan closing.
- a. The date of the Phase I Report shall be clearly placed on the cover page of the Phase I Report.
 - b. The date of the site reconnaissance shall be specified in Section 5.1 of the Phase I Report. The Phase I Report must be issued no more than sixty (60) days after the site reconnaissance unless waived by DCA at its sole discretion.
 - c. DCA reserves the sole right to require an update of any Phase I which is equal to or greater than one hundred eighty (180) days old at the time final approval of any Application is granted or at any time prior to commencement of construction if additional information regarding an environmental issue is discovered.
- 10.** If an updated Phase I report is necessary because the original Phase I report is between one hundred eighty (180) days and one (1) year old at the time of Application submission, then the updated Phase I must include the following updated components, in accordance with Section 4.6 of the ASTM Standards:
- a. Description of the new site reconnaissance, including visual inspection of the property and of adjoining properties.

- b. Updated site photos.
 - c. Updated federal, tribal, state, and local governmental records.
 - d. Updated search for environmental liens.
 - e. New interviews with owners, occupants, and operators of the property (or of neighboring properties, in the case of an abandoned or vacant site).
 - f. All original materials and updates.
 - g. The opinion of an Environmental Professional addressing all conditions (changed and unchanged) at the site.
 - h. The Environmental Consultant Signature Page for Phase I Reports, signed by all appropriate parties.
 - i. An Environmental Certification signed by the Environmental Professional who conducted the update.
- 11.** The Environmental Professional must address any previous environmental site assessments (Phase I and/or Phase II) that were performed for the subject property in Section 5.5.7 of the Phase I Report, and include the available previous Reports (text and applicable appendices only) in the appendix.
- 12.** The Phase I Report must reflect all of the Environmental Professional's investigations and findings and contain an Executive Summary setting forth clearly written conclusions, including the exact language from either Section 12.8.1 or Section 12.8.2 of the ASTM Standards, as appropriate, and recommendations. The Environmental Professional's opinions must be included in the Phase I Report in the manner described in Section E below. The Phase I Report must also identify and comment upon:
- a. All supporting data and test results.
 - b. Any and all data gaps or data failures (collectively "Data Gaps"), as defined in Section 3.2.20 and Section 3.2.21 of the ASTM Standards. Data Gaps frequently include, but are not limited to, inability to interview the owner of the property, failure by the user to provide information specified in Section 6.0 of ASTM E 1527-13, or inability to document historical use of the property back to 1940 or the property's obvious first developed use, whichever is earlier.
 - (i) Data Gaps must be discussed in Section 6.0 of the Phase I Report.
 - (ii) The Environmental Professional must also enumerate in this section the good faith efforts made to gather the information that could not be obtained.
 - c. Commonly known/reasonably ascertainable information available to the user(s) or within the local community about the property. This information must be discussed in either Section 4.3.4.4 (if obtained from the user) or Section 5.3 (if gathered by the

Environmental Professional) of the Phase I Report.

- 13.** Any deviations from DCA Environmental Site Assessment Standards or ASTM E 1527-13, or any limitations of the Phase I environmental site assessment, must be described in Section 2.6 of the Phase I Report.
- 14.** All data references (including, but not limited to, the following: regulatory database search references; the ASTM standard followed; floodplain maps; wetlands maps; U.S. Topographical maps; soil survey; aerial photographs; telephone interviews with agencies; and fire insurance maps, if available) used to complete the Phase I Report must be listed in Section 9.0 of the Report.
- 15.** The Environmental Professional must visually and/or physically observe adjoining properties and note any physical limitations to all visual inspections.
- 16.** In Section 4.3.4.6 of the Phase I Report, there must be a discussion of the purchase price as it relates to the fair market value of the property, in accordance with Section 6.5 of ASTM E 1527-13. Typically, the assessment of purchase price will be performed by a user and provided to the Environmental Professional. Therefore, this information should be addressed in the Owner Environmental Questionnaire and Disclosure Statement or in a separate valuation statement, as appropriate. The user is not required to disclose the purchase price, but if the purchase price is significantly less than the fair market value, s/he should disclose this to the Environmental Professional and explain why a difference exists. ASTM E 1527-13 does not require that a real estate appraisal be obtained in order to ascertain fair market value of the property.
 - a. If not provided to the Environmental Professional by the user, the Environmental Professional must address this issue, by inquiring of the seller, broker, or real estate professional associated with the project as to the fair market value of the property and as to the causes for any differential between the fair market value and the purchase price of the property. If neither the user, Applicant, seller, broker, nor real estate professional can or will disclose to the Environmental Professional whether a differential exists between the purchase price of the subject property and the fair market value of the subject property, the Environmental Professional must assess this as a data gap and discuss it in Section 6.0 of the Report.
 - b. Where the purchase price does not reflect the fair market value of non-contaminated property, the Environmental Professional must identify the potential causes, including environmental causes.
 - (i) Although this item is a designated user responsibility in ASTM E 1527-13, DCA requires that the Environmental Professional review the information provided by

a user.

(ii) If the Environmental Professional determines that a sales price has not yet been negotiated for the property, then that fact should be referenced in Section 4.3.4.6 of the Report.

c. Although ASTM E 1527-13 does not require that a real estate appraisal be obtained to ascertain the fair market value of the property, DCA may, at its sole discretion, require that a real estate appraisal be obtained in order to ascertain the fair market value of the subject property.

17. Photographs documenting the current state of the property must be included in the appendix of the Phase I Report.

a. The photographs must show the inside of any structures and the grounds of the property (including adjacent sites).

b. The photographs should be clearly dated and labeled with a description of the view presented.

B. Non-Scope Issues for Phase I Reports.

The Phase I Report must also address and discuss the following issues:

1. Wetlands

a. As a general rule, projects will not be accepted for any DCA funding or approved for tax credits (including HOME funds and/or other HUD funding sources) if they will disturb any jurisdictional wetlands or stream on the subject property (or on any adjacent property where disturbing jurisdictional wetlands is necessary to gain access to the subject property) without evidence of prior review and approval by the U.S. Army Corps of Engineers (USACE). DCA must receive evidence of submittal for review by August 1, 2017 unless clearly shown to be exempt from requiring USACE approval. This evidence should include the submittal letter, the site plan required by USACE, and engineering drawings. If USACE prior approval is not required for impacts to jurisdictional waters, adequate explanation and supporting documentation must be provided. Upon written request by the Applicant, DCA may grant additional time to receive this USACE submittal.

b. The Environmental Professional must describe in Section 3.3 of the Phase I Report its determination regarding whether any portion of the subject property is or may be considered jurisdictional wetlands based upon:

(i) A review of the U.S. Fish and Wildlife Service National Wetlands Inventory (“NWI”) maps;

- (ii) The site reconnaissance; and
 - (iii) Any other available relevant resources (including, but not limited to, the USGS topographic map and Soil Survey for the subject property).
- c. The presence of jurisdictional wetland areas (including streams or any potential jurisdictional wetland areas) on the property must be clearly shown on the Site Map.
- d. If jurisdictional wetlands are suspected on the site through either the site reconnaissance or the examination of the NWI map, a wetlands delineation must be performed in accordance with all federal guidelines and included in the Application. The purpose of the delineation is to verify the existence of wetlands and to determine the extent thereof.
 - (i) An Expanded Preliminary Jurisdictional Determination issued by USACE is required if the proposed development will disturb wetlands or other jurisdictional waters. Evidence that the jurisdictional determination has been submitted must be provided by August 1, 2017. Evidence may include the complete Pre-Construction Notification that was submitted to the USACE.
 - (ii) If the proposed development is not expected to disturb the jurisdictional wetlands, it must be made clear to DCA through the delineation and project concept plans that the development activities will have no impact. DCA may request, in its sole discretion, that the Applicant provide a professional opinion. In addition, the Applicant must submit to DCA documentation demonstrating that all requirements of 24 C.F.R. § 55.12(c)(7) have been met, including, but not limited to, provision for site drainage that will not have an adverse effect on the wetland and placement of a permanent covenant or comparable restriction on the property's continued use to preserve the wetland. This site drainage plan and permanent covenant are a condition of funding and must be in place at the time of closing.
 - (iii) For all projects that identify jurisdictional wetlands on the site, regardless of whether the wetlands are proposed to be disturbed, DCA will require evidence that an Expanded Preliminary Jurisdictional Determination has been requested from USACE. Evidence of submittal of the request must be provided within 60 days of notice of award.
- e. A copy of the NWI map, USGS topographic map, any necessary wetlands delineation report, and USACE permits (if applicable) must be included in the appendix of the Phase I Report.
- f. If jurisdictional wetlands will be filled or impacted and the proposed project requires completion of the HOME and HUD Environmental Questionnaire (see page 1 above),

the HOME and HUD Environmental Questionnaire must include evidence that the wetland management eight-step process, as set forth in 24 C.F.R. § 55.20 has been followed. Please note that completion of the eight-step process is required to be completed before **October 6, 2017**.

- g. The Regional Federal Emergency Management Agency (FEMA) Office must be contacted anytime an 8-step process (site specific or area-wide) has been initiated. A copy of the Early Notice for Public Review (Notice 1 or Step 2) and Final Notice for Public Review (Notice 2 or Step 7) must be forwarded to the FEMA Regional Environmental Officer for comment. Contact information is below:

Department of Homeland Security
FEMA Regional Environmental Office
3003 Chamblee Tucker Road
Atlanta, GA 30341-4112
fema-r4@fema.dhs.gov

2. State Waters

- a. The Environmental Professional must identify any potential State Waters that require a buffer (pursuant to federal or state law) and the extent of all applicable buffers that are (1) located on the subject property, or (2) located on an adjacent property where the required buffers may encroach on the subject property. No project will be accepted for any DCA funding or approved for tax credits (including HOME funds) if it contemplates any land-disturbing activity in any required buffer area *unless* an appropriate variance(s) or exemption(s) has been applied for from all appropriate agencies with jurisdiction over such buffers, and documentation of such application of variance(s) or exemption(s) is included in the Application Submission. The Environmental Professional must identify and discuss these issues in Section 3.5 of the Phase I Report.
- (i) "State Waters" are defined as any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the state, which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.
- (ii) The Georgia Environmental Protection Division's ("EPD's") Field Guide for Determining the Presence of State Waters That Require a Buffer and Ga. Comp. R. & Regs. § 391-3-7 set forth the standard for identifying whether State Waters

will require a buffer. This guidance and these regulations must be followed in making this determination.

- b. The location and extent of any potential State Waters, that require a buffer, along with all buffers and setbacks required by state and/or local law, must be described in Section 3.5 of the Phase I and shown on the Site Map.
- c. If Environmental Professional believes that State Waters are located on the subject property using EPD's Field Guide for Determining the Presence of State Waters That Require a Buffer, DCA recommends that the Local Issuing Authority as determined by the EPD make the final State Water determination and that the letter with the Local Issuing Authority's findings be included in the Application if it has been received at the time of submission; if it has not, the letter should be submitted to DCA as soon as it has been received.
- d. DCA does not allow for the disturbance of streams with the exception for the construction of a roadway where site constraints necessitate the need to disturb the stream. Documentation of this type of condition must be provided to DCA.
- e. **Floodplains/Floodways.** In accordance with 24 C.F.R. § 55.1(c)(1) and (2), no funding will be approved in floodways or Coastal High Hazard Areas, as those terms are defined in 24 C.F.R. § 55.2(b), unless it is (1) a functionally dependable use in a floodplain or (2) a non-critical action in a Coastal High Hazard Area that is functionally dependable. The Environmental Professional must review the Federal Emergency Management Agency ("FEMA") National Flood Insurance Maps with a community panel number to determine if any part of the subject property is considered to be located in a 100-year floodplain/floodway or a Coastal High Hazard Area. If these maps are not available for the development site, the Applicant must provide evidence that shows that the site is not prone to flooding. The exact location of the development must be clearly marked on the map.
 - (i) The presence of floodplain/floodway areas on the property must be clearly defined and supported by the appropriate FEMA map(s). A copy of the FEMA map(s) for the subject property must be included in the appendix of the Phase I Report, whether or not there is a 100-year floodplain/floodway identified on the subject property. The boundaries of the proposed site for development must be delineated on the FEMA map. In addition, a Site Map that clearly defines the areas of floodplain/floodway in relation to all site improvements, including buildings, paving, and site amenities must be included in the Application. The Conceptual Site Development Plan must clearly show where all development and

incidental development lies in relation to the floodplain/floodway.

- (ii) In all circumstances, the Applicant must document any mitigation required by applicable laws for impacts to existing floodplains or floodways planned for development.
- (iii) In no event will any project be accepted for funding that will place buildings in a 100 year floodplain/floodway unless the following requirements are met:
- (iv) Tax credit rehabilitation projects *may* be eligible for funding where the existing buildings, paving or site amenities are located in the 100-yr floodplain/floodway *if* the following is included with the Application Submission:
 - (1) Verification (note on FEMA map) by the Environmental Professional that the proposed site for redevelopment is on the FEMA floodplain/floodway map included in the appendix;
 - (2) A Site Map that clearly defines the areas of floodplain/floodway; and
 - (3) Evidence that the elevation of the lowest existing floor is 6" above the FEMA designated floodplain/floodway elevation. Such documentation must clearly demonstrate existing conditions and should include a land survey indicating the location of the existing buildings, paving and site amenities existing floodplain/floodway, elevation of existing floodplain/floodway, elevation of lowest floor level in existing buildings and FEMA elevation of the existing floodplain/floodway.
- (v) Tax credit new construction projects and HOME funded new construction *or* rehabilitation projects will be approved *only if* the property will be reclassified out of the 100 year floodplain/floodway for those areas where site improvements will be placed, including buildings, paving, and site amenities, prior to project completion *and* the following documentation showing the reclassification is included with the Application Submission:
 - (1) A Site Map that clearly defines the areas of floodplain/floodway and site improvements;
 - (2) All areas of the floodplain/floodway must be documented by the FEMA map for the areas in which the site is located, regardless of whether the proposed site for development appears to be located in a floodplain/floodway. The proposed site for development must be located on that map;

- (3) The qualified Environmental Professional or Engineer must include an opinion as to whether or not the proposed project will impact any floodplain or floodway;
 - (4) The qualified Environmental Professional or Engineer must document mitigation for impacts to existing floodplains/floodways planned for development, and include consideration of alternative locations for the development;
 - (5) A FEMA Conditional Letter of Map Amendment (CLOMA) or Letter of Map Revision-Based on Fill (CLOMR-F) must be obtained for the property that shows that the property is eligible for reclassification out of the floodplain/floodway area and submitted at the time of application. A final Letter of Map Amendment (LOMA) or Letter of Map Revision-Based on Fill (LOMR-F) from FEMA along with an elevation certificate and all other information to document the reclassification must be provided to DCA at the completion of the project; and
 - (6) For rehabilitation projects only, DCA may consider evidence that the property is eligible for flood insurance and that such insurance will be in place if awarded funding from DCA in lieu of a CLOMA or CLOMR-F
- (vi) Additional requirements for HOME Projects and projects that have other HUD funded sources including, but not limited to, PBRA:
- (1) The HOME and HUD Environmental Questionnaire must be included in the appendix of the Phase I Report.
 - (2) Where construction, including site improvements, and landscaping activities occupy or modify the floodplain/floodway, documentation for HOME Funding must include evidence that the eight-step Floodplain Management process has been followed as mandated by 24 C.F.R. § 55.20 (Executive Order 11988).
 - (3) Documentation from the Environmental Professional regarding direct and indirect impacts associated with constructing the project on or near a floodplain/floodway.
 - (4) Documentation from the Environmental Professional regarding proposed mitigation.
 - (5) Documentation from the Environmental Professional regarding the consideration of alternative locations for the development.

(6) HOME-funded projects may require flood insurance. Such insurance must be in the form required by the US Department of Housing and Urban Development.

3. Noise. All new construction projects must meet DCA requirements for interior and exterior noise limits. The DCA and HUD Noise Limitations are 45 decibels (dB) for interior locations and 65dB for exterior locations. While rehabilitation projects may be exempt from HUD Noise Limitations, a noise assessment as described below is required and DCA may require attenuation features. For HUD funded projects submitted to DCA, all new construction and rehabilitation projects must also meet the requirements set forth in the HUD noise regulations, 24 C.F.R. Part 51 Subpart B (24 C.F.R. § 51.100 *et seq.*).

a. Noise Assessment

- i. The Environmental Professional must discuss in Section 5.4.22 of the Phase I Report its determination regarding whether the subject property (or any part thereof as measured from the property line) is within:
 1. five (5) miles of a civil airport;
 2. fifteen (15) miles of a military airfield;
 3. 1000 feet of a major highway or busy road with greater than 10,000 average daily traffic count; or
 4. 3000 feet of a railroad or rail line.
- ii. If the subject property (or any part thereof as measured from the property line) is within the distances of noise sources discussed in the paragraph above, the Environmental Professional must complete a noise assessment in accordance with the HUD Noise Assessment Guidelines (“NAG”)² and 24 C.F.R § 51.100 *et seq.* In addition, the Environmental Professional must provide an opinion on the results of such assessment/study, and the report must contain a complete mitigation plan for remediation of sound levels. Noise levels shall be documented using the Site DNL Calculator located at HUD’s website (http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/noise).

² The Noise Assessment Guidelines are contained within the HUD *Noise Guidebook* which can be found at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/training/guid_ebooks/noise.

- iii. The Noise Assessment must include the following documentation in the appendix:
 - 1. Map(s) that clearly delineate the distances between the subject buildings and/or exterior amenities and the above-listed noise sources (the location of the noise assessment locations (NALs) **a minimum of two NALS must be included in the assessment;
 - 2. Documentation from the Georgia Department of Transportation detailing the most recent traffic counts for major highways or busy roads with greater than 10,000 average daily traffic count;
 - 3. Documentation from applicable railroad operators regarding daily operations;
 - 4. Noise contours published by military or civil airports;
 - 5. Noise contours constructed according to the HUD Noise Assessment Guidelines when published contours are not available for civil or military airports; and
 - 6. Print out of the Site DNL calculator and supporting documentation.
- iv. The noise assessment must use ten (10) year traffic projections, if available, for roadway, aircraft, and railway noise.
 - 1. Where ten (10) year traffic projections are not available for aircraft or railway noise, the Environmental Professional may use currently available noise projections, and must notate this information in the noise assessment.
 - 2. For ten (10) year traffic projections, the Environmental Professional must take currently available traffic projections and estimate a 3% per year growth until 2027 and must notate this calculation in the noise assessment.
 - 3. Alternative methods for projecting 10 year traffic projections must be accompanied by adequate documentation from state and local planning authorities.
- v. In cases where there are other contributing noise sources, such as factories, mills, or other sources that may emit loud levels of noise, the noise evaluation should not be limited to roadways, aircraft and railway

noise. DCA reserves the right to consider any additional possible noise sources in determining whether the DCA noise requirements have been met. At its discretion, DCA will use the standard set forth in the Noise Guidelines 24 C.F.R. 51.103 to evaluate the day-night average sound levels produced by the other contributing noise sources that states: “day-night average sound level produced by the loud impulsive sounds alone shall have 8 decibels added to it in assessing the acceptability of the site.”

- b. **Noise Attenuation Plan.** If the Noise Assessment data indicates that the calculated 10 year projected noise level at any building or exterior amenity is greater than the HUD “Acceptable” standard of 65 decibels (dB), a complete noise attenuation plan is required for new construction projects. The proposed remediation must demonstrate that it will bring the interior sound levels to 45 dB and exterior sound levels to 65 dB, in accordance with the HUD Noise Assessment Guidelines (“NAG”), 24 C.F.R § 51.100 et seq.. The Attenuation Plan must be submitted with the Phase I Report in the appendix. The noise attenuation plan must contain sufficient detail to allow DCA to independently verify that the proposed interior and exterior noise mitigation measures will result in these reduced noise levels. All sound mitigation costs must be included in the construction development budget.
 - i. In cases where interior noise levels are proposed to be mitigated partially or completely through the use of specified building materials, the Applicant must submit a letter, which may use HUD’s Sound Transmission Classification Assessment Tool (STraCAT) assessment tool as support, from the architect and/or environmental professional that:
 1. discusses the sound transmission class of the construction materials that are to be specified for the project;
 2. contains an estimate of the interior noise levels in the interior of the buildings at the project site after construction is completed; and

3. provides an opinion that the noise attenuation plan will reduce noise levels to an acceptable level.
 - ii. In cases where noise levels are proposed to be mitigated through either existing barriers or future barriers constructed on the site, the environmental professional must provide the appropriate work charts from Chapter 5 of the HUD *Noise Guidebook* to demonstrate the value of the barrier adjustment. HUD's on-line Barrier Performance Module may only be used to supplement the traditional work charts from the *Noise Guidebook*. DCA does not consider any type of tree to provide any barrier to the transmission of sound. Documentation to support the barrier performance must also be provided as follows:
 1. scaled diagrams of the physical situation proposed with noise barrier containing detailed heights, lengths, and angle measurements;
 2. a description of the composition of the natural or manmade barrier;
 3. topographic maps that support the elevations of the noise source, proposed barrier, and ground floor elevation of the proposed building or amenities' structure.
 - iii. If the proposed project has HOPE VI funds or PBRA funds and HUD has made an independent determination that the NAG and/or Noise Attenuation Plan is acceptable or that a waiver of HUD requirements has been granted, then documentation from HUD, along with the proposed noise attenuation plan, must also be included in the appendix.
4. **Water Leaks/Mold/Fungi/Microbial Growth.** The Environmental Professional must identify during the site reconnaissance any visible water leaks, mold, fungi or microbial growth in or on any on-site structures or improvements that will not be demolished or replaced. For multi-family housing structures, the Environmental Professional must evaluate water leaks, mold, fungi and microbial growth in every unit in which the Environmental Professional is conducting a lead based paint, radon, or asbestos assessment. If no lead based paint, radon, or asbestos assessment is being performed for the multi-family housing structure, the

Environmental Professional must attempt to evaluate water leaks and mold in 10% of the units on the property or, at a minimum examine at least five (5) units, including at least one unit in each of the buildings on the property.

- a. The Environmental Professional must visually examine, when such areas are readily accessible, the following areas in the selected units during the site reconnaissance and must discuss all findings in the Phase I report: (i) ventilation systems; and (ii) areas behind walls, under floors, and above ceilings. What will be considered “readily accessible” will vary with the particular situation of the subject property and will depend on the professional judgment of the Environmental Professional. The Environmental Professional must state whether areas behind walls, under floors, and above ceilings were readily accessible, and, if not, provide an explanation.
- b. If water leaks, mold, fungi or microbial growth exist on the properties, the Environmental Professional must include recommendations for the elimination, removal, or remediation of these conditions and/or materials according to all EPA and HUD guidelines, as applicable.
- c. The Environmental Professional must complete any other investigation or testing required by EPA and HUD mold guidelines.
- d. Upon reviewing 5.4.17 of the Phase I Report, DCA may require further investigation and/or testing at its sole discretion.

5. Radon Gas. The Phase I Report must discuss the designation of the property on the most current, updated version of the EPA Map of Radon Zones, and include the EPA Radon map in the appendix.

- a. If the Applicant’s project involves the renovation or use of an existing structure, a radon test must be performed to determine radon gas levels, *unless* an EPA approved short-term radon test has been performed in the lowest public areas of the building(s) within the last six months which demonstrated radon levels below 4 pci/l or 0.02 WL. A copy of the Radon Report should be attached to the Phase I Report. Any confirmed radon readings that exceed the EPA limits must be mitigated in accordance with *ASTM E2121 - 13 Standard Practice for Installing Radon Mitigation Systems in Existing Low-Rise Residential*

Buildings. The Application must include in the Application documentation that (1) mitigation has been properly conducted and verified; or (2) mitigation is planned as part of the work scope for the property.

- b. If the Applicant's project involves new construction, the building(s) must be constructed in accordance with current EPA requirements for radon resistant construction techniques, including, but not limited to, ASTM E1465 - 08 *Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings* and the buildings must be tested for radon upon completion of construction. The Phase I Report must include statements to this effect in Section 5.4.21.
- c. The minimum requirement for testing locations is one test per every 2000 square feet of ground-contact units. However, radon concentrations can be highly localized and best practice for radon testing should involve a certified radon tester (<http://www.radongas.org/> or <http://www.nrsb.org/>). In addition, it is recommended that at least one test be located in each building on each floor above the ground-contact level, covering a minimum of 10% of the units on all floors above the ground floor.

6. Asbestos. An asbestos survey must be performed on all buildings scheduled for demolition or renovation, regardless of when they were constructed. The Environmental Professional must note the condition of all presumed and suspected asbestos containing materials ("ACM"), as defined by OSHA regulations, in the Phase I Report.

- a. If any structure or improvement is suspected or presumed to have ACM, then a representative sampling is required to confirm the presence and extent of any such ACM. A minimum of one unit per building or 10% of the total units shall be tested.
- b. If a comprehensive asbestos survey was performed for the property on or after January 1, 1986 by a Georgia licensed asbestos professional, then the Environmental Professional must also review the previous survey and discuss it in the Phase I Report.
- c. All asbestos related assessments, testing, and remedial action programs must be performed in compliance with state and federal law and current EPA

guidelines, including, but not limited to, *Guidance for Controlling Asbestos Containing Materials in Buildings*, June 1985, EPA 560/5-85-024 (a.k.a. the “Purple Book”) (available from the TSCA Hotline (202) 554-1404 or Asbestos Ombudsman (800) 368-5888.

- d. DCA requires friable ACM to be remediated by removal or encapsulation.
- e. An Operations and Maintenance (“O&M”) Plan will be required for any encapsulated friable ACM or any non-friable ACM that will remain in any structure or improvement. All Operations and Maintenance plans must be in conformance with current EPA guidelines, including, but not limited to, *Managing Asbestos in Place: A Building Owner’s Guide to Operations and Maintenance Programs for Asbestos Containing Materials*, July 1990, EPA 20T-2003 (a.k.a. the “Green Book”) (available from the TSCA Hotline (202) 554-1404 or Asbestos Ombudsman (800) 368-5888 and the DCA O&M Guidance Plan included in this Manual.
- f. The demolition or renovation of any improvement must be completed in accordance with all applicable laws and regulations.

7. Lead-Based Paint

- a. Lead based paint sampling is required of both the interior and exterior of the building using EPA and HUD approved testing methods and procedures for any structure located on the subject property constructed prior to 1978 unless:
 - (i) the structure was constructed after 1978;
 - (ii) the structure is vacant and will remain vacant until it is demolished; or
 - (iii) the structure has a valid certificate of compliance under applicable lead-based paint laws.

If any lead-based paint is detected, then soil sampling for total lead content must conform to all requirements in Section D. Where structures formerly present on the subject property have already been demolished, lead in soil sampling for total lead is required, *unless* waived by DCA at its sole discretion.

- b. Prior to conducting any lead in soil sampling, applicants are strongly encouraged to submit a proposed scope of work conforming to all the requirements for Phase II investigations found in Section D of this manual. DCA requires conformance to the standards for Phase II investigations, even though, lead in soil is a non-scope issue, according to the ASTM Standards. Thus is not normally under the purview of a Phase II investigation.
 - i. If the Applicant does *not* submit a proposed Phase II scope of work and the Site

Map to DCA for DCA's prior review, or if the lead in soil sampling has already been completed, DCA may, at its sole discretion, require additional testing and analysis prior to completing the threshold review of the Application.

- ii. If the Applicant does not receive a response from DCA regarding the proposed Phase II scope of work within fifteen (15) business days prior to Application submission, the Applicant should proceed with the Phase II work. DCA reserves the right upon reviewing the Report for any such Phase II to require that the Applicant conduct any of the following environmental activities, at DCA's sole discretion: (i) perform additional testing; (ii) perform remediation and confirmatory testing; (iii) obtain a brownfield's "limitation of liability"; or (iv) obtain a "no listing" letter under HSRA.
- c. Any lead-based paint in excess of applicable standards must be inspected, remediated or abated in accordance with all applicable federal, state and local laws and regulations, including, but not limited to, the Georgia Rules for Lead-Based Paint Abatement, Certification and Accreditation.
- d. An Operations and Maintenance Plan ("O&M Plan") is required for any lead-based paint remaining in place and must conform to the O&M Guidance Plan in the Operations Section of this Manual.

8. Lead in Drinking Water

- a. Where a local utility currently provides or may provide drinking water to the property, the Environmental Professional must review and provide in the Phase I Report the most current information documenting the local utility's compliance or non-compliance with current EPA standards for lead in drinking water. The Environmental Professional must also conduct a visual assessment of the plumbing system(s) in any buildings that will not be demolished to determine the risk of lead in drinking water due to lead solder in pipes.
- b. If the Environmental Professional's review and/or visual assessment suggests a risk of lead in drinking water at the property, testing must be performed at the tap in accordance with the EPA publication *Lead in Drinking Water in Schools and Non-Residential Buildings*, EPA 812-B-94-002, April 1994.
- c. If the buildings at the property were built prior to 1987, the systems must be tested for lead in drinking water according to the guidelines referenced above, regardless of the results of the review or visual assessment.
- d. If lead is detected in the drinking water, remediation is required in accordance with all applicable federal, state and local laws and regulations.

- e. If all the plumbing is removed and replaced with pipes in accordance with Section 1417(e) of the Safe Drinking Water Act (SDWA), then lead testing is not required. The SDWA states that "lead free" means those fittings and fixtures that are in compliance with the standard established under Section 1417(e) with regard to plumbing fittings and fixtures intended to dispense water for human consumption. Further, Section 1417(a)(1) of the SDWA requires that only "lead free" pipe, solder or flux may be used in the installation or repair of (1) Public Water Systems, or (2) any plumbing in a residential or non-residential facility providing water for human consumption.

9. Polychlorinated Biphenyls ("PCBs").

- a. Documentation must be included in the Phase I report indicating the condition of any transformers or other electrical equipment observed on or adjacent to the property that could contain PCBs.
- b. The Environmental Professional must determine ownership of and responsibility for the electrical equipment and include in the Phase I Report a discussion of such ownership/responsibility and a statement as to whether or not the equipment contains PCBs.

10. Endangered Species. The Environmental Professional must review the list of protected species from the U.S. Fish and Wildlife Service, check the occurrence records from the Georgia Natural Heritage Inventory Program, and provide comment regarding on-site habitats, the potential for the presence of endangered species and whether or not the presence of such species will be impacted by the proposed development. Please note:

Endangered Indiana bat (*Myotis sodalis*) and threatened northern long-eared bat (*Myotis septentrionalis*) occur over a large portion of northern Georgia and utilize our forests in the summer to form maternity colonies and raise pups. Forests surrounding caves also provide critical habitat for northern long-eared bats in the spring and fall. The range of both Indiana and northern long-eared bats, as well as endangered gray bats (gray bats do not roost in forest but in caves only), can be found here: <http://www.georgiawildlife.com/BatSurveyGuidance> or through U.S. Fish and Wildlife Service's Information for Planning and Conservation website here: <https://ecos.fws.gov/ipac/>. Care should be taken during project planning to avoid harm to threatened and endangered bat species. Areas of greatest concern are located around caves (see attached Google Earth file), but projects that would involve extensive tree clearing, project planners may request technical assistance from the U.S. Fish and Wildlife Service's

Georgia Ecological Services Field Office in Athens, Georgia. For developments in areas where the northern long-eared bat occurs, applicants must provide a project description, a location map, and project center-point coordinates, preferably in decimal degrees. Pete Pattavina (pete_pattavina@fws.gov) or Carrie Straight (carrie_straight@fws.gov). They can also be reached by phone at 706-613-9493. If no response is received in 30 days, the development is in compliance with the ESA.

11. Other Hazards and Considerations.

- a. The Environmental Professional must also consider and discuss in the Phase I Report other hazards or considerations, including, but not limited to, the presence of urea formaldehyde in existing structures, existing septic tanks or wells on the property, or the absence of the availability of a municipal water or sewer system to the property, including any moratorium on new hookups.
- b. The Environmental Professional must provide documentation that the municipal water and sewer services are available to the property, because such service is required under the DCA's Appendix I Threshold Criteria for all properties seeking DCA approval. A record of a phone conversation between the Applicant or the Environmental Professional and the relevant authority, or a copy of a letter sent to the Applicant by the relevant authority are all acceptable forms of documentation.

12. Historic Preservation.

General Requirements. The Environmental Professional must provide documentation regarding the effect the proposed project will have on historic properties and archaeological sites that are listed on or eligible to be listed on the National Register of Historic Places. Section 106 of the National Historic Preservation Act requires DCA to act as the Responsible Entity for the administration of federal funds and as such to identify and assess the effects of its actions on historic properties. In most cases it will be necessary to employ a Preservation Professional that can conduct a cultural resources survey to assess the effects to historic properties and archaeological sites. The documentation at a minimum will include evidence of a thorough literature review and site file search to determine if previously known historic properties or archaeological sites are present within an Area of Effect. If no properties are recorded, the area probably has not been subjected to previous surveys. If no previous surveys have examined the project area, it will be necessary to conduct an intensive cultural resources survey field survey to determine if any, as yet, unrecorded historic properties or archaeological sites are present. Documentation required for Historic Preservation includes a cultural resources survey report by the Preservation Professional that identifies and assesses any effects to historic properties or archaeological sites from the proposed project.

The following information must be included:

- a. a professional opinion on whether the proposed project may have an effect upon properties included in or eligible for inclusion in the National Register of Historic Places (hereinafter “National Register”) pursuant to Section 800.13 of the historic preservation regulations, 36 C.F.R. Part 800. 36 C.F.R. Part 800 also implements Section 106 of the National Historic Preservation Act, 16 U.S.C. 470 (hereinafter “Section 106”) and the Native American Graves Protection and Repatriation Act (NAGPRA) (U.S. Code 25, §3001, et seq. The Environmental Professional must provide a professional opinion on its findings in the appendix of the Phase I report.
 - (i) Section 106 requires DCA, as a Responsible Entity for the administration of federal funds, to identify and assess the effects of its actions on historic resources. As such, DCA must consult with appropriate state and local officials, Indian tribes, applicants for federal assistance, the Advisory Council on Historic Preservation, and members of the public and consider their views and concerns about historic preservation issues when making final project decisions.
 - (ii) Section 106 applies when three thresholds are met: 1) there is a federal or federally licensed action, including grants, licenses, and permits, and 2) that action has the potential to affect properties listed in or eligible for listing in the National Register of Historic Places 3) that action has the potential to affect places of cultural and historical significance such as an archeological site or a traditional cultural property.
 - (iii) Effects are resolved by written mutual agreement, usually among the affected state’s State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), DCA, and any other involved parties (in this case, the Applicant).
- b. Tribal Historic Preservation Review. If it is determined that the proposed project will affect tribal historic properties, DCA must consult with THPO to determine actual effect based on criteria found in the Council’s regulations. DCA shall forward gathered documentation to the appropriate Tribal Council for a thirty (30) day determination of eligibility.
- c. Preservation Professional. If it is determined that the proposed project will affect historic properties, the Applicant or Environmental Professional must employ a qualified professional or contract with a qualified professional(s) (hereinafter “Preservation Professional”) who meet the minimum requirements set forth in the *Secretary of Interior’s Professional Qualifications Standards* at 36 C.F.R. Part 61

(hereinafter “Professional Qualification”) to determine actual effects base on criteria found in the Council’s regulations and made one of three determinations, *No effect, No adverse effect or Adverse effect*. In addition to these minimum requirements, the Preservation Professional must have a minimum of one-year experience in applying the National Register of Historic Places eligibility criteria to buildings, structures and districts when identifying historic properties and in applying the *Secretary of the Interior’s Standards for Rehabilitation* to rehabilitation projects and must have demonstrated the successful application of acquired proficiencies in the field of historic preservation by meeting at least one of the following:

- i. Demonstrated experience in completing the application forms for the rehabilitation of historic buildings pursuant to the National Park Service’s Federal Historic Preservation Tax Credit program; or
 - ii. Demonstrated experience in developing plans for the rehabilitation or restoration of historic buildings that have been implemented; or
 - iii. Have received an award from a local, state, or national organization in recognition for a historic building rehabilitation or restoration project; or
 - iv. Have served on local historic preservation commission, state National Register of Historic Places Review Board, or state or national historic preservation board or committee in capacity of architectural Historian or Architect
 - v. Applicants must notify DCA and SHPO in writing once their Preservation Professional has been selected, but prior to initiation of the undertaking. The notification shall include the curriculum vitae of the Preservation Professional(s) qualifications and the address, phone and fax numbers of the Applicant’s primary points of contact for project activities.
- d. Minimum Requirements. For the proposed project, the Preservation Professional must, at a minimum:

- i. consult previous surveys of historic properties and/or districts, if any, to identify if the subject property or other properties within the area of potential effects are fifty (50) years old or older and evaluate each for eligibility in the National Register of Historic Places;
 - ii. consult with the owner of the property and record such information (owner's knowledge of the past history, age, alterations, etc.) for use by the Preservation Professional in making a decision concerning the National Register-eligibility of subject properties; and
 - iii. maintain a file on the identification and National Register evaluation of each subject property and on other properties within the area of potential effects. The file shall include the following data used in the determination:
 - 1. Interior and exterior building and neighborhood context photographs per Section 106 keyed to a location map;
 - 2. Information on whether the property and/or district meets the criteria for the National Register inclusion; and
 - 3. Information indicating whether the property is contributing or non-contributing as part of a National Register-eligible historic district, or if it is individually eligible for the National Register.
- e. Determinations by the Preservation Professional.
- i. If the Preservation Professional needs assistance in determining the eligibility of a property or district for the National Register, or the Preservation Professional and the Applicant disagree on the eligibility of a property or district, the Preservation Professional shall forward the documentation gathered to the SHPO for a thirty (30) day determination of eligibility. If necessary, the Applicant may obtain a formal determination of eligibility from the Keeper of the National Register in accordance with 36 C.F.R. Section 800.4(c).
 - ii. If the Preservation Professional determines that the subject property does not meet the National Register criteria, then the Preservation Professional shall submit a letter to the Applicant indicating that there is

No Historic Property. Applicant shall include a copy of the letter in the appendix.

- iii. If the Preservation Professional determines that the property is a contributing structure which is either listed in the National Register or is eligible for listing in the National Register (or a lot within such a listed or eligible district), prior to the initiation of any work, the Applicant shall request the Preservation Professional's review of the proposed work. Within thirty (30) days from the receipt of a request from the Applicant, the Preservation Professional shall review work write-ups or plans and specifications submitted for all proposed activities for their effects to historic properties as follows:
 1. The Applicant in consultation with the Preservation Professional shall develop preliminary design documents for SHPO review and approval prior to the initiation of construction activities. The Applicant shall take into account the comments and recommendations made by the Preservation Professional for both rehabilitation and new construction activities.
 2. The Applicant shall notify SHPO when ground-disturbing activities, to include excavation for footing and foundations, installation of utilities such as sewer, water, storm drains, electrical, gas, leach lines, and septic tanks, are proposed as part of an undertaking. In addition, if previously unidentified historic properties, including archaeological sites, are discovered during project rehabilitation or construction, the Applicant shall immediately stop all project activities. The Applicant shall immediately contact the Preservation Professional for consultation.
- f. Public Participation Regarding Activities. The Applicant, in consultation with the Preservation Professional, shall determine the public interest in planned rehabilitation or new constructions activities which may affect potentially historic properties or districts by informing the public about potentially historic properties while meeting its public participation requirements as set forth in the regulations

for the HOME program and in complying with 24 C.F.R. Part 58. Section 106 procedures require public participation and consultation with the State Historic Preservation Officer and any individuals and organizations that have a demonstrated interest in the undertaking of the historic preservation project at every stage of the process, i.e., from 1) initiation; 2) identification and evaluation of historic properties; 3) determination of effects; 4) resolution of adverse effects; to 5) completion. This is intended to insure that the people and entities most affected by a federally funded project have an opportunity to participate in the decisions affecting it. The Applicant shall notify the Preservation Professional of the public interest in any project activities if planned activities are determined to trigger the requirements of Section 106. The Applicant shall record all comments received at any public meetings, in writing, or by phone, which records shall become part of the Historic Preservation Environmental Review Record.

13. Vapor Intrusion. If soil or groundwater contamination is identified on-site or on an abutting or adjacent property, the Phase I Report must include a Tier 1 Vapor Encroachment Screening performed in accordance with ASTM E 2600-10 standards to determine if there is a potential for vapors from hazardous substances or petroleum products to occur in the subsurface below existing and/or proposed on-site structures.

a. If the Tier 1 screening cannot rule out a Vapor Encroachment Condition (VEC), then a Tier 2 screening shall be performed. If the Tier 2 screening indicates that (1) a VEC exists; (2) a VEC likely exists; or (3) a VEC cannot be ruled out, then further evaluation of the vapor intrusion pathway using guidance from EPD and/or EPA shall be performed.

(i) Guidance from EPD is available at: <https://epd.georgia.gov/vapor-intrusion-technical-guidance>

(ii) Guidance from EPA is available at: <http://www.epa.gov/oswer/vaporintrusion/>

(iii) Particular assessment tools may include the EPA Vapor Intrusion Screening Level Calculator, the EPA implementation of the Johnson and Ettinger Model, and media (i.e., groundwater, exterior soil gas, sub-slab soil gas, and indoor air) sampling. These assessment tools should be used in accordance with guidance from EPD and/or EPA.

b. The results of the vapor intrusion evaluation shall be reported to DCA and, if necessary, shall include proposed VI mitigation measures (including a schedule) to prevent vapors from migrating into any structure or building. VI mitigation measures may include soil and/or groundwater remediation, if appropriate. Upon completion of the

VI mitigation measures, a report detailing the measures employed shall be submitted to DCA within thirty (30) days of completion. Where no current structures exist, vapor mitigation measures shall be evaluated and implemented in construction of future structures. A report detailing this VI evaluation and any vapor mitigation measures employed during and/or after development shall be submitted to DCA within thirty (30) days of the evaluation and/or any required mitigation. An annual certification of compliance with the proper operation and maintenance of mitigation measures may be required.

- c. Any VI mitigation measures shall comply with applicable Georgia and EPA rules and meet all applicable appropriate industry and engineering standards and guidelines (including but not limited to ASTM Standards) and satisfy all prudent design, construction, installation and operating practices followed by experts in the industry for residential development.

C. Required Documentation That Must be Included in All Phase I Reports.

- 1. Environmental Consultant Signature Page for Phase I Reports.** This document must be completed, signed by the appropriate parties, and included immediately after the cover of the Phase I Report. This form can be found within the Forms Section of the Qualified Allocation Plan Documents.
- 2. The Environmental Certification.** This document must be completed, signed by the Environmental Professional, and included in the appendix. This form can be found within the Forms Section of the Qualified Allocation Plan Documents.
- 3. Owner Environmental Questionnaire & Disclosure Statement.**
 - a. This document must be completed and signed by the owner of record of the proposed development site, and must be signed and notarized in the spaces provided no earlier than ninety (90) days prior to Application submission. This form can be found within the Forms Section of the Qualified Allocation Plan Documents.
 - b. For all information to the document that is not or cannot be provided by the owner of record, the Environmental Professional must seek out the information and address the information in the Phase I Report.
 - c. The signed and notarized Owner Environmental Questionnaire & Disclosure Statement must then be forwarded to the Environmental Professional to be reviewed and included in the appendix of the Phase I Report.
- 4. Property Log and Information Checklist.** This document must be prepared by the Environmental Professional and attached to the Phase I Report. All entries must be fully

documented and explained in the Phase I Report. This form can be found within the Forms Section of the Qualified Allocation Plan Documents.

5. **HOME and HUD Environmental Questionnaire.** This document must be included in the Phase I Report for all projects requesting HOME funding and/or HUD funding sources, including but not limited to PBRA. This form can be found within the Forms Section of the Qualified Allocation Plan Documents.
6. **Proof of Insurance.** Proof of insurance in specified amounts listing GHFA and DCA as an additional insured on the general commercial liability policy and giving the proper 30-day cancellation period.
7. **Comprehensive Historical Review.** This must be discussed in the Phase I Report and documentation must be included in the appendix of the Phase I Report.
8. **Letters of Reference.** The environmental consulting firm that performed the Phase I (and Phase II, if required) must include in the appendix of the Phase I Report, three letters of reference attesting to the firm's prior work. At least one of the references should be from a real estate firm or law firm that used the environmental consulting firm to support a real property transaction. Letters of reference must be for work completed within the last twenty four (24) months.
9. **The Georgia Historic Preservation Division Environmental Review Form.** The Environmental Professional must prepare this document and a copy must be attached to the Phase I Report for all projects that may have an effect upon properties included in or eligible for inclusion in the National Register of Historic Places. All entries must be fully documented and explained in the Phase I Report. This form can be found within the Forms Section of the Qualified Allocation Plan Documents or on the HPD website.

D. Requirements for Phase II Investigations and Non-Scope Testing

1. General Requirements.

- a. The purpose of a Phase II Environmental Site Assessment (Phase II) or any Non-Scope Testing (Non-Scope Testing) (collectively referred to as 'testing') is typically to determine the presence or absence of RECs, suspected environmental concern(s), extent of non-scope issue(s), or to quantify the extent of an actual or suspected release or potential release identified in the Phase I Report. Testing may require additional information gathering and/or physical sampling, if appropriate.
- b. If the Phase I Report documents a recognized environmental condition, suspected environmental concern or non-scope issue, a Phase II Environmental Site Assessment or Non-Scope Testing is required in all but the most exceptional circumstances. Testing

must be completed as part of the Application submission.

- c. The Phase II and Non-Scope testing need only extend to those investigations necessary to resolve the RECs, suspected environmental concerns, or non-scope issues, or to quantify the extent of any release identified in the Phase I Report. If clear and convincing evidence exists that a property is *not* impacted by an REC, suspected environmental concern, or non-scope issue, then DCA at its sole discretion may waive the requirement for a Phase II for that issue.
- d. The Phase II and Non-Scope testing must include thorough documentation of the methods utilized to conduct sampling and research. Good management practices and regulatory standards must be followed at all times, especially where physical sampling and laboratory analysis is involved. Groundwater sampling activities must comply with current U.S. Environmental Protection Agency and Georgia Environmental Protection Division standards and policies.

2. DCA Review of Testing Scope of Service

- a. If a Phase I Report recommends a Phase II Environmental Site Investigation or any other testing relating to non-scope items (Non-Scope Testing) (collectively referred to in this Section as “testing”), the Applicant is strongly encouraged to submit the Phase I Report (text only), along with the proposed Phase II or other Non-Scope Testing scope of work and the Site Map, no later than sixty (60) days prior to Application submission for DCA to review. While submittal of this documentation is not required, the strict time frame associated with Threshold Review could make it impossible for modifications testing to be completed prior to selection of a project if DCA determines that the work scope is not adequate.
- b. The proposed scope of work must be submitted to the attention of the Office of Affordable Housing Architecture & Construction Department with a cover letter clearly indicating its contents and requesting approval of the scope.
- c. If the Applicant does not submit a draft of the proposed testing scope of work, or if the testing has already been completed, DCA may, at its sole discretion, require that the Applicant conduct any of the following environmental activities prior to completing the threshold review of the application: (i) perform additional testing; (ii) perform remediation and confirmatory testing; (iii) obtain a brownfield’s “limitation of liability”; (iv) obtain a “no listing” letter under the Georgia Hazardous Site Response Act (“HSRA”), O.C.G.A. § 12-8-90 *et seq.*, 1992, as amended; (v) develop a Noise Attenuation Plan; (vi) develop an O & M Plan with respect to certain known, suspected, or potential environmental hazards which are discovered during the Phase I and/or Phase II reviews. If the required activities cannot be completed within the required time frame, the project will fail Threshold.
- d. DCA will review the proposed scope of work and issue its concurrence or include additional work scope items that will satisfy the threshold requirements.
- e. If the Applicant does not receive a response from DCA regarding the proposed scope of work within fifteen (15) business days prior to Application submission, the Applicant should proceed with the testing.
- f. DCA reserves the right upon reviewing the report for any such testing to require that the Applicant conduct any of the following environmental activities, at DCA’s

sole discretion: (i) perform additional testing; (ii) perform remediation and confirmatory testing; (iii) obtain a brownfield's "limitation of liability"; (iv) obtain a "no listing" letter under HSRA; (v) develop a Noise Attenuation Plan; or (vi) develop an O & M Plan with respect to certain known, suspected, or potential environmental hazards which are discovered during the Phase I and/or Phase II reviews.

g. The proposed scope of work must:

- (i) List the recognized environmental conditions, suspected environmental concerns, and/or non-scope issues
- (ii) Specify the locations and depth of any proposed monitoring wells, soil borings, and/or samples and include a Site Map showing the same.
- (iii) Specify the number of samples and depth of samples.
- (iv) Specify the test methods and analytical methodology, which will be used.
- (v) Include a cost assessment for all testing and reporting activities.

3. The Phase II or Non-Scope Testing Report. The Phase II Report, performed under the supervision of an Environmental Professional, must be reviewed, signed and certified by the Environmental Professional using the Environmental Consultant Signature Page for Phase II Reports, which can be found in the Forms Section of the Qualified Allocation Plan Documents. The Environmental Certification must appear immediately following the cover page of the Phase II Report. If the Environmental Professional, supervising and signing the Environmental Consultant Signature Page for Phase II Report, is not the same as the Environmental Professional who signed the Phase I Report for the property, the qualifications of such personnel should be described in the Phase II Report. The Phase II Report also must summarize in a table and/or figure format all soil and/or groundwater analytical data. Non-Scope Testing must meet the below requirements, where applicable.

- a. The Phase II Report must summarize all applicable state and federal notification and/or cleanup standards.
- b. The Phase II Report must include an estimate of costs for any necessary environmental remediation. This cost estimate must be included in the

development cost estimates and contain both the *total* estimated costs and the estimated costs for *each* separate activity.

- c. The Phase II Report must be clearly dated on the cover and must not be less than one hundred eighty (180) days old at the time of formal application submittal.
- d. The Environmental Professional must thoroughly explain all investigations, analytical data, test results, findings, and conclusions in the Phase II Report. This includes the Environmental Professional's interpretations and clear recommendations.
- e. Appropriate documentation (e.g., records review data or research, photographs, interview notes, any analytical results, etc.) that supports the findings and opinions in the Phase II Report must be included in the appendices to the Report.
- f. If assessment of volatiles in soil are part of the testing scope, the Environmental Professional must utilize a photo-ionization detector ("PID"), or other appropriate field organic screening instrument, to analyze the likely presence of volatile organic compounds in any soil borings or samples taken during the performance of any Phase II or any other soil testing event and must discuss the results of the PID analysis in the Phase II Report.
- g. For any groundwater testing for metals, turbidity measurements must be performed in the field. If turbidity is greater than 5 Nephelometric Turbidity Units ("NTUs"), both a filtered and a non-filtered analysis must be ran.
- i. The Phase II Report must contain a copy of any soil boring logs and must show the depth to groundwater, except where borings are not installed to groundwater.
- j. The Environmental Professional must require any laboratory submitting analytical results relating to a project to provide the following stipulation in the report:

*I stipulate that **[name of laboratory]** is accredited by **[name of accrediting agency]** and has been assigned **[accreditation number]**. The accreditation relates to **[media - e.g., air, drinking water, hazardous waste]**. The effective date of accreditation is **[date]** and expires on **[date]**. I further certify that the sample(s) for which this data is being submitted has been handled pursuant to the appropriate chain of custody.*

Signed by: _____

Date: _____

E. Professional Opinion and Related Requirements for Phase I and Phase II Reports

1. Primary Requirements.

- a. In any Phase I Report, the Environmental Professional must provide a professional opinion as to:
 - (i) The existence or non-existence of any RECs, HRECs, CRECs, suspected environmental concerns, and/or non-scope issues.
 - (ii) Whether the property has known contamination or is at risk for contamination from any RECs, HRECs, CRECs, suspected environmental concerns and/or non-scope issues.
 - (iii) Whether further environmental assessment activities, testing, or a Phase II Report are necessary.
 - (iv) Whether “all appropriate inquiry,” as described in Section 3.2.6 of ASTM E 1527-13, was conducted.
 - (v) The significance of all Data Gaps pertaining to the Environmental Professional’s ability to identify any RECs, HRECs, CRECs, suspected environmental concerns, and/or non-scope issues..
- b. In any Phase II Report, the Environmental Professional must provide a professional opinion as to:
 - (i) Whether the property is contaminated.
 - (ii) Whether any contamination discovered is from an on-site or off-site recognized environmental condition, suspected environmental concern, and/or non-scope issue.
- c. The Phase II or Non-Scope Testing Report must list as “users” of the Phase II or Non-Scope Testing Report the same parties that the Phase I report listed as “users”, and must state that they may use and rely upon the Report. These

parties include: the entity that has title to the property or the entity that will take title to the property, project development partners, equity partners for the project, and any other party which would be defined as a “user” within the meaning of Section 3.2.98 of ASTM.

d. The Phase I Report or Phase II Report and the Environmental Certification must state that DCA and GHFA may rely on the Phase I Report and Phase II Report. For Phase I Reports, this statement should be included in Section 2.6 of the Report.

2. Additional Requirements. In any Phase I or Phase II where contamination from an on-site or off-site source is known or has been determined, the Environmental Professional must provide a professional opinion as to:

- a. Whether any regulatory reporting or cleanup obligations are triggered.
- b. Whether any onsite or offsite contamination at or in close proximity to the subject property poses a hazard to human health and safety.
- c. Whether the subject property is likely to be listed on the Georgia Hazardous Site Inventory (“HSI”) or otherwise become part of an HSI site based on any documented soil and/or groundwater contamination.
- d. Whether the proposed project would exacerbate any existing contamination, upon reviewing the site plans.

3. Restrictions/Limitations. The Phase I and/or Phase II Report(s) providing the Environmental Professional’s professional opinion may not contain:

- a. Any language eliminating or disclaiming the liability of the Environmental Professional or their firm.
- b. Any language eliminating or modifying the Environmental Professional’s duties, obligations, or statement of work.
- c. The report may *not* state that it is exclusively for the use of the party who hired the Environmental Professional or that there is no accountability, obligation or liability to any third party.

F. Insurance Requirements

1. The Environmental Professional must carry insurance that provides full coverage for all work performed. The Environmental Professional must maintain insurance policies covering all of the following types of insurance in the greater of either the following amounts of coverage or the amounts of coverage that the Environmental Professional typically carries:
 - a. Commercial General Liability insurance, total combined single limits of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate;
 - b. Professional Errors and Omissions insurance with limits of \$2,000,000.00 each claim and \$2,000,000.00 in the aggregate; and
 - c. Pollution Liability insurance with limits of \$2,000,000.00 per occurrence and \$2,000,000.00 in the aggregate, with coverage extended to include third party liability for death, bodily injury, diminution of value of property and property damage.
2. The Georgia Housing and Finance Authority (GHFA) and DCA must be named as an additional insured on the commercial general liability insurance. In addition, GHFA and DCA must also be listed as a certificate holder on all policies. The insurance should be documented on an Acord 25 certificate. Such insurance, including any deductible or self-insured retention, shall by its terms be primary with respect to any insurance carried by the Applicant or any parent, subsidiary, or affiliated entities. For such policies written on a claims-made basis, the Environmental Professional must maintain such coverage for a period of at least three (3) years following the completion of the final Phase I and/or Phase II Reports.
3. The Environmental Professional must promptly notify DCA/GHFA of any changes made to the insurance policies required by this Section.
4. Upon written request of DCA/GHFA, the Environmental Professional must promptly deliver copies of policies evidencing the insurance coverages required by this Section (F) to DCA/GHFA.
5. All required insurance shall be underwritten by an insurance carrier acceptable to DCA/GHFA and with an AM Best rating of not less than A-. Such insurance policies are to provide that the insurer must give DCA/GHFA at least thirty (30)

days prior written notice of cancellation/termination/material change, and to provide that no action by the insured shall invalidate or diminish the insurance or bond(s) provided to DCA/GHFA.

6. Proof of insurance must be included in the appendix of the Phase I Report.
7. For ease of processing, the project name should be included on the insurance certificate.

G. HUD Environmental Clearance & Environmental Review Process for project applying for HOME or other federal funding.

The Georgia Department of Community Affairs, as the responsible entity referred to in 24 C.F.R. § 58.43, Environmental Review Procedures for Entities Assuming HUD Responsibilities, is responsible for undertaking environmental reviews for proposed HOME projects. In this capacity, DCA must ensure that the environmental review process is satisfied before certain HUD funds are committed to specific projects. When initial awards of HOME funds are announced, DCA will publish notices of its intent to allocate HOME funds in local newspapers in the proposed projects' areas. After comments, if any, have been received, HUD will review the comments to determine if there has been a finding. Once that process is complete and there has been no finding, DCA will seek HUD's approval of its commitment of HOME funds to the proposed project. In order to ensure that the environmental review process is not challenged, or to avoid non compliance with HUD's environmental procedures, Owners and/or Developer of proposed projects must, once applications are submitted, refrain from undertaking activities that could have an adverse environmental impact prior to the receipt of an environmental clearance letter from DCA removing the stipulated conditions. Such activities include acquiring, rehabilitating, converting, leasing, repairing, or constructing property. As a result, an Applicant cannot commit or expend HUD or non-federal funds until the environmental review process has been completed and the Owner and/or Developer has received a clearance letter from DCA permitting project activities. For detailed procedures for complying with this requirement and completing the HOME HUD Questionnaire, please see the HOME HUD Environmental Guidance.

III. DCA Evaluation and Conclusions

DCA conducts an independent review of the environmental materials submitted with an application. Any environmental concerns or issues identified (e.g., soil or groundwater contamination) in the Phase I or Phase II review must be addressed in accordance with these Standards. In addition, DCA will routinely conduct an independent review of publicly available information regarding the environmental condition of a property. DCA may require additional assessment of a property, including but not limited to, file review and/or Phase II sampling.

Environmental issues with the potential to impact the subject property which are not satisfactorily identified by the Environmental Professional and are later identified by DCA can be grounds for failing the threshold review. Issues that cannot be resolved during the Application period, or which present or may present a risk to the health or safety of persons or to the environment, and/or that present an unacceptable degree of lender and/or owner liability will be grounds for site rejection. Such decisions will be made at DCA's sole discretion. Increasingly, applicable law requires environmental remediation and repair work to be performed and documented according to strict regulatory standards. If proper documentation does not exist to substantiate remedial work performed prior to the commencement of the Phase I, then limited confirmatory testing or a Phase II may be required.

Upon review of the completed Phase I and/or Phase II reports, DCA, at its sole discretion, may impose additional assessments and/or environmental actions including, but not limited to, (i) performing remediation and confirmatory testing; (ii) obtaining a brownfield's "limitation of liability"; (iii) obtaining a "no listing" letter under HSRA; (iv) developing a Noise Attenuation Plan; or (v) developing an Operations and Maintenance Plan ("O&M Plan"), as a requirement for, or condition of, a funding commitment or tax credit allocation. Properties with recognized environmental conditions, potential environmental concerns, or non-scope issues that are not satisfactorily addressed by Phase II testing are unlikely to pass the threshold review or be approved for funding for tax credits. No project expenditures may be incurred or any HOME funds drawn down for any activity (other than exempt activities) prior to receipt of an environmental clearance letter releasing the conditions/funds. This may be obtained by completing an environmental review of each project as described in Part III of the 2017 Environmental Manual.

DCA reserves the right to refuse to fund or to withdraw funding from a project in which environmental hazards are discovered subsequent to DCA's completion of its threshold review. In such situations, however, at DCA's sole discretion, applicants may be given the opportunity to (i) perform additional testing; (ii) perform remediation and confirmatory testing; (iii) obtain

a brownfield's "limitation of liability"; (iv) obtain a "no listing" letter under HSRA; (v) develop a Noise Attenuation Plan; (vi) develop an O & M Plan with respect to certain known, suspected, or potential environmental hazards, which are discovered during the Phase I and/or Phase II reviews; or (vii) perform vapor intrusion mitigation. Option (vi) may be exercised when HUD and/or EPA regulations allow the environmental hazard to remain at the site.

Operations and Maintenance Plans

Some properties may have conditions that are currently acceptable but must be maintained or confirmed throughout the compliance or affordability period or the life of the loan whichever is greater with an ongoing O&M Plan. Examples may include the presence of ACM, lead-based paint, or underground storage tanks. The following documentation will be necessary for properties that require ongoing operations and maintenance:

1. A written O&M Plan must be submitted to DCA by the developer/owner *immediately* upon the completion of any remedial actions required. An Environmental Professional must prepare and certify that the provisions, if carried out with diligence, are sufficient to maintain the property in accordance with the DCA O & M Guidance Plan, sound business practices, and any other applicable regulatory standards. DCA will review the O & M Plan and determine if it meets the standards set forth in the DCA O & M Guidance Plan. The developer/owner must execute a written agreement with DCA that recognizes the developer/owner's obligation to carry out the O & M Plan including, if applicable, preparing documentation necessary to demonstrate compliance. At its discretion, DCA may require additional O & M Plan provisions.
2. The developer/owner must send written certification to DCA on an annual basis that certifies the property is being maintained in accordance with any applicable O & M Plans, environmental laws and regulations. The developer/owner must make an on-site inspection and inquiry before making the certification. The scope of the certification should include both the buildings and grounds, and cover the activities of the developer/owner, tenants, sub-lessees, their agents and any other third parties. These certifications must specifically address the ongoing effectiveness and adequacy of all current remedial and maintenance actions. Such certifications must be included as part of the annual Physical Inspection Report submitted to DCA.
3. In addition, an inspection and confirmation must be made immediately following the occurrence of events that might reasonably be expected to impact the environmental condition of the property or the efficacy of prescribed remedial or maintenance actions.

Such events would include, but are not limited to fire, flood, building construction or rehabilitation, spills or leaks of hazardous wastes or substances, unusual or intense use of property facilities, and/or significant changes in custodial or management personnel.

4. If the developer/owner is unable to confirm that the property is being maintained in accordance with any applicable O & M Plans, environmental laws, and regulations, the developer/owner must take any and all remedial and maintenance actions necessary to correct these conditions. The developer/owner must promptly confirm in writing to DCA the environmental status of the property immediately following implementation of any remedial actions.
5. The developer/owner must report to DCA and the appropriate local, state, or federal authority all known violations of applicable environmental statutes and state laws on the property. In addition, the developer/owner must take all necessary actions to ensure that all violations are promptly corrected and that the property is brought back to and maintained in full compliance with appropriate environmental statutes and good management practices.

IV. Required Format for Phase I Report

COVER

ENVIRONMENTAL CONSULTANT SIGNATURE PAGE TABLE OF

CONTENTS

1.0 EXECUTIVE SUMMARY

- 1.1 Location of the Property
- 1.2 Environmental Concerns and Conclusions
 - 1.2.1 On-Site
 - 1.2.2 Off-Site
- 1.3 Recommendations
 - 1.3.1 On-Site
 - 1.3.2 Off-Site

2.0 INTRODUCTION

- 2.1 Background (including purpose of the Phase I)
- 2.2 Procedures (including a detailed Scope of Services)
- 2.3 Significant Assumptions
- 2.4 Qualifications of Personnel/Documentation of qualifications as an “Environmental Professional”
- 2.5 Assessment of Specialized Knowledge or Experience of User and/or “Environmental Professional”
- 2.6 Limitations and Exceptions
- 2.7 Special or Additional Conditions or Contract Terms

3.0. SITE SETTING

- 3.1. General Description of the Site and Vicinity
 - 3.1.1. Current Site Use and Description
 - 3.1.2. Current Uses of Adjoining Properties
 - 3.1.3. Description of Structures, Roads, and Other Improvements (including exterior and interior observations)
- 3.2. Hydrogeology
 - 3.2.1. Geologic Setting
 - 3.2.2. Surface Drainage
 - 3.2.3. Groundwater
- 3.3. Wetlands
- 3.4. Floodplain/Floodway
- 3.5. State Waters
- 3.6. Endangered Species

4.0 REGULATORY INFORMATION

- 4.1 Data Review
 - 4.1.1 Standard Environmental Record Sources
 - 4.1.1.1 Sites listed in Section 8.2.1 of ASTM E 1527-13 and in Exhibit B1
 - 4.1.1.2 Orphan/Unmappable Sites

- 4.1.2 Additional Environmental Record Sources
 - 4.1.2.1 Local Brownfield Lists
 - 4.1.2.2 Local Lists of Landfill/Solid Waste Disposal Sites
 - 4.1.2.3 Local Lists of Hazardous Waste/Contaminated Sites
 - 4.1.2.4 Local Lists of Registered Storage Tanks
 - 4.1.2.5 Local Land Records (for activity and use limitations)
 - 4.1.2.6 Records of Emergency Release Reports
 - 4.1.2.7 Records of Contaminated Public Wells
 - 4.1.2.8 Planning Department Records
 - 4.1.2.9 Local/Regional Pollution Control Agency Records
 - 4.1.2.10 Local/Regional Water Quality Agency Records
 - 4.1.2.11 Local Electric Utility Companies (for records related to PCBs)
 - 4.1.2.12 Other
- 4.2 Agency Contacts/Records
 - 4.2.1 Local Fire Department Official
 - 4.2.2 State, Local, or Regional Health or Environmental Agency
 - 4.2.3 Local Building Permit Agency Official
 - 4.2.4 Local Groundwater Use Permit Agency Official
- 4.3 Interviews
 - 4.3.1 Current Key Site Manager, Occupants, or Owners of the Property
 - 4.3.2 Current Owners or Occupants of Neighboring Properties
 - 4.3.3 Past Owners, Occupants, or Operators of the Property
 - 4.3.4 User(s)
 - 4.3.4.1 Recorded Land Title Records/Judicial Records/Records of Environmental Liens and Activity and Use Limitations
 - 4.3.4.2 Specialized Knowledge of the User
 - 4.3.4.3 Commonly Known/Reasonably Ascertainable Information
 - 4.3.4.4 Reason for Performing the Phase I
 - 4.3.4.5 Relationship of Purchase Price to Fair Market Value (if Property being purchased)
 - 4.3.4.6.1 Purchase Price
 - 4.3.4.6.2 Differential between Purchase Price and Market Value
 - 4.3.4.6.3 Reasons For Any Differential

5.0 SITE INFORMATION AND USE

- 5.1 Site Reconnaissance Methodology and Limiting Conditions
- 5.2 General Site Setting
- 5.3 Assessment of Commonly Known/Reasonably Ascertainable Information
- 5.4 Current Site Use
 - 5.4.1 Storage Tanks
 - 5.4.2 Hazardous Substance and Petroleum Products Containers/Drums/Unidentified Substance Containers
 - 5.4.3 Heating and Cooling
 - 5.4.4 Solid Waste
 - 5.4.5 Sewage Disposal/Septic Tanks
 - 5.4.6 Hydraulic Equipment
 - 5.4.7 Contracted Maintenance Services
 - 5.4.8 Electrical Equipment/PCBs

- 5.4.9 Water Supply and Wells
- 5.4.10 Drains and Sumps
- 5.4.11 Pits, Ponds, Lagoons, and Surface Waters
- 5.4.12 Stressed Vegetation
- 5.4.13 Stained Soil or Pavement
- 5.4.14 Odors
- 5.4.15 Utilities/Roadway Easements
- 5.4.16 Chemical Use
- 5.4.17 Water Leaks/Mold/Fungi/Microbial Growth
- 5.4.18 Asbestos
- 5.4.19 Lead-Based Paint
- 5.4.20 Lead in Drinking Water
- 5.4.21 Radon
- 5.4.22 Noise
- 5.4.23 Vapor Encroachment Screening
- 5.4.24 Other Site Reconnaissance Issues
- 5.5 Past Site Use
 - 5.5.1 Recorded Land Title Records/Judicial Records/Records of Environmental Liens and Activity and Use Limitations
 - 5.5.2 Aerial Photographs and Topographic Maps
 - 5.5.3 Sanborn Fire Insurance Maps
 - 5.5.4 City Directories
 - 5.5.5 Previous Environmental Studies
 - 5.5.6 Other
- 5.6 Current Surrounding Land Use
 - 5.6.1 North
 - 5.6.2 East
 - 5.6.3 South
 - 5.6.4 West
- 5.7 Past Surrounding Land Use
 - 5.7.1 North
 - 5.7.2 East
 - 5.7.3 South
 - 5.7.4 West
- 5.8 Historic Preservation

6.0 DATA GAPS

- 6.1 Identification of Data Gaps
- 6.2 Sources of Information Consulted to Address Data Gaps
- 6.3 Significance of Data Gaps

7.0 ENVIRONMENTAL CONCERNS

- 7.1 On-Site
- 7.2 Off-Site

8.0 CONCLUSIONS & RECOMMENDATIONS

- 8.1 On-Site
- 8.2 Off-Site

9.1 DATA REFERENCES

APPENDIX A -- FIGURES AND MAPS

1. USGS Topographic Map
2. USFWS National Wetlands Inventory Map
3. Soil Survey Map
4. FEMA Map
5. Site Map (Existing Conditions)
6. Site Map (Proposed Conditions)
7. Radon Map

APPENDIX B -- PHOTOGRAPHS (including date and description of view presented)

APPENDIX C -- HISTORICAL RESEARCH DOCUMENTATION

1. Historic aerial maps
2. Fire insurance maps
3. Historical topographical maps
4. City Directories

APPENDIX D -- DOCUMENTATION FROM TITLE COMPANY/TITLE PROFESSIONAL

1. Recorded land title records
2. Records of environmental liens and activity and use limitations
3. Legal description

APPENDIX E -- NON-SCOPE TESTING

1. Lead based paint
2. Lead in soil
3. Lead in water
4. Asbestos
5. Radon
6. Vapor Encroachment Screening

APPENDIX F -- NOISE ASSESSMENT DOCUMENTATION (if applicable)

1. Noise assessment report
2. Noise attenuation plan

APPENDIX G -- REGULATORY SEARCH INFORMATION

1. Regulated Facilities Radius Map Report
2. File Review Documents (if applicable)

APPENDIX H -- RECORD OF COMMUNICATIONS AND INTERVIEWS

1. User/applicant interview
2. (abandoned properties) Interview of owners and occupants of neighboring properties
3. documentation of attempts to interview:
 - a. local fire department;
 - b. state or local health department or environmental agency;

- c. local agency responsible for issuance of building permits;
- d. local agency responsible for issuance of groundwater

APPENDIX I -- AUTHOR CREDENTIALS, DOCUMENTATION OF QUALIFICATION AS AN "ENVIRONMENTAL PROFESSIONAL"

APPENDIX J -- OWNER ENVIRONMENTAL QUESTIONNAIRE APPENDIX K -- PROPERTY LOG AND INFORMATION CHECKLIST APPENDIX L -- PROOF OF INSURANCE

APPENDIX M -- LETTERS OF REFERENCE APPENDIX N -- ENVIRONMENTAL CERTIFICATION

APPENDIX O-- CONSUMER CONFIDENCE REPORT ON WATER QUALITY

APPENDIX P-- ENDANGERED SPECIES DOCUMENTATION (if applicable)

APPENDIX Q-- SHPO REVIEW DOCUMENTATION (if applicable)

APPENDIX R-- ADDITIONAL HOME REQUIREMENTS (if applicable)

1. HOME and HUD Environmental Questionnaire
2. HOME and HUD Questionnaire supporting documentation
3. 8-step process for floodplains and wetlands

APPENDIX S— OPERATION AND MAINTENANCE MANUAL (if applicable)

APPENDIX T – PREVIOUS REPORTS (if applicable)

1. Previous Phase I (text and pertinent appendices only)
2. Previous Phase II Reports

APPENDIX U-- OTHER (if applicable)

ATTACHMENT 1, PHASE II REPORT

1. Current Phase II Report

V. Common Omissions in Phase I Reports

These lists reflect items commonly omitted from Phase I Reports, or which are commonly submitted incorrectly. This checklist is not intended to be a comprehensive checklist of all items required for a DCA approved Phase I Environmental Site Assessment, and is merely a guide.

Common Omissions

- Report Date (not included on the cover).

- Environmental Certification Form.
- Signature of the Environmental Professional on the Environmental Certification form.
- Signature of the Applicant on the Environmental Certification form.
- Environmental Professional's resume, qualifications, letters of reference.
- Proof of insurance in specified amounts on appropriate certification forms; GHFA and DCA listed on the certificate as a certificate holder and as an additional insured for the commercial general liability policy.
- Owner Environmental Questionnaire and Disclosure Statement.
- Professional Opinion, conclusions, and recommendations on all matters observed on the subject site and or surrounding sites in the Executive Summary and in Sections 4.0 and 5.0 of the Report.
- Property Log.
- Geological investigation.
- Floodplain investigation and map.
- Wetlands investigation, including wetlands maps.
- Groundwater flow direction on site map.
- Interviews – names and titles of interviewees; documentation of all interviews and attempts to interview in the Appendices.
- Dates on photographs in appendix.
- Noise Assessment Report and professional opinion (including NAG when noise levels exceed HUD limitations).
- Radon site classification for new construction; Radon testing in buildings for rehabilitation.
- Survey of mold conditions in buildings for rehabilitation.
- Lead in Drinking Water documentation.
- Asbestos sampling/survey.
- Lead Based Paint sampling.

Common Errors

- Incomplete HOME and HUD Environmental Questionnaire.
- Date of Site Reconnaissance not indicated.
- Historical review not performed in accordance with ASTM requirements and DCA

standards (e.g., missing search for recorded environmental cleanup liens)

- Incomplete discussion of each property identified in the environmental regulatory database(s) and rationale(s) for determining whether each property presents a recognized environmental condition to the subject property.
- Map does not show all sites identified in Regulatory Review, including, but not limited to, the following:

FINDS	Federal CERCLIS/CERCLIS NFRAP
RCRA TSD	RCRA Generators
NPL	ERNS
TRI	UST
State LUST	HSRA (a.k.a. non-HSI)
HSI	Spills List
SWS	RCRA CORRACTS

- Phase I Report is more than 180 days old and has not been updated, or report is over 1 year old.
- DCA Required Format for Phase I Report not followed, including all appendices.
- Noise Assessment Report and professional opinion does not meet NAG requirements, including lack of 10 year traffic projections.
- Use of Disclaimer language inconsistent with requirements of these Environmental Guidelines.
- Site reconnaissance observations not sufficiently discussed.
- Observations and potential environmental impacts shown on photographs not sufficiently discussed.
- Data gaps/data failures not discussed sufficiently.
- Potential vapor encroachment not discussed and screening not followed.

VI. Glossary of Terms and Acronyms

HSRA	Georgia Hazardous Site Response Act [O.C.G.A. Section 12-8-90 <u>et seq.</u>]
HSI	Hazardous Site Inventory
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [42 U.S.C. Section 9601 <u>et seq.</u>], as amended by the Superfund Amendment and Reauthorization Act of 1986
CERCLIS	Comprehensive Environmental Response, Compensation and Liability Information System
CERCLIS NFRAP	CERCLIS—no further remedial action planned
EPCRA	Emergency Planning and Community Right to Know Act of 1986 [43 U.S.C. Section 11001 <u>et seq.</u>]
EPD	Georgia Department of Natural Resources, Environmental Protection Division
ERNS	Emergency Response Notification System [40 C.F.R. Parts 300, 370, and 372]
FINDS	Facility Index System [40 C.F.R. Section 6901 <u>et seq.</u>] LUST Leaking Underground Storage Tank Act
NPL	National Priorities List [42 U.S.C. Section 9605]
RCRA	Solid Waste Disposal Act as Amended by Resource Conservation and Recovery Act [42 U.S.C. Section 6901 <u>et seq.</u>]
RCRA CORRACTS	RCRA corrective action database
RCRIS	Resource Conservation and Recovery Information System SARA Superfund Amendments and Reauthorization Act of 1986 TRI Toxics Release Inventory

APPENDIX B

REHABILITATION GUIDE

**2017 ARCHITECTURAL MANUAL
APPENDIX IV
REHABILITATION GUIDE FOR
EXISTING PROPERTIES**

TABLE OF CONTENTS

1. Introduction
2. Physical Needs Assessments
3. The DCA Rehabilitation Work Scope Form
4. Specific Systems Replacement Guidance
5. Historic Preservation

Appendix I - The Fannie Mae Physical Needs Assessment Guidelines

Applicable Forms

- Fannie Mae Physical Needs Assessment Forms
 1. Terms of Reference
 2. (All) Systems and Conditions
 3. Immediate Physical Needs
 4. Capital Replacement Reserve Study
 5. Expected Useful Life Tables
- DCA Accessibility Checklists
 1. Fair Housing Units Checklist
 2. Section 504/UFAS Units Checklist
 3. Site & Common Area Accessibility Checklist
- DCA Rehabilitation Work Scope

1. Introduction

The purpose of this Rehabilitation Guide is to standardize DCA's expectations for the longevity and marketability of completed rehabilitation of existing rental property. This Guide is also intended to provide the Owner/Applicant with guidance and requirements for the DCA rehabilitation process.

The Internal Revenue Code requires that all low-income units in a project receiving Credits remain rent-restricted and income-restricted for the 15-year Compliance Period and for 15 years after the close of the Compliance Period for tax credit projects. The requirements for home projects are 20 years. Projects that propose rehabilitation must present a scope of work that will position the property to meet the entire extent of its statutory obligations. The Fannie Mae Expected Useful Life Tables should be used as guide to determine the components and systems that need to be replaced in order to meet the duration of all tax credit program obligations.

It is expected that all work scopes will propose:

1. A minimum "dwelling unit" per unit hard cost budget of \$25,000.
NOTE: Hard costs eligible for this minimum per unit hard cost requirement shall be limited only to improvements to the interiors of the dwelling units and the dwelling unit envelope (windows, entry doors, exterior siding, unit insulation and roofing improvements). No site improvements, common building systems, community building improvements, new construction for community buildings, maintenance facilities, other common use structures or interior and exterior amenities shall be eligible to count towards the dwelling unit "per unit" hard cost minimum calculation.
2. The replacement of any component of the building or site with a Remaining Useful Life, according to Fannie Mae Expected Useful Life Table, of less than 15 years.
3. The replacement of existing exterior stairs, breezeways, and handrails that have no roof cover with covered vertical circulation.
4. Corrective actions for all deficiencies noted in the Physical Needs Assessment.

5. Compliance with the Georgia State Minimum Standard Codes and Life Safety Code for new construction regarding stairs, handrails, guardrails, smoke detectors, fire alarms, and unit fire separation (attic draft stops, fire separation, rated party walls and floor/ceiling components, and caulking of all penetrations in the fire assemblies). Life Safety items that do not meet current codes will not be 'grandfathered' in.
6. Substantially the same scope of work in all units.
7. Compliance with the Architectural Manual upon completion of work.
8. Compliance with all current building codes upon completion of work.
9. Compliance with all DCA accessibility requirements upon completion of work. DCA does not distinguish between new construction and rehabilitation in its accessibility requirements.
10. Compliance with UPCS upon completion of work.

NOTE: ANY variance from these requirements will require the submission of a DCA Architectural Waiver Request.

DCA will review the type of construction and associated hard construction costs. Applications for the rehabilitation of a substandard property will not be funded if, in the opinion of DCA, the rehabilitation will not result in improved, safe and decent long-term housing, the proposed rehabilitation does not meet DCA standards, or if new construction would be more appropriate.

DCA may grant an architectural waiver to projects that will not meet the above requirements **ONLY if there is an overriding public policy or historic preservation need and the physical needs assessment clearly documents that the existing property does not require a comprehensive rehabilitation.** A certification from the architect and, where applicable, the appropriately-licensed project engineer (civil, structural, mechanical, plumbing, electrical) must also be provided documenting that the proposed work scope is sufficient to ensure that the completed project will be viable and meet the DCA useful life requirements. DCA may require, as a condition of the waiver, that the financial pro forma clearly provide for the full funding of the capital replacement reserve. The capital replacement reserve must clearly schedule all component/system replacements required according to the **Fannie Mae Expected Useful Life Table.**

DCA reserves the right, to perform its own Physical Needs Assessment (PNA) or decline any application for rehabilitation if it is determined that the Rehabilitation Work Scope:

- is inadequate or excessive;
- does not address the issues of the Physical Needs Assessment;
- does not address major structural issues, building codes, health, safety, marketing or any other conditions observed on the site;
- will not result in safe, decent housing;

All provisions in the Architectural Standards, Architectural Submission Requirements, Accessibility Manual, and Amenities Guide along with the Core and Threshold sections of the QAP apply to rehabilitation properties. However, DCA may consider waivers for some requirements if it can be documented that compliance will be cost prohibitive. The burden of proof is on the Owner/Applicant. All waiver requests should be accompanied by the DCA Rehabilitation Work Scope form, Physical Needs Assessment and any other substantiating documentation.

Waivers may be requested for:

- Architectural Standards:
 1. Central HVAC in a multi-floor building where it can be demonstrated that the existing central system is the most efficient and economical system for conditioning the indoor spaces
 2. Flat roofs
 3. Room and unit size, closet and cabinet/counter requirements, number of bathrooms only if documentation of the marketability of existing conditions is provided
 4. One bedroom units where the bathroom is accessed through the bedroom
- Threshold Section, Required Amenities: Additional Requirements and Amenities for Senior projects that requires Fair Housing compliance on all units built **BEFORE 1991** only if clear documentation of the burdensome cost to provide accessibility to all units is provided

- The minimum “dwelling unit” per unit hard cost budget of \$25,000 **ONLY if there is an overriding public policy or historic preservation need and the physical needs assessment clearly documents that the existing property does not require a comprehensive rehabilitation.** A certification from the architect must also be provided documenting that the proposed work scope is sufficient to ensure that the completed project will be viable and meet DCA useful life requirements. DCA may require as a condition of the waiver, that the financial pro forma clearly provide for the full funding of the Capital Replacement Reserve. The Capital Replacement Reserve study must clearly schedule all component/system replacements required by the **Fannie Mae Expected Useful Life Table.**

DCA reserves the right to deny waivers if the completed rehabilitation will not result in safe and decent housing that is equal to comparable housing in the marketplace. In no case will DCA waive federal, state or local building or accessibility laws or codes, state energy conservation codes or health and safety requirements.

No waivers will be allowed for the rehabilitation of existing units with room layouts that do not meet architectural standards requirements for bathrooms that open from areas of food preparation, or be used as a sole passageway to a habitable room, hall, basement or to the exterior or for habitable rooms in basement or cellar spaces unless egress is provided according to applicable fire codes.

The application for funding shall include a **Physical Needs Assessment** and comprehensive **DCA Rehabilitation Work Scope** outlined below. Rehabilitation projects selected for funding must submit all pre-construction due diligence documentation outlined in the Architectural Submittals Instructions, including a complete set of plans and specifications produced by an architect licensed in the state of Georgia. The DCA Rehabilitation Work Scope form submitted at application may not be changed between application submission and Final Allocation without DCA’s consent. All work proposed must be completed.

2. Physical Needs Assessments

The Physical Needs Assessment (PNA) is required at Application for all rehabilitation, adaptive reuse, and Historic Preservation properties applications presented for potential funding by programs administered through the DCA Office of

Affordable Housing. The purpose of the PNA is to provide a property description, document the existing condition of the property, to identify existing building code and program violations, identify immediate physical needs and to estimate capital needs over the long term. The PNA, including an on-site investigation, narrative report, and Fannie Mae forms must be conducted by a Qualified Consultant.

A “Qualified Consultant” is any individual who meets the following experience requirements and qualifications:

- Consultant must be independent from the Applicant/Developer and have the capacity to render a high quality report in accordance with the instructions and requirements set forth in the Rehabilitation Guide section of the Architectural Manual.
- Consultant must have no less than five (5) years of experience performing physical needs assessments for affordable rental housing projects.
- Consultant must not be presently debarred, suspended, proposed for debarment or suspension, declared ineligible or excluded from participation by any state or federal department, agency, or program.
- Consultant must agree to comply with all applicable laws, including, but not, limited to federal, state and local laws, codes, regulations, ordinances, rules and orders, including all laws concerning fair housing and equal opportunity that protect individuals and groups against discrimination on the basis of race, color, national origin, religion, disability, familial status, or sex.
- Consultants must agree to comply with the Immigration Reform and Control Act of 1986 (IRCA), D.L. 99-603, the Georgia Security and Immigration Compliance Act, the Illegal Immigration Reform and Enforcement Act of 2011 (O.C.G.A. §13-10- 90 et. seq.), and any other applicable state or federal immigration laws. Consultant must be registered with and using E-Verify.
- Consultant must comply with Drug Free Workplace requirements:
 - If Consultant is an individual, he or she must not engage in the unlawful manufacture, sale distribution, dispensation, possession or use of controlled substance or marijuana during the performance of PNA services.
 - If Consultant is an entity other than an individual, the entity certifies that a drug-free workplace will be provided for the Consultant's employees during the performance of PNA services.

Developers must contact the Qualified Consultant directly and contract to provide the PNA services. The report must include a certification that the report was prepared by an individual who meets the above-listed experience requirements and qualifications to be considered a Qualified Consultant.

The PNA must be no more than **6 (six) months** old at the time the Application is submitted. The report must include a signed statement from the Consultant with the following language inserted in the Consultant's signature block: "The investigation has been completed in accordance with DCA requirements, is accurate, and can be relied upon by DCA as a true evaluation of the existing property conditions." DCA reserves the right to verify all information contained in the report with an on-site inspection of the property conducted during the application process.

The Consultant shall inspect:

- A. All vacant and down units
- B. At least 10% of the occupied units
- C. One unit in each building
- D. One of each type of the accessible units (where they exist);
- E. One of each unit configuration type; and
- F. All other community/common areas and maintenance spaces.

The report is not expected to identify regular maintenance items that are part of the property owner's operating responsibility such as occasional window glazing replacement and/or caulking, minor plumbing repairs, annual HVAC and appliance servicing. However, the Consultant must comment on such items if they do not appear to be routinely addressed or in need of immediate repair, as well as report any observed or documented building code violations.

The Physical Needs Assessment must include descriptions of the condition of the following items and identification of the Remaining Useful Life in the **Fannie Mae** forms format of the following items:

SITE SYSTEMS AND CONDITIONS

- Landscaping
- Irrigation
- Grading/storm water drainage
- Lighting - building mounted
- Lighting - pole mounted
- Parking
- Pedestrian paving (sidewalks)
- Utilities (piping & equipment such as pumps etc.)
 - Water
 - Fire
 - Gas
 - Electrical
 - Sanitary
 - Storm water drainage structures & piping
 - Cable/Phone/Communications
- Mailboxes
- Property sign
- Traffic signage
- Retaining walls
- Fencing
- Exterior stairs
- Exterior railings
- Site amenities

COMMON AREAS/COMMUNITY BUILDING

- Common area amenities
- Common area doors
 - Interior
 - exterior
- Common area floors
- Common area ceilings
- Common area walls
- Common area kitchens
 - Countertop
 - Cabinets
 - Sink
 - appliances
- Common area HVAC
 - Ductwork
 - equipment
- Common area/public bathrooms
 - fixtures
 - hot water heating
 - water piping
 - waste/vent piping
 - bathroom accessories

- Sprinklers
- Electrical
 - light fixtures
 - outlets/switches
 - wiring
 - equipment (panels/breakers)
- Life safety
 - smoke alarms
 - fire alarms

BUILDING ARCHITECTURE

- Foundations
- Crawl Spaces/Basements
- Framing
 - wall
 - floor
 - ceiling/roof
- Exterior wall sheathing
- Exterior cladding
- Roof sheathing
- Roofing
- Gutters & downspouts
- Soffits
- Windows
- Insulation
 - wall
 - floor
 - attic

DWELLING UNITS

- Cabinets
- Countertops
- Interior doors
- Exterior doors
- Floor underlayment
- Floor finishes
- Interior wall sheathing (gypsum wall board)
- Wall finishes
- Ceilings
- Bathroom vanities
- Bathtubs/showers
- Tub/shower surrounds
- HVAC
 - ductwork
 - equipment
 - bath fans & ventilation

- Plumbing
 - fixtures (faucets, shower valves, toilets, sinks)
 - hot water heating
 - water piping
 - waste/vent piping
 - wall
 - under slab
- Appliances
- Elevators
- Sprinklers
- Electrical
 - light fixtures
 - outlets/switches
 - wiring
 - equipment (panels/breakers)
- Life safety
 - smoke alarms
 - fire alarm system
 - Attic draft stop/fire walls

The PNA must also include a discussion of known building code and health/life safety violations.

The PNA consultant is not expected to assume liability for compliance with accessibility regulations during design of post-rehabilitation. The consultant is expected to identify potentially costly barriers to required property accessibility, i.e., changes in grade for accessible routes or parking and unit framing changes for required clearances. Through completion of the DCA Accessibility Checklists, the PNA must identify major violations of The Americans with Disabilities Act, The Fair Housing Act, and The Uniform Federal Accessibility Standards (UFAS) where these standards are applicable to the existing property. The Uniform Federal Accessibility Standard (UFAS) is applicable to all properties either as a federal requirement through the use of federal funds or as a DCA program specific state requirement through the use of tax credits.

The Capital Replacement Reserve study shall extend for 20 years with no capital replacements within the first five years (apart from regular maintenance and turnkey operations that are part of the operation and management of the property). The Capital Replacement Reserve shall reflect the condition of the property “As Improved”. That is, the Capital Replacement Reserve study must take into

consideration the entire DCA Rehabilitation Work Scope proposed by the Owner, not just the needs identified by the Physical Needs consultant. The Capital Replacement Reserve study shall be a true and accurate representation of the needs of the property once the proposed rehabilitation is completed.

Any item that is determined to have an Effective Remaining Life of less than 15 years must be replaced as part of the work scope. Where major systems (roofing, HVAC equipment, windows, doors, etc.) have been replaced within the last 5 years, a waiver may be requested and DCA may allow for replacement in the 15 year term if the cost is clearly documented in the Capital Replacement Reserve study. Replacement Reserves must exceed the DCA QAP minimum contributions and the project underwriting shall propose full funding of the Reserve. It is recognized that the Expected Useful Life Tables represents one judgment of the expected life of the various components. The Tables provide a useful and consistent standard for all evaluators to use. The Tables avoid debate on what the appropriate expected life is and permit focus on the evaluator's judgment of the effective remaining life of the actual component.

It is incumbent upon the project team to provide adequate documentation substantiating the differences between the Effective Remaining Life as a calculated difference between Effective Useful Life and Age and the Evaluator's opinion of the remaining useful life.

The report should emphasize all systems/components with no Effective Remaining Life and those with Effective Remaining Life less than DCA requirements, all deferred maintenance, and repairs or replacements involving significant expense or outside contracting. The Consultant must note any suspected environmental hazards seen in the course of the inspection. Confirmation of suspected environment-related hazards, such as mold, lead-based paint, or asbestos containing materials, will be addressed in a separate environmental engineer's report.

3. The DCA Rehabilitation Work Scope Form

Whereas the PNA documents the existing conditions and **immediate physical needs**, the DCA Rehabilitation Work Scope form **must include these considerations** as well as future property marketability, durability, and energy efficiency which will add to the residential quality of life. The DCA Rehabilitation Work Scope form must be compiled by the Applicant/Owner, Architect/ Engineer, and Construction Contractor in DCA's required format to include materials, quantities and unit costs.

The DCA Rehabilitation Work Scope form shall be based on:

- Requirements for the replacement of components with an **Effective Remaining Useful Life of less than 15 years**, building code and health/safety violations, and **immediate needs** from the Physical Needs Assessment;
- Requirements for the replacement of components in order to comply with DCA's Architectural Standards and Specific Systems Replacement Guidance below;
- All applicable Threshold and Scoring upgrades as indicated in the DCA Application including amenities construction;
- All costs that will be incurred in bringing the property into compliance with federal, state, local, and DCA accessibility regulations (see the DCA Accessibility Manual for further guidance);
- Remediation of all issues identified in the Phase I and II environmental reports.

DCA must be able to determine that all major issues identified in the PNA and Environmental Reports are addressed in the DCA Rehabilitation Work Scope form.

4. Specific Systems Replacement Guidance

Site Utilities

The DCA Rehabilitation Work Scope form must contain a budget line item to investigate and repair or replace all main utility lines on the property, regardless of age. If **more than 50%** of the lines sanitary sewer, storm sewer, water service, fire service, electrical, cable, or gas are identified as failed, the entire line must be replaced. Failure to adequately substantiate the condition of existing utility lines may result in DCA re-capturing credits for failure to confirm the utilities systems operational conditions. **If funded**, a copy of the sewer investigation must be submitted to DCA with the final inspection documentation.

Site Utilities – Special Considerations: Polybutylene Piping

In all cases where **polybutylene piping** is identified on the property, an investigation must be conducted to adequately confirm the condition and performance of the plumbing system. The Consultant must document the investigation and provide an opinion on the system and whether or not the piping should be repaired or replaced. Particular note must be made of the condition of the fittings, and in all cases the last 3'-0" of the hot water lines from the water heater must be replaced with copper piping if this is identified as polybutylene piping.

Landscaping/Storm Water Drainage/Erosion

All areas of washout, exposed dirt, dead trees and overgrown landscaping must be corrected. Details must be provided in the **DCA Rehabilitation Work Scope** form as to how this will be accomplished. If DCA determines erosion conditions are severe, DCA may require, as a condition of funding, that a civil engineer be engaged to address the issue.

Site Improvements

Broken or un-useable amenities equipment, non-compliant site stairs and handrails, failed/deteriorated sidewalks, paving, and retaining walls must be corrected. Sidewalks and paving in particular must meet the minimum standards set forth in **UPCS**. All deficient paving and sidewalks are expected to be altered for compliance with federal and DCA **accessibility requirements**.

Foundations

All cracking or settling of concrete foundations and masonry must be addressed. If DCA determines foundation conditions are severely deteriorated, DCA may require, as a condition of funding, that a structural engineer be engaged to address the issue.

Crawlspaces

All crawlspaces must be investigated and assessed for the presence of mold, plumbing leaks, and deteriorating structures. All crawl spaces must meet minimum energy and fire code requirements.

Rough Carpentry

Deteriorated subfloor, wall sheathing, roof sheathing, and structural framing must be addressed and allowances for the quantity of this work must be substantiated.

EIFS & Stucco

EIFS (synthetic stucco) may not be repaired but **must be replaced** by a DCA-approved material. Hard-coat stucco (cement stucco) must be **replaced if more than 25%** of the existing material has failed. DCA must approve any repair or replacement of hard-coat stucco.

Acoustical Isolation

The **DCA Rehabilitation Work Scope** form must meet the Architectural Standards for acoustical isolation wherever party and exterior wall structures and ceiling and floor construction are exposed during the course of construction.

Drywall

The **DCA Rehabilitation Work Scope** form must indicate the approximate percentage of drywall to be removed and replaced (i.e. Is this a gut removal of all drywall or small scale patching as required to address isolated leaks or penetrations into walls by other trades). Allowances must be substantiated.

HVAC

Heating, ventilating, and air conditioning systems must be replaced if they do not meet the requirements of applicable building codes, do not meet **Threshold Section Building Sustainability**, or do not have the required Effective Remaining Life. The duct system must be replaced as required to meet applicable codes and DCA required life expectancy. If ductwork is not replaced, it must be cleaned and sealed in accordance with the Georgia State Minimum Standard Energy Code.

Plumbing

Plumbing components must be replaced if they do not meet the requirements of applicable building codes, do not meet **Threshold Section Building Sustainability**, do not have the required Effective Remaining Life, 50% of the plumbing system needs replacement, or if lead in water testing results from the Phase I Environmental Site Assessment exceeds regulated levels.

Electrical

The existing electrical system shall be upgraded to meet all applicable codes. If **50%** of the system needs replacement, the entire system must be replaced. This includes all wiring for the electrical system.

Building Sustainability

DCA expects that rehabilitation projects **will meet** the sustainability requirements outlined in the 2017 QAP regardless of local code enforcement.

Accessibility

All **DCA Rehabilitation Work Scopes** must meet applicable federal, state, local, and DCA requirements. DCA requires **5%** of the units to be fully accessible, 40% of mobility units to have roll-in showers, and an additional **2%** equipped for the hearing and sight impaired. DCA maintains the same standard for new construction and rehabilitation regarding accessibility requirements. See the **Accessibility Manual** for further guidance. The work scope should specifically address the work required to bring the property into full compliance with federal, state, local, and DCA requirements.

Fire and Life Safety

The property design shall meet or exceed all requirements to provide a safe environment for all tenants. These design aspects have been discussed in earlier sections and affect the property from overall site layout to the individual unit. Strict adherence to the **most recently adopted editions** of the Georgia State Minimum Standard Codes is required. Compliance with the **Life Safety Code for new construction** is required for the following regardless of local building authority enforcement:

- Stairs, handrails, and guardrails.
- Smoke detectors, carbon monoxide detectors and fire alarms.
- Unit fire separation (attic draft stops, fire/smoke separations, rated party walls and floor/ceiling components, and caulking of all penetrations in the fire assemblies).

Life Safety items that do not meet current codes will not be 'grandfathered' in.

5. Historic Rehabilitation

Rehabilitation

Rehabilitation is defined by the Secretary of the Interior as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values." As such, the standards to be applied to specific rehabilitation projects must be done so in a reasonable manner, taking into consideration economic and technical feasibility. The *Secretary of the Interior's Standards for Rehabilitation* (36 CFR Part 68) should be followed to rehabilitate the property's interior and exterior features, including, but not limited to, windows, doors, siding, masonry, ceilings, walls, floors, closets, fireplaces and floor plans. DCA's environmental requirements, including the testing and abatement (encapsulation) of lead, must be completed. These exterior and interior guidelines can be found at <http://www.nps.gov/tps/standards/rehabilitation.htm>.

Summary

DCA recognizes that certain projects deemed to be historic in nature may require rehabilitation which varies from the general requirements set forth in the other sections of this Guide. Therefore, if a Preservation Professional, as defined in the Environmental Manual, determines that the proposed project has an adverse effect or is a contributing structure which is either listed in the National Register or is eligible for listing in the National Register (or a lot within such a listed or eligible district) and Georgia State Historic Preservation Office (SHPO) has cleared the proposed activities to proceed, then, depending upon the action approved (rehabilitation, demolition and/or new construction), the general rehabilitation standards set forth in the other sections of this Guide may not apply. However, DCA still requires that the completed rehabilitation results in housing that will meet the duration of all tax credit program obligations.

The Applicant must submit to DCA a detailed scope of work which sets forth the proposed rehabilitation or new construction activity in accordance with recommended practices as set forth in ***The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings***.

Review the Historical Significance of the Property

If the historic building is to be rehabilitated, it is critical that the new use not require substantial alteration of distinctive spaces or removal of character defining architectural features or finishes. The construction materials, the form and style of the property, the principal elevations, the major architectural or landscape features, and the principal public spaces constitute some of the elements that should be preserved. Every effort should be made to minimize damage to the materials and features that convey a property's historical significance. Review of any record documentation on file with the National Register of Historic Places or local preservation commissions and supplemented with a physical investigation to identify which character defining features and spaces must be protected whenever any changes are anticipated.

Reconstruction (demolition and replacement) of Historic Properties

The Applicant shall ensure that, to the greatest extent feasible, the reconstruction of any historic structure deemed infeasible for rehabilitation shall be carried out in a manner that is compatible with the architecture of the original unit and/or other buildings within the surrounding historic district in terms of set-backs, size, scale, massing, design, color, features, and materials, and is responsive to the recommended approaches for new construction set forth in the Secretary's *Standards for the Treatment of Historic Properties*. Therefore, the Applicant shall consult with the Preservation Professional to develop a set of historically compatible model replacement building plans in advance of any planned reconstruction activities which shall be shared with the public during the initial public hearings held. Final construction drawings used in the bidding process, including elevations, shall be submitted to the Preservation Professional for review and comment and forwarded to SHPO for final approval prior to the award of a construction contract and the initiation of construction activities. If the Applicant determines that the proposed plans and specifications for the reconstruction do not meet the *Standards* as interpreted by the Preservation Professional, the Applicant shall notify the Advisory Council on Historic Preservation and initiate consultation as set forth at 36 CFR Section 800.5 (e). The Applicant shall follow the recordation and demolition guidelines as established by the Secretary of the Interior prior to the start of any demolition activities.

Questions concerning these requirements should be directed to SHPO and DCA prior to application submission.

Any modifications of the historic rehabilitation work scope must be approved in writing by DCA in advance of the project start-up.

Appendix I

The Fannie Mae Physical Needs Assessment Guidelines

Below is a reproduction of the directions for completing the **Fannie Mae forms**. Note that DCA may have detailed specific guidance above which **overrides these boiler-plate directions**.

These forms are provided for guidance and are used by permission of ON-SITE INSIGHT of Needham, MA by On-Site Insight © 1991 On-Site Insight, Inc. Use, reproduction, and distribution of these materials may be made solely in connection with the Affordable Housing Programs as administered by the Georgia Department of Community Affairs. All other rights reserved.

The standard format forms are to help the Consultant conduct a comprehensive and accurate assessment. However, the forms should not constrain the Consultant from fully addressing other findings and may be supplemented as necessary to create a thorough record of the property's physical needs. The forms may be altered to serve the Consultants' needs if the basic format is maintained and the same information is presented.

SPECIFIC GUIDANCE TO THE PROPERTY EVALUATOR

Purpose

The purpose of the Physical Needs Assessment is to identify and provide cost estimates for the following key items:

Immediate Physical Needs - repairs, replacements and significant maintenance items which should be done immediately.

Physical Needs Over the Term - repairs, replacements and significant maintenance items which will be needed over the term of the mortgage and two years beyond. As part of the process, instances of deferred maintenance are also identified. The assessment is based on the evaluator's judgment of the actual condition of the improvements and the expected useful life of those improvements. It is understood that the conclusions presented are based upon the evaluator's professional

judgment and that the actual performance of individual components may vary from a reasonably expected standard and will be affected by circumstances which occur after the date of the evaluation.

This package explains how to use the set of forms provided by Fannie Mae. It is important to recognize that the forms are intended to help the evaluator conduct a comprehensive and accurate assessment. They also present the results of that assessment in a relatively standard format which will be useful to the lender in making underwriting decisions. However, the forms should not constrain the evaluator from fully presenting concerns and findings. The forms should be used and supplemented in ways which facilitate the preparation and presentation of information useful to the lender regarding the physical needs of the property.

The Systems and Conditions forms may be altered and/or computerized to serve the evaluators' needs so long as information is provided on the condition and Effective Remaining Life of all components and the Effective Remaining Life is compared to the standard Expected Useful Life (EUL). The Summary forms may also be extended or computerized so long as the basic format is maintained.

Terms of Reference Form

The lender's inspector completes this form for the evaluator, as part of the needs assessment form. It serves as a reference point for the assessment and provides the evaluator with basic information about the property and the term of the loan. Four additional topics are covered:

1. Sampling Expectations - The lender's expectations about the number and/or percentage of dwelling units, buildings and specialized systems to evaluate may be stated. If there is no stated expectation, the evaluator should inspect sufficient units, buildings, and numbers of specialized systems to state with confidence the present and probable future condition of each system at the property. The evaluator should provide a separate statement indicating the sampling systems used to ensure a determination of conditions and costs with acceptable accuracy.

If a Sampling Expectation is provided by the lender which is not adequate to achieve the requisite level of confidence, the evaluator should so advise the lender. Considerations in determining an adequate sample size are age and number of buildings (especially if the property was developed in phases), total number of units, and variations in size, type and occupancy of units.

Effective sampling is based on observing a sufficient number of each significant category. Using the above criteria, categories could include buildings by age of each building (e.g. inspect buildings in the 8 year old phase and in the 11 year old phase), buildings by type (e.g. row house, L-shaped row house, walkup, elevator) and/or buildings by construction materials (e.g. inspect the garden/flat roof/brick walls section and the garden/pitched roof/clapboard walls section).

Dwelling units are separate categories from buildings. At a minimum, sampling is by unit size (0/1/2/3/4 bedrooms). There may be further categories if units are differently configured or equipped, or have different occupants (especially family or elderly). Generally, we would expect the percentage of units inspected to decrease as the total number of units' increases. Systems which are not unit specific, such as boilers, compactors, elevators and roofs, will often have a 100% sample.

The overriding objective:

SEE ENOUGH OF EACH UNIT TYPE AND SYSTEM TO BE ABLE TO STATE WITH CONFIDENCE THE PRESENT AND PROBABLE FUTURE CONDITON.

2. Market Issues - In certain instances, market conditions may necessitate action on certain systems. Examples are early appliance replacement or re-carpeting, new entry paving, special plantings, and redecorated lobbies. If the owner or lender has identified such an action, the evaluator should include cost estimation for such action and indicate what, if any, other costs would be eliminated by such action.

3. Work In Progress - In some instances, work may be underway (which can be observed) or under contract. When known by the lender, this will be noted. For purposes of the report, such work should be assumed to be complete, unless observed to be unacceptable in quality or scope.
4. Management-Reported Replacements - In some instances, the property ownership or management will provide the lender with information about prior repairs or replacements which have been completed in recent years. The lender may provide this information to the evaluator to assist in the assessment of these components. The evaluator should include enough units, buildings, or systems in the sample to reasonably verify the reported repairs or replacements.

Systems and Conditions Forms

It is the responsibility of the evaluator to assess the condition of every system which is present at a property. All conditions, except as noted below, requiring action during the life of the loan must be addressed regardless of whether the action anticipated is a capital or operating expense.

To assist evaluators in reviewing all systems at a property, four Systems and Conditions Forms are provided. Each lists a group of systems typically related by trade and/or location. The four forms are Site, Architectural, Mechanical and Electrical, and Dwelling Units. While the forms have several columns in which information may be recorded, in many instances only the first three columns will be completed. If the condition of a system is acceptable, the Effective Remaining Life exceeds the term of the mortgage by two years, and no action is required, no other columns need to be completed.

The report is not expected to identify minor, inexpensive repairs or other maintenance items which are clearly part of the property owner's current operating pattern and budget so long as these items appear to be taken care of on a regular basis. Examples of such minor operating items are occasional window glazing replacement and/or caulking, modest plumbing repairs, and annual boiler servicing, however, the evaluator should comment on such items in the report if they do not appear to be routinely addressed or are in need of immediate repair.

The report is expected to address infrequently occurring “big ticket” maintenance items, such as exterior painting, all deferred maintenance of any kind, and repairs or replacements which normally involve significant expense or outside contracting. While the evaluator should note any environmental hazards seen in the course of the inspection, environment-related actions, such as removal of lead-based paint, will be addressed in a separate report prepared by an environmental consultant.

USING THE SYSTEMS AND CONDITIONS FORMS

Purpose

The forms can be used both to record actual observations at a specific location and for an overall summary. For example, the Architectural form can be used for a specific building (or group or identical buildings) as well as for summarizing all information for buildings at a property. The same is true for the Dwelling Unit form. An unlabeled form is included which can be used as a second page for any of the Systems and Conditions Forms.

In some instances, the evaluator will note components which, while they may continue to be functional, may reduce marketability of the property. For example, single-door refrigerators or appliances in outmoded colors may have such an impact in some properties. The evaluator should note these items, discuss them with the lender, and provide separate estimates of the cost to replace such items if requested.

Each of the four forms has a number of frequently-occurring systems and components listed. This list represents only the most frequently observed and is not meant to be all inclusive. Every system present at the property must be observed and recorded. Any system not listed on the form may be included in the spaces labeled “Other”.

Note that the assessment includes the systems and components in both residential and non-residential structures. Thus, garages, community buildings, management and maintenance offices, cabanas, pools, commercial space, and other non-residential buildings and areas are included.

Items (EUL)

The Expected Useful Life (EUL) figure which appears in parentheses after the Item is taken from the Expected Useful Life Table provided. This table provides standard useful lives of many components typically found in apartment complexes. Where the parentheses do not contain a number, it is because there are various types of similar components with differing economic lives.

The evaluator should turn to the Expected Useful Life Table and select, and insert, the appropriate Expected Useful Life (EUL) number. If the Expected Useful Life (EUL) will, without question, far exceed the term of the mortgage plus two years, the Expected Useful Life (EUL) number need not be inserted.

Note: It is recognized that the Expected Useful Life Tables represents only one possible judgment of the expected life of the various components. If we receive substantial material to the effect that one or more of the estimates are inappropriate, we will make adjustments. Until such changes are made, the Tables provide a useful and consistent standard for all evaluators to use. They avoid debate on what the appropriate expected life is and permit focus on the evaluator's judgment of the effective remaining life of the actual component in place, as discussed below.

Age

The evaluator should insert the actual Age of the component or may insert "OR" for original. If the actual age is unknown, an estimate is acceptable. If there is a range in Age (for example, components replaced over time), the evaluator may note the range (i.e., 5-7 years) or may use several lines for the same system, putting a different Age of that system on each line.

Condition

This space is provided to indicate the Condition of the component, generally excellent, good, fair, or poor, or a similar and consistent qualitative evaluation.

Effective Remaining Life

This space is provided for the evaluator to indicate the remaining life of the component as is. For standard components with standard maintenance, the Expected Useful Life Table provided by the Lender could be used to determine Effective Remaining Life by deducting the Age from Expected Useful Life (EUL). However, this should not be done automatically. A component with unusually good original quality or exceptional maintenance could have a longer life.

On the other hand, if the component has been poorly maintained or was of below standard original quality, the useful life could be shorter than expected. The evaluator applies professional judgment in making a determination of the Effective Remaining Life. If the Effective Remaining Life is longer than the term of the loan plus two years, no deferred maintenance exists, and no action needs to be taken during the life of the loan, no other columns need to be filled out.

The only exception may be Diff? (Difference), as discussed below. This should be noted when the evaluator's estimate of the Effective Remaining Life varies by more than two years from the standard estimate.

(Difference)

The Age of the component should be deducted from the Expected Useful Life (EUL) in parentheses and the answer compared to the Effective Remaining Life estimated by the evaluator. Where there is a difference of over two years, the evaluator should insert a footnote number in the Diff? (Difference) column and supply in an attached list of footnotes a brief statement of why, in the evaluator's judgment, the Effective Remaining Life of the component varies from the standard estimate. This approach provides consistency among evaluators while making best of the evaluators' professional judgment.

Action

If any Action is required - immediately, over the life of the loan, or within two years thereafter - the Action should be recorded as repair, replace, or maintain. Repair is used when only a part of an item requires action, such as the hydraulics and/or controls of a compactor. Replace is used when the entire item is replaced. Maintain is used where special, non-routine maintenance is required, such as the

sandblasting of a swimming pool. In cases where a repair or maintenance may be needed now, and replacement or further maintenance may be needed later, separate lines may be used to identify the separate actions and timing.

Now?

If the item involves a threat to the immediate health and safety of the residents, clearly affects curb appeal, will result in more serious problems if not corrected, or should otherwise be accomplished as part of an immediate repair, maintenance or replacement program, this space should be checked. Replacements which may be needed in year one, but do not require immediate attention, need not be checked.

DM (Deferred Maintenance)

The DM (Deferred Maintenance) space is marked in any instances where current management practice is clearly inadequate and the owner's attention should be called to the item, even if no major expenditure or significant labor may be required.

Quantity

For items requiring action, the evaluator should note the Quantity of the system, with the applicable unit of measure entered (each, unit, square feet, square yards, linear feet, lump sum, etc.).

Field Notes

This space, as well as attachments may be used to record the type of component (16cf, frost. free, Hotpoint), the problem (valves leaking) or other information (consider replacement for marketing purposes, replace 30% per year, work in progress, etc.) that the evaluator will need to complete the Evaluator's Summary.

Sample Form

The following example from the Dwelling Unit Systems and Conditions form illustrates how this form is properly used. The example presumes an 11 story building containing 1 and 2 bedroom units. There are 100 units. The age of the building is 9 years. The term of the proposed loan is 7 years.

Countertop/sinks are 9 years old. (The entry could also be "OR"). Condition is excellent, with an Effective Remaining Life of 10 years. This is significantly different from the anticipated Effective Remaining Life of 1 (a EUL of 10 years minus an Age of 9 years). Therefore, there is a footnote entry "1" in the "Diff?" column. The footnote will indicate that this item is made of an exceptionally durable material, along with a top quality stainless steel sink.

The evaluator's estimate of an Effective Remaining Life of 10 years + is beyond the term of +2. No capital need would be reported.

Refrigerators are also original, reported as Hotpoint 16 cf frost free. Replacement is expected around the Effective Remaining Life, noted as 20% annually and beginning in the 5th year of the loan when the refrigerators are 14 years old. Disposals range from new to original (Age = 0-9). 20% per year replacements will be needed starting in year 1. The evaluator notes that disposals appear to be replaced as part of the project's normal operations.

Bath fixtures are original, and in good condition. No replacement is expected to be required during the term +2 years. The note indicates that they are "dated looking," which may prompt a market consideration for replacement.

Ceiling is a special entry. The "04" stack of units has experienced water damage to ceilings from a major plumbing leak. This is noted for repair NOW. As this apparently occurs in all 10 units in this stack, and therefore is likely to have more than a modest cost, this action would be reported on the Immediate Physical Needs summary form.

Evaluator's Summary Forms

Two separate forms are used to summarize the evaluator's conclusions from the Systems and Conditions Forms. One summarizes Immediate Physical Needs and the other summarizes the Physical Needs over the Term +2 years.

Evaluator's Summary: Immediate Physical Needs

All of the items for which Now? are checked are transferred to this form. This form provides for the listing of Items, Quantity, Unit Cost and Total Cost of each. The Item and Quantity are transferred directly from the Systems and Conditions Form.

Unit Cost: This is the cost per unit (sf, ea, lf, etc.) in current dollars to implement the required action. The source of the cost estimate should be listed in a separate attachment. The sources may include a third-party estimation service (e.g., R.S. Means: Repair and Remodeling Cost Data), actual bid or contract prices for the property, estimates from contractors or vendors, the evaluator's own cost files, or published supplier sources.

Total Cost: This is the result of multiplying the quantity times the unit cost. It is expressed in current year dollars.

DM (Deferred Maintenance): If the item evidences deferred maintenance, this column is checked.

Comments: the comments column, or an attachment, should clearly provide information on the location and the nature of problem being addressed for each item. The information should be adequate for the owner to begin to implement the action.

Evaluator's Summary: Physical Needs Over The Term

Those items not listed on the Immediate Physical Needs form, but for which action is anticipated during the term of the loan plus two years, are listed on the form. The item and Quantity are transferred directly from the Systems and Conditions Form. The Unit Cost is calculated in the same manner as on the Immediate Physical Needs Form.

An attachment should be provided which gives any necessary information on the location of action items and the problem being addressed for each item. The information should be adequate for the owner to begin to implement the action.

Cost by Year: the result of multiplying the quantity times the unit cost, in current dollars, is inserted in the column for the year in which the action is expected to take place. Generally, the Effective Remaining Life estimate provided by the evaluator on the Systems and Conditions will indicate the action year. For example, if the evaluator has indicated that the Effective Remaining Life of the parking lot paving is 4 years, the cost, in current dollars, is inserted in Year 4.

If the items are likely to be done over a number of years, the costs, in current dollars should be spread over the appropriate period. For example, if the Effective Remaining Life of the Refrigerators is estimated to be 4 years, or 3-5 years, one third of the cost of replacing the refrigerators may appear in each of Years 3, 4, and 5.

Total Un-inflated: After inserting all of the appropriate action items, the evaluator should total the items for each year.

Total Inflated: The evaluator should multiply the Total Un-inflated times the factor provided to produce the Total Inflated.

Total Inflated All Pages: On the last sheet, the evaluator should include the Total Inflated Dollars for that page and all prior pages.

Cumulative Total All Pages: On the last sheet, the evaluator should insert the Total Inflated Dollars of that year and all prior years.

Special Repair and Replacement Requirements

While performing a property inspection, the evaluator must be aware that certain building materials and construction practices may cause properties to experience (or to develop in a short time period) problems that can be corrected only with major repairs or replacements.

The following identifies some specific construction related problems; however, the evaluator must be aware that other construction related problems may be found in any property and should be identified. If any of the following requirements are not met or if the evaluator determines that the following conditions or others are present, the evaluator must contact the lender immediately to discuss the timing as well as the cost of the repairs or replacements. The evaluator should ensure that any of these conditions are thoroughly addressed in the Physical Needs Assessment.

Minimum Electrical Capacity: Each apartment unit must have sufficient electrical capacity (amperage) to handle the number of electrical circuits and their use within an apartment. Therefore, the evaluator must determine, based on referencing the National Electric Code as well as local building codes, what is the minimum electrical service needed. In any event, that service must not be less than **100 amperes** (**This specific requirement is a DCA amendment to this section of the Fannie Mae Guidelines**).

Electrical Circuit Overload Protection - All apartment unit circuits, as well as electrical circuits elsewhere in an apartment complex, must have circuit breakers as opposed to fuses as circuit overload protection.

Aluminum Wiring: In all cases, where aluminum wiring runs from the panel to the outlets of a unit, the evaluator's inspection should ascertain that the aluminum wiring connections (outlets, switches, appliances, etc.) are made to receptacles rated to accept aluminum wiring or that corrective repair can be done immediately by the owner.

Fire Retardant Treated Plywood: While performing the roof inspection, the evaluator should investigate whether there is any indication that fire-retardant treated plywood was used in the construction of the roof (primarily roof sheathing). This inspection should focus on sections of the roof that are subjected to the greatest amount of heat (e.g., areas that are not shaded or that are poorly ventilated) and, if possible, to inspect the attic for signs of deteriorating fire-retardant treated plywood or plywood that is stamped with a fire rating.

DCA's concern is that certain types of fire-retardant treated plywood rapidly deteriorate when exposed to excessive heat and humidity or may cause nails or other metal fasteners to corrode. Common signs of this condition include a darkening of the wood and the presence of a powder-like substance, warping of the roof and the curling of the shingles. Fire-retardant treated plywood is most likely to be in townhouse properties or other properties with pitched, shingled roofs that were constructed after 1981 and that are located in states east of the Mississippi River and some southwestern states.

APPENDIX C AMENITIES GUIDE

2017 ARCHITECTURAL MANUAL

APPENDIX III

AMENITIES GUIDE TABLE OF CONTENTS

INTRODUCTION

ALL AMENITIES

- General Guidelines

REQUIRED AMENITIES

- Community Room / Community Building
- Exterior Gathering Area
- On-site Laundry Facility and/or Washers/Dryers installed in each unit
- Interior Conditioned and Furnished Gathering Areas (for multi-story senior tenancy projects)

ADDITIONAL AMENITIES SELECTIONS

- Fenced Community Garden
- Equipped Walking Path
- Equipped Playground
- Covered Pavilion with Picnic/barbecue Facilities
- Furnished Arts & Craft /Activity Center
- Equipped Computer Center
- Furnished Exercise / Fitness Center
- Wellness Center

INTRODUCTION:

This guidebook is an outline of minimum standards for site amenities required by the Low Income Housing Tax Credit (LIHTC) and HOME funding programs and establishes a baseline for the quality of construction and financial investment in amenities. More requirements for unit amenities may be found in the Architectural Manual.

ALL AMENITIES:

New construction and rehabilitation property amenities must meet accessibility requirements outlined in the DCA Accessibility Manual. For tenant safety and security, exterior amenities should be within view of at least one apartment building. Amenity lighting should be sufficient for its purpose (i.e. evening mail collection, etc.), and be directed down to diminish nuisance light. Rules posted at all amenities must be in accordance with the Federal Fair Housing Amendments Act. Amenities should be usable beyond leasing office hours and on weekends. Qualified substitutions may be submitted for approval prior to Application submission; equivalency standards will be applied to amenity substitutions.

REQUIRED AMENITIES

Community Room / Community Building

The community gathering room/building should provide a space for tenants to gather for lounging, special events, meetings, parties, classes, and workshops. The space should comfortably accommodate the tenants in the community and be designed to meet Minimum State Code requirements for occupant load and means of egress. Signage, as required by *UFAS*, shall be provided.

Furnishing must include, but are not limited to:

- Seating Area
- Coffee Table
- Task Lighting

****NO FOLDING FURNITURE ALLOWED****

Suggested furnishings include:

- Television
- Sound System
- Musical Instruments
- Game / Card Table

Additional Requirements:

Kitchen and bath facilities intended for tenant use must be accessible. See the DCA Accessibility Manual for further guidance.

Exterior Gathering Area

The exterior gathering area shall provide proper shelter from the elements and be reserved exclusively for the social interaction of the tenants and their guests.

Additional Requirements:

- The gathering area must be covered by a roof;
- Porches may not be used for other purposes, such as a driveway or parking space;
- Examples of exterior areas that do not meet the requirements of this amenity:
 - Porte-cocheres
 - Carports
 - Small awnings that can shelter only one person
 - Pergolas
- The exterior gathering area structure must be permanently attached/anchored to a concrete foundation/slab.

On-site Laundry Facility and/or Washers / Dryers installed in each unit

All communities must provide washer/dryer facilities and equipment on site and washer and dryer hookups in each unit. An onsite laundry is not required if washers and dryers are installed in units and maintained at no additional cost to tenants. Laundry facilities shall be large enough to accommodate the required number of washers and dryers. Laundry facilities must be accessible. See the DCA Accessibility manual for further guidance.

Signage and Equipment:

- Post signage that addresses machine operation, safety guidelines, and hours of operation.
- There shall be one washer and one dryer per every 25 units.
- All washers in mobility units and community laundry facilities must be front loading. All washers must be Energy Star rated.

Additional Requirements:

- Free-standing laundry buildings must be within a reasonable walking distance of the residential units.
- The facility must be accessible to the disabled. Each laundry facility must include at least one accessible washer and dryer placed in required clear floor spaces.
- Access must be provided to this area "beyond" leasing office business hours.
- Laundry facilities, including those within units, must be vented to the exterior, controlling humidity levels to prevent the growth of bacteria, mold, mildew, and dust mite infestations.

Interior Conditioned and Furnished Gathering Areas (for multi-story Senior tenancy projects)

Interior conditioned and furnished gathering areas should be located throughout the complex including but not limited to areas near elevators. A minimum of one (1) interior conditioned and furnished gathering area per floor shall be provided in addition to the required gathering area at each lobby. These areas provide a space for rest as well as small gathering spaces for conversation. 24 hour access must be provided to these areas.

Minimum Equipment:

- Table, chairs/sofa, task lighting

****NO FOLDING FURNITURE ALLOWED****

ADDITIONAL AMENITIES

Fenced Community Garden

A fenced community garden will provide a minimum planting area of 200 square feet. Community gardens, which for various reasons are not used, must be kept. Community gardens that are allowed to deteriorate through management neglect will not be tolerated.

Signage and Equipment:

- Post rules and safety guidelines at garden entrance.
- Provide a water source within the fenced area of the community garden located near the entrance or to one side of the planting area. The water source should take into consideration best practices for water conservation. Rain barrels may be used, but not as the primary source of water.

Additional Requirements:

- The soil must be properly prepared for planting.
- Gardens shall be surrounded on all sides with a minimum 4' high fence of weatherproof construction to discourage small children and animals from entering the garden. If pressurized wood is used for fencing or raised-beds, ensure the manufacturer verifies that it is safe to grow edible plants in soil surrounded by their wood product.
- The effects of all contaminants discovered in the Phase I Environmental Assessment must be considered before choosing to build the garden.
- A portion of these plots must be accessible to those with mobility impairments. The route to the fenced community garden, garden water source and to the accessible planting area or areas must be paved and meet all accessibility requirements for an accessible route. Accessible planting areas must have accessible reach ranges from the accessible route.

Equipped walking path with exercise stations or sitting areas

The walking path should be a minimum of 500 feet long and 5 feet wide and provide a safe and accessible path for fitness and leisure. Rules and safety guidelines should be posted along entry points to the path.

- Walking surface should provide proper firmness, stability, and slip resistance. Asphalt paving, crushed stone or fines, packed soil, and other natural materials can provide surfaces that are firm and stable and accessible. A surface stabilizer may be needed to create a firm and stable surface. Concrete paths shall have a brushed finish.
- Base material should be laid over a geo-textile fabric to prevent vegetation growth and compacted with the correct moisture content, similar to the preparation of a roadbed.
- Walking paths must be separate from the sidewalks that access parking and buildings and must not disturb more than 1/10th of an acre of wetland.

Equipment (either benches or fitness stations):

Benches:

- Benches must have backrests and an armrest at one end of the bench for use by the elderly and disabled.
- A fully accessible clear floor space measuring 30"x48" minimum shall be provided at one end of each bench.
- Benches must be secured to the ground or walking path and protected against ground subsidence.
- Benches shall be made of a weatherproof material.
- There must be at least one bench for every 100 feet of walking path.

Fitness Stations:

- Provide one piece of equipment per every 100 feet of walking trail.
- All strength, cardiovascular, flexibility, or balance/coordination equipment must be intended for outdoor use and made of a durable and weatherproof material (see <http://www.triactiveamerica.com/>).

Equipped Playground

The design of the playground should provide a safe, accessible play area for children of different ages and shall be designed following the guidelines set forth in Publication Number 325, the U.S. Consumer Product Safety Commission's (CPSC) Handbook for Public Playground Safety. <https://www.cpsc.gov/s3fs-public/325.pdf>

Signage and Equipment:

- Post rules and safety guidelines that include guidance as to the age appropriateness of the equipment.
- Provide three or more separate pieces of equipment.
- A minimum of one bench for adult supervision is required. An accessible route is required within the playground area from the accessible entrance to the bench. An accessible space next to the bench is also required.

Additional Requirements:

- In playgrounds intended to serve children of all ages, the layout of pathways and the landscaping of the playground should show the distinct areas for the different age groups.
- Groundcover must be provided as specified in Publication Number 325, the U.S. Consumer Product Safety Commission's (CPSC) Handbook for Public Playground Safety.
- Equipment intended for younger children (ages 2 -5) must be separated at least by a buffer zone, which may be an area with shrubs or benches. Short fencing is preferable.
- A portion of the playground equipment must be accessible to those with mobility impairments. The route to the playground must be paved and meet all accessibility requirements for an accessible route. See the DCA Accessibility Manual for further guidance.
- Access must be provided to this area "beyond" leasing office business hours.

Covered Pavilion with picnic/barbecue facilities

The pavilion encourages residents to hold community or family reunion type functions. The shelter should be a permanent structure made of weatherproof material and be permanently attached to a concrete foundation/slab.

Signage and Equipment:

- Post rules and safety guidelines for grill use.
- One picnic table for "every 25 units". At least one picnic table shall have an extension that allows clear knee space for handicap access. Picnic table shall have permanent anchorage to the ground.
- One permanent barbeque grill (gas or charcoal) for every 50 units. At least one grill shall be accessible an accessible path and have permanent anchorage to the ground.
- The pavilion area shall have a durable surface with defined edges such as concrete.

Furnished Arts & Craft /Activity Center

The activity center will provide either children or seniors, as appropriate to tenant base, an indoor gathering space for games and craft activities. 200 square feet is the minimum room size.

Signage & Equipment:

- Handicap accessible sink
- Storage for games
- Work tables and seating.
- TV with capability to broadcast instructional videos
- One corkboard or dry-erase board

Additional Requirements:

- Access must be provided to this area "beyond" leasing office business hours.

****NO FOLDING FURNITURE ALLOWED AS PRIMARY FURNITURE****

Equipped Computer Center

The computer center, of at least 150 square feet, should provide tenants high-speed access for educational or leisurely web-surfing as well as basic software applications to help facilitate personal, educational and career development.

Signage and Equipment:

- Post rules and guidelines for computer use.
- Computer desk or desk area; folding tables are not allowed
- Seating: chairs specifically designed for computer use
- One computer for every 25 units
- One printer at a minimum
- One fax machine, at a minimum
- High speed internet access
- Basic word processing and spreadsheet software

Additional Requirements:

- Appropriate controls to restrict internet surfing must be installed.
- Access must be provided to this area "beyond" leasing office business hours.

Furnished Exercise / Fitness Center

The exercise/fitness center, of at least 200 square feet, should provide tenants with access to equipment that will improve the fitness and well-being of residents.

Signage and Equipment:

- Post rules for operating each piece of equipment in addition to general exercise and safety guidelines.
- Provide at least one piece of equipment per 25 units.
- One wall must have mirrors covering 70% of the wall area.

Additional Requirements:

- Access must be provided to this area beyond leasing office business hours.

Additional Recommendations:

- A balance of cardio-vascular and strength equipment is optimal.
- A mix of free weights is recommended.
- A small library with information on exercise, nutrition, and exercise videos is recommended.

Wellness Center

A wellness center, of at least 150 square feet, will provide tenants with onsite access to professional medical screenings and health education.

Equipment:

- Prep sink
- Exam Table
- Task Lighting
- Library with wellness information appropriate to tenancy

Additional Recommendations:

- A separate private restroom adjacent to the exam room is highly recommended.

AMENITIES GUIDEBOOK PHOTOS

This appendix to the Amenities Guidebook provides pictures of Georgia Department of Community Affairs projects representing good and bad examples of site amenities listed in the Guidebook. Refer to the Guidebook for detailed requirements and specifications for these amenities.

REQUIRED AMENITIES

Community Building/Room



Acceptable Community Building Exterior



Acceptable Community Room Interior



Not Acceptable Community Room Interior

The property manager's office must be separate from the community room.

Exterior Gathering Area



Acceptable



Not Acceptable

The gazebo is not permanently set, has no landscaping, and no accessible path.

On-site Laundry Facility or Washers/Dryers installed in each unit



Acceptable

Note the front loading machine at right.

Interior Furnished Gathering Areas (Senior Only)



Acceptable



Not Acceptable

(No table or task lighting)

OPTIONAL AMENITIES
Attractively Fenced Community Garden



Acceptable

The garden beds are elevated to an accessible height, each plot has a water source, and the plots are on an accessible path.



Not Acceptable
No fence; overgrown with weeds.

Equipped Playground



Acceptable



Not Acceptable

Equipment does not appear to be constructed in compliance with CPSC guidelines for materials, ladder handrails, or ground cover.

Covered pavilion with picnic/barbecue facilities



Acceptable



Not acceptable

The pavilion structure is borderline permanent, weatherproof structure. There are no grills, there are not enough picnic tables, and the absence of landscaping makes the pavilion appear uninviting.

Furnished Children's Activity/Seniors Craft Center



Acceptable



Not Acceptable
(Folding Furniture)

Computer Center



Acceptable



Not acceptable

Folding chairs are not acceptable. Equipment should be new; the condition of this equipment is questionable.

Furnished Exercise / Fitness Center



Acceptable

There is a variety of commercial grade equipment, cardiovascular equipment rests on slip-resistant mats, and the room is mirrored.



Not Acceptable

Equipment is used and not commercial grade.
There is not enough equipment for the size of the complex.

Wellness Center



Almost Acceptable

This Wellness Suite includes a prep sink, and exam area, a library waiting area and a bathroom that services the suite. The suite requires an exam table and furnished library with health literature to be acceptable.

APPENDIX D

ARCHITECTURAL STANDARDS

**2017 ARCHITECTURAL MANUAL
APPENDIX I
ARCHITECTURAL STANDARDS**

TABLE OF CONTENTS

- I. INTRODUCTION

- II. DESIGN SUBMITTALS AND CONSTRUCTION MONITORING
 - A. Drawings and Specifications
 - B. Building Permits
 - C. Soils & Materials Testing
 - D. Construction Monitoring

- III. SITE DEVELOPMENT STANDARDS
 - A. Environmental Conditions
 - B. Parking
 - C. Vehicle Circulation
 - D. Pedestrian Circulation
 - E. Open Spaces
 - F. Landscaping
 - G. Site Lighting
 - H. Site Amenities
 - I. Trash Collection
 - J. Signage and Fixtures
 - K. Site Grading and Drainage
 - L. Security
 - M. Site Utilities

- IV. BUILDING EXTERIOR DESIGN STANDARDS
 - A. Roofing
 - B. Gutters and Downspouts

- C. Exterior Cladding
 - i. Brick
 - ii. Insulated Vinyl Siding
 - iii. Fiber Cement/Cementitious Siding
 - iv. Natural or manufactured stone
 - v. Other Materials
- D. Exterior Doors and Windows
- E. Exterior Stairs

V. BUILDING INTERIORS DESIGN STANDARDS

- A. Room Configuration
- B. Unit Sizes
- C. Minimum Unit Sizes
- D. Room Sizes
- E. Kitchen Requirements
- F. Closets
- G. Ceiling Heights
- H. Floor Finishes
- I. Additional Requirements
- J. Appliances
- K. Mechanical
- L. Electrical, Plumbing, and Indoor Air Quality
- M. Electrical
- N. Acoustical Isolation
- O. Thermal Insulation
- P. Radon

VI. FIRE AND LIFE SAFETY

VII. ACCESSIBILITY

I. INTRODUCTION

In accordance with federal requirements established by 24 CFR 92.25 (HOME), IRC Section 42 (LIHTC), and the 1989 Georgia General Assembly Housing Trust Fund (HTF) for the Homeless, the Georgia Department of Community Affairs (DCA) has established these Architectural Standards. All projects receiving DCA resources for the construction of new and/or rehabilitation of existing rental housing, including HOME, 9% LIHTC, 4% LIHTC/Bonds, and/or Housing Trust Fund (HTF), must meet these Architectural Standards. It is the Project Team's responsibility to ensure 100% compliance with this Manual (and approved DCA Architectural Waivers)

The Qualified Allocation Plan requires that projects funded under the Plan meet applicable Federal, State, and DCA codes, acts, and regulations. These architectural standards are not meant to replace Federal, State or local codes. These standards shall be in addition to the following that are applicable to all properties funded in the program:

- Georgia State Minimum Standard Codes (with Georgia Amendments)
 - i. International Building Code
 - ii. International Energy Conservation Code
 - iii. International Fire Code
 - iv. International Fuel Gas Code
 - v. International Mechanical Code
 - vi. International Plumbing Code
 - vii. International Residential Code
 - viii. National Electrical Code
- HUD Housing Quality Standards (HQS)
- HUD Minimum Property Standards (MPS)
- HUD Uniform Physical Condition Standards (UPCS).

The Qualified Allocation Plan requires that all projects funded under the Plan meet all applicable federal and state accessibility standards as well as all DCA accessibility requirements. For further information on the accessibility laws and requirements that are applicable to projects funded under the Plan, refer to the DCA Accessibility Manual.

By some measures, DCA architectural and accessibility requirements will exceed the referenced state and federal requirements.

All new and rehabilitation construction work scopes must give consideration to the property marketability and residential quality of life which includes, but is not limited to, upgraded building exteriors and unit interiors, and improved site conditions and amenities. These upgrades should be reflected in the Threshold and Scoring portions of the DCA Application. Both new construction and rehabilitation projects must meet the threshold requirements (longevity, per unit cost limitations, financial feasibility and economic viability, including construction standards for potential disaster mitigation, etc.), as published in the Qualified Allocation Plan. These Architectural Standards, as well as the QAP and Rehabilitation Standards, should be read in their entirety for further information regarding materials longevity and components replacement for completed properties.

New and rehabilitation construction costs are subject to DCA regulations, and per unit cost limits must reflect the reasonable and necessary costs required to develop a project in the State of Georgia.

DCA may determine that projects which exceed customary and reasonable construction costs, even if they are within published per unit cost limits, represent a poor utilization of resources and may fail Threshold.

Final determination of compliance with the Architectural Standards rests solely with the mortgage lender, the credit enhancement provider, and the Georgia Department of Community Affairs.

Applicants must submit ALL "waivers" at the pre-application stage. Refer to the 2017 DCA Rehabilitation Guide for further guidance. The Applicant must demonstrate that efforts were taken to meet the minimum design criteria. Waiver requests for accessibility related items should be accompanied by a legal opinion from the applicant/developer, along with compelling information (i.e. feasibility analysis, site conditions, etc) that would justify DCA's consideration of waiving the requirement as outlined in DCA QAP and all related manuals. Refer to the 2017 DCA Accessibility Manual for further guidance.

DCA will only waive items related to DCA's accessibility mandates. DCA will not approve accessibility waiver requests for projects utilizing HOME funds.

For any project utilizing HOME funds, a **Pre-construction Conference** shall be scheduled within 30 days of construction commencement to review federal compliance requirements and draw request procedures.

For any project utilizing HOME funds, an onsite **OAC Meeting** shall be scheduled monthly. The DCA Construction Project Manager shall be notified via email of monthly OAC meeting dates and times.

II. DESIGN SUBMITTALS AND CONSTRUCTION MONITORING

A. Drawings and Specifications:

Construction documents, including architectural drawings and specifications, are required for both new construction and rehabilitation projects. To minimize construction problems, unnecessary change orders, discrepancies in documentation and cost overruns, architectural drawings and specifications must meet industry standards, being clear and consistent while faithfully depicting the design, location, and dimensions of project elements. Refer to the Architectural Submission Requirements for document format and submittal requirements.

B. Building Permits:

Building permits are required for all work to be funded under DCA programs. Proof of inspections and approvals by local officials, including Certificates of Occupancy, are required for final allocation of Low Income Housing Tax Credits (LIHTC). See Architectural Submission Requirements and contact DCA LIHTC and HOME underwriters for specific information.

C. Soils and Materials Testing:

All new soils and structural concrete must be tested to ensure compliance with engineered specifications. Additional materials should be tested as dictated by industry standards. A licensed and state accredited testing lab, using standardized testing procedures, must conduct the tests.

D. Construction Monitoring:

Through inspection reports and other sources, DCA will monitor construction to ensure quality standards and completion dates are met. Reports will address methods of construction, construction draw requests, percentages of completion, progress and budget analysis, and adherence to codes and standard building practices.

For 4% bond and 9% projects only, the cost for the DCA construction monitoring will be reimbursed to DCA by the Owner as described in Exhibit A (DCA Post Award Deadlines and Fee Schedule) of the Core Qualified Allocation Plan. **For HOME projects**, the cost of the DCA construction monitoring will be billed directly to the Owner.

Periodically, DCA may require Owners to submit additional construction inspection reports generated by construction managers, architects, and/or engineers. DCA reserves the right to inspect all properties prior to issuance of Final LIHTC Allocation. Non-compliance with building codes, accessibility codes and/or DCA requirements must be corrected prior to issuance of Final LIHTC Allocation. Refer to the QAP for further DCA and IRS requirements.

III. SITE DEVELOPMENT STANDARDS

A. Environmental Conditions:

Surrounding environmental conditions must be carefully evaluated. Negative environmental conditions (i.e., ditches, canals, railroad tracks, expressways, noise sources, flood prone areas, etc.) must be corrected or alleviated through approved mitigation measures. Refer to the Environmental Phase I Site Assessment standards published in the DCA Environmental Manual for the environmental documentation and review process. All applications are required to submit a Phase I Environmental Site Assessment and a Phase II investigation if recommended in the Phase I report.

B. Parking:

Parking spaces shall meet local zoning requirements. In the absence of any other requirements, there shall be no less than 1.5 spaces per unit for family tenancy projects and 1 space per unit for senior tenancy projects. All handicapped parking spaces must meet federal and state accessibility requirements. Please refer to the DCA Accessibility Manual for more information. Parking areas shall be either concrete or asphalt paving and have curbs.

C. Vehicle Circulation:

For tenants, guests, and emergency services providers, vehicle circulation routes should be designed to provide safe ingress and egress to and from all buildings and amenities. Roads shall be either concrete or asphalt paving and have curbs.

D. Pedestrian Circulation:

Pedestrian circulation should provide paved accessible routes to parking, buildings, and amenities. Streets (excepting crossing routes), grass and gravel/sand surfaces are not acceptable pedestrian circulation routes. Accessible ramps and no-step access must be provided as applicable.

E. Open Spaces:

Open landscaped spaces or green belts should be included in the overall site design.

F. Landscaping:

Landscaping should be appropriate for the climate zone, appealing, and convey a residential image. Low maintenance plant materials are preferred. For appropriate landscape options, please refer to *Landscape Plants for Georgia*, published by the Cooperative Extension Service, The University of Georgia College of Agricultural and Environmental Sciences.

G. Site Lighting:

One foot-candle is the general standard for site lighting. All parking, building, amenity, and site lighting should be sufficient for its purpose (i.e. evening mail collection, etc.), and be directed down to diminish nuisance light. Additionally, units should have exterior entry and porch door lights controlled from within the unit.

H. Site Amenities:

Required and selected amenities must meet applicable federal, state, and DCA accessibility requirements, provide seating appropriate to the amenity, and if proper, should be protected from the elements. Amenities such as the playground should be in visual proximity to the buildings while other noise prone amenities may be appropriately sited on the property.

Required and selected site amenities identified in the application submission must be in the final construction documents and budget. DCA reserves the right to determine the adequacy of amenities and whether or not they meet DCA requirements. Minimum standards for site amenities are outlined in the Amenities Guidebook and the Accessibility Manual.

I. Trash Collection:

Trash collection sites must be screened from residential and community areas and placed at such a distance from the tenant dwelling units and amenities so as to eliminate objectionable sights and odors. The collection areas must be accessible to disabled persons while convenient to tenants and service vehicles. Dumpsters must be placed on concrete slabs with concrete approach aprons at least 10'-0" in depth.

J. Signage and Fixtures:

Building signage should meet the requirements of local 911 service providers. Illumination for the property entrance signage must be provided.

K. Site Grading and Drainage:

Site grading should allow storm water to positively drain away from buildings and site amenities while eliminating pooling, puddling, etc. All on-property retention and detention areas must be fenced and, for maintenance and safety purposes, a properly securable gate may be provided.

Inlet or outlet drainage ways must be designed to prevent resident entry. On-property retention ponds must be well maintained. Foundation walls should prevent the entrance of water, insects, and rodents into the basement or crawl space areas. Access and ventilation of basement and crawl spaces must meet code requirements and must be secured from the exterior as appropriate.

L. Security:

Security measures should be incorporated into the architectural design. As necessary, fencing, lighting, and other security features must mitigate poorly lighted parking areas, blind corners and recesses, inappropriate landscaping, and steep grades. The Owner may wish to include security cameras, HVAC cages, and other site security features. Entry doors to units shall be equipped with a viewer and bell or buzzer. Exterior doors and windows must be equipped with locks to prevent access from the outside. All doors shall be provided with hardware that complies with ANSI/BHMA Standards.

M. Site Utilities:

All utility distribution systems should be underground where possible. **All projects must have requisite access and connectivity to the existing public utilities.** For further information refer to the Qualified Allocation Plan, Appendix I, Threshold Criteria.

IV. BUILDING EXTERIOR DESIGN STANDARDS

Building exteriors should create a residential image appropriate to the market. DCA encourages the use of materials that provide low maintenance and longevity for the life span of the property. All materials are to be installed using standard construction methods and means, and result in the issuance of manufacturers guarantees.

A. Roofing:

Anti-fungal dimensional (architectural) shingles with a minimum 30-year warranty are required for all shingle roof applications. Flat roofs are not encouraged, but DCA will allow flexibility in roof design if it is part of an energy conservation green building component or a roof design that mimics existing contextual surroundings. Applicants must obtain DCA pre-approval before using one of these alternatives. All edges of the roof must have an aluminum drip edge that extends a minimum 3" under the shingles, 2" onto the fascia and have a minimum ½" 45 degree kick out at the bottom end of the fascia extension.

B. Gutters and Downspouts:

Seamless gutters and downspouts are mandatory for all construction and on all buildings.

C. Exterior Cladding:

1. Brick: See Appendix I, Threshold Criteria, Architectural Design & Quality Standards, Qualified Allocation Plan.
2. Insulated vinyl siding must be impact resistant commercial grade with a minimum thickness of .046" and a minimum 30 year warranty to be provided by the manufacturer and must meet or exceed ASTM D3679 & ASTM D7856 standards.
3. Fiber Cement/Cementitious Siding must be 5/16" nominal thickness with a 30 year warranty to be provided by the manufacturer.
4. Natural or manufactured stone.
5. Other materials: The use of exterior insulation and finish systems (EIFS), and stucco must be pre-approved by DCA prior to application submission. Wood siding is not permitted. All exterior trim, including fascia and soffits, window and door trim, gable vents, etc. must also be constructed of no or very low maintenance materials. Vinyl soffit must be commercial grade with a minimum thickness of .046" and a minimum 30 year warranty to be provided by the manufacturer. Wood fascia must be covered completely with prefinished aluminum with a minimum thickness of .024".

Where exterior brick does not extend to an eave line, aluminum flashing shall be installed that extends a minimum of 2" under/behind the above exterior wall surface material and over the outer edge of the brick to prevent water penetration.

D. Exterior Doors and Windows:

1. Exterior doors must be 1 ³/₄" high durability, insulated (such as steel or fiberglass) and meet the requirements of the *Georgia State Minimum Standard Codes (with Georgia Amendments)*.
2. All primary entries must either be within a breezeway or have a minimum roof covering of 3 feet deep by 5 feet wide, including a corresponding porch or concrete pad.
3. Exterior doors for fully accessible units must include spring hinges.
4. Windows and door glazing must meet the requirements of the *Georgia State Minimum Standard Codes (with Georgia Amendments)*.
5. Wood windows and exterior entry doors are not permitted.
6. Windows must not be located within a shower surround area or over shower units.
7. Install a continuous bead of silicone caulk behind all nail fins before installing new windows per manufacturer's specifications.
8. Skylights, windows and locations, sizes and operable panels must meet the requirements of the *Georgia State Minimum Standard Codes (with Georgia Amendments)*.

E. Exterior Stairs:

All exterior stairs are to be covered and protected from the elements in both new and the rehabilitation of existing buildings.

V. BUILDING INTERIORS DESIGN STANDARDS

A. Room Configuration:

Room configuration should be functional while providing economic use of space:

1. The primary bathroom shall be accessible from a common area such as a hall. Exceptions may be considered for the rehabilitation of one-bedroom units.
2. The kitchen should be accessible from the entry.
3. Bathrooms must not open from areas of food preparation or be used as a sole passageway to a habitable room, hall, basement, or the exterior.
4. No habitable rooms are permitted in basement or cellar spaces unless egress is provided according to applicable fire codes.
5. All windows in bedroom units must comply with all local and state life safety requirements. No windowless bedrooms will be allowed unless an architectural standards pre-application waiver is submitted with documentation evidencing the approval of such by the local code official and/or State Fire Marshal.

B. Unit Sizes:

The following criteria are the minimum requirements and submissions that appear to violate the spirit and intent of these minimums may be considered by DCA as a poor use of resources.

Net Rentable (Leasable) Square Footage:

This is the DCA definition for calculating “Residential Unit Square Footage” as it pertains to the Architectural Manual and other documents in Qualified Allocation Plan (QAP). It is calculated for each individual dwelling type.

The unit net rentable area is measured from the inside face of each of the unit’s perimeter walls.

1. Net area included air-conditioned space only.
2. Measure from the inside (paint) face of all unit perimeter walls.
3. Do not include any patio, balcony, or breezeway areas.
4. Do not include any outside storage closets.
5. Do not deduct any interior walls.
6. Include non-revenue units in total net rentable living area (Total Residential Unit Square Footage)

C. Minimum Unit Sizes

DWELLING TYPE	MINIMUM SQUARE FOOTAGE	KITCHEN	BATHROOM
Studio	375	Cooking area	1
Efficiency	450	Full kitchen	1
1 bedroom	650	Full kitchen	1
2 bedroom	850	Full kitchen	1
3 bedroom (+)	1,100	Full kitchen	2

D. Room Sizes

ROOM	MINIMUM DIMENSION	MINIMUM SQUARE FOOTAGE
Living room	11'-6"	150
Living/Dining room	11'-6"	180
Primary bedroom	11'-0"	130
Secondary bedroom	9'-6"	120
Kitchen	7'-6" wide	

E. Kitchen Requirements

UNIT TYPE	MINIMUM CLEAR COUNTERTOP FRONTAGE	MINIMUM LINEAR FOOTAGE OF CABINETS (includes base & wall cabinets,
1 bedroom	6'-9"	16
2 bedroom	7'-9"	18
3 bedroom	8'-9"	20

F. Closets

1. According to market demand, a suitable number of closets should be provided for each dwelling unit.
2. All closets designed to contain clothes must be a minimum of 2'-0" deep.
3. Closets and defined storage areas must not be included in the room area square footage computations.
4. Closets and storage spaces in accessible units must meet applicable reach range requirements.

G. Ceiling Heights

1. Flat ceilings must be a minimum of 8'-0" above finished floor.
2. Sloped ceilings must not be less than 5'-0" for the purposes of computing floor areas.
3. Ceiling heights must meet minimum requirements established by the *Life Safety Code* and the Georgia State Fire Marshal's Office.

H. Floor Finishes:

Floor finishes are to be suitable for market conditions and appropriate to the space considered.

1. Living Areas and Bedrooms: Carpet or LVT
2. Bathrooms, Mechanical Closets, Laundry Areas, Kitchen and other high moisture areas: Sheet Vinyl, VCT, LVT or Ceramic Tile.

DCA will evaluate kitchen and living room flooring materials for appropriate marketability, durability, sound transmission, and tenant comfort.

All materials are to be installed to manufacturer's specifications using standard methods and resulting in the issuance of a manufacturer's guarantee. DCA may approve material upgrades that possess improved maintenance qualities, durability, safety and/or indoor air quality for the tenants. Manufacturer's warranties must be submitted to the Owner.

1. Carpet: Unit carpeting may have a level loop, textured loop, level cut pile, or level cut/uncut pile texture. DCA may approve alternate carpeting materials and installation methods in units intended for the elderly or disabled. Carpeting shall comply with HUD's Use of Materials Bulletin No. 44d.
2. Carpet pad must be installed under all carpeting for which it is intended and should comply with HUD's *Use of Materials Bulletin No. 72a*.
3. Sheet vinyl must be a minimum 0.095 thickness and provide a 20-year residential warranty.
4. Ceramic floor tile shall be minimum 12" x 12" and installed over poured concrete slab or cementitious backing material.
5. VCT must be at minimum 0.080 thickness.
6. Luxury Vinyl Tile (LVT) must have a 12mil wear layer and provide a 15-year residential warranty. LVT installed in kitchens, bathrooms, laundry areas and mechanical closets must be 100% waterproof.

I. Additional Requirements:

1. Bathrooms must have adequate storage. If adequate cabinet space is not available, bathrooms must have medicine cabinets. Medicine cabinets should not be placed in party walls unless fire separation is continuous behind and around the cabinet installation.
2. Plastic laminate material must be installed the full width and depth on the bottom shelf of vanity sink cabinets and kitchen sink cabinets and must be sealed/caulked around the full perimeter to all cabinet sides to prevent moisture/water penetration.
3. Kitchen countertops must be constructed of a 3/4" plywood base with laminate top or solid surface material. No particle board, press board or fiber board will be allowed.
4. All open voids above and below upper and lower kitchen cabinets shall be sealed with caulk or cabinet matching material/finish and all cabinets shall be caulked where the cabinet meets a wall surface to prevent pest infestation. No open voids will be allowed. All open voids/holes in cabinet backs must be sealed with matching cabinet material, caulk or expandable foam and all pipe penetrations must be covered with an escutcheon.
5. Kitchen cabinets must be provided above and below countertops. Cabinets shall be constructed with solid wood or plywood boxes, stiles, rails, doors and drawer fronts. All cabinets will conform to the performance and fabrication requirements of HUD Severe Use and *ANSI/KCMA A161.1* and bear the KCMA Certification Seal. No particle board, press board or fiber board will be allowed.
6. Blinds: All windows should have neutral color horizontal mini-blinds. All glass doors should have either mini-blinds or vertical slat blinds.

7. Cable outlets must be provided in the main living area and in all bedrooms.
8. All interior finishes, especially interior paint, must be low in Volatile Organic Compounds (VOCs) as defined in the EarthCraft Multifamily program (<http://www.earthcraft.org/multifamily>).
9. In new construction and adaptive re-use projects, all water heater tanks must be placed in an overflow pan piped to the exterior of the building, regardless of location and floor level, unless a primed p-trap is installed. The temperature and relief valve must also be piped to the exterior. Water heaters must be placed in closets to allow for their removal and inspection by or through the closet door. Water heaters may not be installed over the clothes washer or dryer space.
10. Bathroom shower walls shall be either ceramic tile, solid surface material, one piece fiberglass tub/shower enclosure or one piece fiberglass shower enclosure. Ceramic wall tile shall be installed over cementitious backing material.
11. All dwelling units shall have washer and dryer hookups.

J. Appliances:

Appliances must include:

- microwaves
- refrigerators
- ranges, and
- dishwashers

Minimum refrigerator sizes for one and two bedroom units -"14 cu. ft."; three bedroom units—"16 cu. ft." All refrigerators shall have a built in "ice maker".

Other kitchen appliance sizes must be appropriate for the unit and number of tenants. Appropriate appliances listed in US EPA's Energy Star program must be provided. Further information is available at <http://www.energystar.gov/>.

Washers in units must be equipped with a "drain pan or floor drain" as required by the *Georgia State Minimum Standard Codes (with Georgia Amendments)*. Owner-furnished "washers in mobility units: and community laundries shall be front-loading and Energy Star rated.

K. Mechanical

Mechanical system equipment must meet the requirements of the *Georgia State Minimum Standard Codes (with Georgia Amendments)*.

L. Electrical, Plumbing, and Indoor Air Quality:

The minimum requirements for this section are located in *Appendix I, Threshold Criteria, BUILDING SUSTAINABILITY, Qualified Allocation Plan*.

M. Electrical

Electrical distribution system minimum panel size is 100 amps, or per code. Electrical switches, outlets, thermostats, phone and television jacks and other controls are to be installed per Fair Housing Act Design Manual requirements in qualified units and per appropriate accessibility law in accessible units. All penetrations of smoke partitions and rated assemblies must comply with fire codes as administered by the local authorities.

N. Acoustical Isolation:

Acoustical isolation requires a minimum STC rating of 52. Acoustical isolation surpassing the required minimums will increase unit quality. Noise levels on funded properties must meet DCA and HUD noise limitations:

- Exteriors: 65 dB
- Interiors: 45 dB

In areas where daytime/nighttime noise levels are above these limitations, documentation of the construction and mitigation methods must accompany the application for funding.

The following minimum standards apply:

1. Between units: 1 hr. rated UL assembly with one layer 5/8" GWB on each side (minimum or per local fire requirements if greater) w/two sets of staggered 2x4 studs (or metal stud equivalent), sound-insulated with blanket material to STC rating of 52. All wall edges must be caulked;
2. Within unit: one layer 1/2" GWB on each side 2x4 studs (or metal stud equivalent);
3. Floor to floor: 1 hr. rated UL assembly with a minimum STC rating 52. A minimum of 1" lightweight concrete or 3/4" gypcrete topping over wood sub floor (optional floor construction may be considered for the rehabilitation of existing residential units).

O. Thermal Insulation:

Thermal insulation must meet minimum standards as defined in *Georgia State Minimum Standard Energy Code (International Energy Conservation Code)*. To prevent freezing of supply lines, all plumbing in exterior walls must be insulated on the cold side of the wall.

P. Radon:

All new construction must be built in accordance with current EPA requirements for radon resistant construction techniques, including, but not limited to, ASTM E1465 – 08a Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings. Both new construction and rehabilitated buildings must be tested prior to tenant occupancy for compliance with EPA's established limits for radon levels.

VI. FIRE AND LIFE SAFETY

Through strict code compliance, the property design shall provide a safe environment for all tenants. Adherence to the most recently adopted editions of the *Georgia State Minimum Standard Codes (with Georgia Amendments)* is required. This includes but is not limited to:

- A. Smoke detectors must be hard-wired and located per code for all construction, either rehabilitation or new. DCA will not waive this requirement for rehabilitation proposals. Carbon Monoxide Detectors shall be in accordance with NFPA 101 Life Safety Code and NFPA 720.
- B. Fire alarms and sprinklers must meet fire department, state and local code requirements.
- C. Attics must be constructed or rebuilt to meet all current fire and life safety codes, **regardless of the requirements of the local building authority**. These include draft stop walls, and rated ceiling, floor, and wall assemblies.
- D. All through-penetrations of smoke walls, draft stops, and rated assemblies must meet current fire codes.
- E. Projects shall be in compliance with all disaster mitigation-related requirements of the latest editions of the applicable mandatory State Minimum Standards as adopted and amended by the Department of community Affairs, and with all local ordinances regarding disaster mitigation.

VII. ACCESSIBILITY

It is mandatory that the Property be designed to meet all applicable federal, state, local and DCA requirements for accessibility by the disabled. The accessibility characteristics are to be incorporated in the layout and design of open spaces, building locations and unit designs. Refer to the "2017 DCA Accessibility Manual" for additional information. Please note that DCA requirements may be more stringent than federal or state requirements.

Newly constructed and rehabilitated single-family and multi-family housing developments receiving DCA funding are subject to statutory and regulatory accessibility requirements. It is the responsibility of the Owner, Architect, and Contractor to ensure compliance with all federal, state and local laws. DCA's direct relationship to the Owner pertains only to the awarding of funds. The Owner bears final responsibility for compliance, regardless of fault, though he may seek legal restitution from the source of non-compliance.

Specifically, the Owner, Architect, and Contractor must ensure that the project is designed and built to meet applicable standards. Failure to meet these standards may result in federal and state noncompliance and costly repairs or corrections. Projects receiving DCA funding must meet federal, state and local accessibility laws and meet the requirements of the DCA 2017 QAP and the 2017 DCA Accessibility Manual.

APPENDIX E

ACCESSIBILITY MANUAL

GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS 2017 ACCESSIBILITY MANUAL

This Manual contains the following:

- I. Preface
- II. DCA Accessibility Policy
- III. DCA Threshold Requirements
- IV. State Fair Housing Laws
- V. Federal Fair Housing Amendments Act of 1988
- VI. Section 504 of the Rehabilitation Act of 1973
- VII. The American with Disabilities Act
- VIII. Layered Properties
- IX. Visitability
- X. Increasing Accessibility
- XI. Play Areas

APPENDICES

- A - Summary of Accessibility Laws and Standards (chart)
- B - Fair Housing Act (FHA) Accessibility Checklist
- C - Common Errors or Omissions
- D - Additional Resources
- E - Accessibility Consultant Qualifications Package Checklist
- F - Accessibility Consultant Qualifications Statement
- G - Certification of Minimum DCA Scope and Reporting Standards
- H - Consultant Accessibility Certification
- I - Accessibility Inspection Checklist
- J - Owner Accessibility Certification
- K - Accessibility Agreement

I. Preface

The "2017 Qualified Allocation Plan (QAP)" requires that all projects funded under the Plan meet all federal, state and local accessibility standards, as well as all DCA accessibility requirements. Because accessibility requirements may differ depending on the funding sources of a particular project, as well as the type of construction contemplated for a project, identifying the correct standards may require a determination of the most restrictive requirements (see Appendix A "Summary of Accessibility Laws and Standards" chart).

Failure to comply with applicable accessibility, adaptive design and construction requirements of these laws may result in loss of "tax credits" and/or the loss of "HUD program loan funds". The Applicant should consult an attorney and/or design professional to ensure that the rehabilitation and/or construction of the multi-family development complies with the accessible and adaptive design and construction requirements of each applicable law. These additional accessibility modifications will be incorporated in the Declaration of Land Use Restrictive Covenants (LURC) for Low-Income Housing Tax Credits for the project.

DCA's acceptance of the "project plans" should not be construed as conclusive that the project is in compliance with local, state and federal accessibility laws; and DCA QAP Accessibility Requirements. Each Project Owner is required to contract with a third party "qualified accessibility consultant" to make that determination.

The following "Accessibility Manual" provides an overview of the primary accessibility laws and requirements that are applicable to projects funded under the Plan, as well as a summary of the QAP Threshold Criteria for accessibility design and construction standards for properties funded with HOME and / or Low Income Housing Tax Credits.

II. DCA Accessibility Policy

DCA requires that all projects which receive funding under the 2017 Qualified Allocation Plan (QAP) be designed and constructed in a manner so that the "units, common areas, facilities and services" are readily accessible to and usable by disabled persons. All projects that receive allocations of funding under the Plan must comply with DCA QAP accessibility requirements and all applicable Federal and State accessibility laws including but not limited to the laws set forth in the 2017 Accessibility Manual.

- The Fair Housing Amendments Act of 1988 (FHA)
- Americans with Disabilities Act (ADA)
- Section 504 of the Rehabilitation Act of 1973 (Section 504)
- Georgia Fair Housing Law
Georgia Access Law

When two or more accessibility standards apply, the provider is required to follow and apply both standards so that a "*maximum accessibility*" is obtained. DCA does not distinguish between new construction and rehabilitation regarding accessibility requirements and therefore may include moving partitions to accommodate required clearances.

Any "*exemptions*" to the applicable federal, state, local accessibility laws must be supported by a "legal opinion" that supports such exemptions. In addition, DCA will review requests for exemptions from DCA's accessibility standards set forth in the Threshold Criteria Accessibility Standards section of the 2017 Qualified Allocation Plan (QAP). All requests must submit documentation from the project architect which outlines the basis for the waiver request and include a "*legal opinion*" supporting that that request.

NOTE: DCA's acceptance of such documentation should not be construed as conclusive that the project meets the legal requirements of the exception. Each Project Owner should consult their attorney and accessibility consultant to make that determination

In addition, DCA requires that the accessibility requirements of "Section 504" be incorporated into the design and construction of ALL new construction and/or rehabilitation projects funded under the 2017 Qualified Allocation Plan regardless of whether or not the project will receive federal financing assistance. This constitutes a higher standard of accessibility than what may be required

under federal laws. This means that all projects including those financed with tax exempt bonds which receive an allocation of "4% tax credits, and 9% tax credits" only projects, must incorporate at a minimum the requirements of the "UFAS" into the design and construction of the project. DCA will NOT "waive" these additional Section 504 requirements for any new construction 4% tax credits and 9% tax credits only projects. Waivers for 4% tax credits and 9% tax credits only rehabilitation projects will be considered in accordance with the requirements set forth in Section 504. Section 504 provides that a recipient is not required to make a dwelling unit, common area, facility or element accessible if doing so would impose "undue financial and administrative burden" on the operation of the project and if the rehabilitation is not substantial. Therefore, recipients are required to provide access for covered alterations up to the point of being infeasible or an undue financial and administration burden.

NOTE: Any project that claims such an "exception" must submit documentation from the project architect which outlines the basis for the waiver request. A "legal opinion" supporting that the project falls within the requirements of the Section 504 exception must also be included.

DCA requires that all accessibility modifications be "in place" upon completion of new construction and/or completion of substantial rehabilitation, including kitchen and closet shelving, grab bars, and appliances. The ability of the applicant to "adapt" a unit to the required standard upon request is generally not sufficient to meet this requirement. However, removable or adaptable base cabinets will be permitted under kitchen and bathroom sinks and under kitchen work surfaces, provided that written instructions for the removal and adaptation of these cabinets is on file in the leasing office.

In addition, the following equipment may be stored onsite for installation at the tenant's request:

- under-sink pipe guards
- visual/hearing impaired equipment
- tub seats.

Refer to Uniform Federal Accessibility Standards (UFAS) 4.34 for additional design standards for dwelling units and consumer information that must be made available to the tenant in an accessible unit.

III. DCA QAP Threshold Criteria Requirements

To be considered for an allocation of DCA resources, Applications must meet each of the Threshold requirements described below (see 2017 QAP Threshold Criteria Accessibility Standards section for addition information).

NOTE: Preservation of "existing affordable housing" that cannot be modified to meet accessibility requirements that are not required by law, may request a DCA waiver. Any project that claims such an exception must submit documentation from the project architect which outlines the basis for the waiver request. A legal opinion supporting that the project falls within the requirements of the exception must also be included.

Accessibility Standards

Regardless of whether a project anticipates using federal funds as a funding source, ALL proposed projects must include the following DCA requirements:

- **Mobility Disabled** - At least "5%" of the total units (but no less than one unit) must be equipped for the mobility disabled, including wheelchair restricted residents.
- **Roll-in showers** - Must be incorporated into "40%" of these units (but no less than one unit). Mobility units with "more than one bathroom" must have at least one bathroom with a roll-in shower.
- **Hearing and Sight-Impaired** - At least an additional "2%" of the total units (but no less than one unit) must be equipped for hearing and sight-impaired residents.

To provide hearing and sight-impaired accessibility, HUD recommends compliance with ICC/ANSI A117.1 Section 1006, including audible and visual notification on fire alarms and audio and visual notification system at the primary unit entrance.

- **5% and 2% requirement.** - The same unit cannot be used to satisfy the 5% and 2% requirement.
- **Qualified Accessibility Consultant** - Each project selected for allocation is required to retain a qualified accessibility consultant to monitor the project for accessibility compliance. The Consultant cannot be a member of the proposed Project Team nor have an "Identify of Interest" with any member of the proposed Project Team.

Developers must contact the qualified accessibility consultant directly and contract to provide the accessibility compliance services. All report must include a certification that the report was prepared by an individual who meets qualifications to be considered a "qualified" accessibility consultant as required by the QAP.

Note: See Appendix F "Accessibility Consultant Qualifications Statement" for DCA minimum accessibility consultant qualification requirements.

The DCA "qualified" consultant must perform the following:

- A pre-construction "plan and specification review" to determine that the proposed property will meet all required accessibility requirements. The Consultant report must be included with the initial construction documents submitted to DCA. At a minimum, the report will include the initial comments from the consultant, all documents related to resolution of identified accessibility issues and a "certification" from the consultant that the plans appear to meet all accessibility requirements.
- Provide at least two "training sessions" to the General Contractor and Subcontractors regarding accessibility requirements. One training must be on site.

NOTE: A written description of the training sessions and documentation of the events should be maintained.

- An inspection of the construction site after "framing" is completed to determine that the property is following the approved plans and specifications as to accessibility. DCA must receive a copy of the report issued by the consultant as well as documentation that all issues, if any, have been resolved.
- A final inspection of the property after "completion" of construction to determine that the property has been constructed in accordance with all accessibility requirements. DCA must receive a copy of the report issued by the consultant as well as documentation that all issues, if any, have been resolved prior to submission of the project cost certification (see Appendix "Consultant Accessibility Certification" form).

NOTE: The above outlines the DCA QAP minimum Accessibility Consultant work scope requirements. It is incumbent upon the Qualified Consultant to arrange enough visits with their client, the LIHTC Developer, to observe all areas of accessibility and to verify completion of recommended corrections. The project team should further discuss the scope of the specific project with the Accessibility Consultant to determine the actual number of site visits/reviews the project will require in order to issue the final clearance certification.

Required Amenities

Additional Requirements and Amenities for "Senior Projects" (Elderly and Housing for Older Persons) that are more stringent than the requirements for family projects:

- Elevators -Must be installed for access to all units above the ground floor.
- Furnished Gathering Areas - Buildings with multi-story construction must have interior conditioned and furnished gathering areas located throughout the complex including but not limited to areas near elevators.
- Accessible and Adaptable - 100% of the units must be accessible and adaptable, as defined by the Fair Housing Amendments Act of 1988.

Additional DCA Requirements

Emergency Alert System: All “*Mobility Units and Hearing and Sight-Impaired Units*” must have a wireless or hard wired emergency alert system installed that consists of a pull cord located in every bedroom and bathroom that either triggers an audible and visual notification outside of the dwelling unit or notifies the staff and 911 during work hours, and 911 after work hours when the emergency strings are pulled.

NOTE: If buildings are required to have a building fire alarm system AND the owner decides not to designate the required hearing and sight impaired units and permanently install the required equipment into those units during construction, ALL units must be wired into the building fire alarm system by extending fire alarm wiring into all dwelling units.

IV. State Fair Housing Laws

Georgia Fair Housing Law

(O.C.G.A. §8-3-200 to §8-3-223)

The Georgia Fair Law contains substantially the same requirements as the "Federal Fair Housing Act Law". It requires that the design and construction of covered multifamily dwellings for "first occupancy" after March 13, 1991 be designed and constructed to have at least one building entrance on an accessible route unless it is impractical to do so because of the terrain or unusual characteristics of the site.

Georgia Access Law

(O.C.G.A. §30-3 et. seq.)

The Georgia Access Law contains substantially the same requirements as the "Federal American with Disabilities Act". It was enacted to further the policy of the State of Georgia to encourage and

enable persons with disabilities or elderly persons to participate fully in the social and economic life of Georgia and to encourage and promote their education and rehabilitation. It is the intent of the law to eliminate, insofar as possible, unnecessary physical barriers encountered by persons with disabilities or elderly persons whose ability to participate in the social and economic life of this state is needlessly restricted when such persons cannot readily use government buildings, public buildings, and other facilities used by the public.

Georgia Single Family Accessibility

(O.C.G.A. §8-3-172)

Georgia Law requires single-family affordable housing projects "awarded state or federal funds" and constructed for individuals and families of "low and very low incomes" be constructed to be accessible.

NOTE: DCA considers ALL single family detached units which are part of a multifamily project funded under HUD programs to be covered under this statute.

In addition, DCA "requires" that the accessibility requirements of "Section 504" be incorporated into the design and construction of ALL new construction and/or rehabilitation single family detached projects funded under the 2017 Qualified Allocation Plan, regardless of whether or not the project will receive federal financing assistance.

Specifically, at least "one entrance door", whether it is located at the front, side, or back of the building, has to be on an accessible route served by a ramp or no-step entrance and has to have at least a standard 36-inch door.

In addition, on the "first floor" of the building,

- each "interior door" must be at least a standard 32 inch door, unless the door provides access only to a closet of less than 15 square feet in area;
- each "hallway" has a width of at least 36 inches and is level, with ramped or beveled changes at each door threshold;
- each "bathroom" wall is reinforced for potential installation of grab bars;
- each "electrical panel or breaker box, light switch, or thermostat" is not higher than 48 inches above the floor;
- each "electrical plug or other receptacle" is at least 15 inches above the floor;
- and the "main breaker box" is located inside the building on the first floor.

DCA will NOT waive these "additional Section 504 requirements" for any "new" construction project but waivers for "rehabilitation" projects will be considered in accordance with the requirements set forth in Section 504.

For projects that are not classified as "substantial alteration" (cost of the alterations is 75 percent or more of the replacement cost of the completed facility), Section 504 provides that a recipient is not required to make a dwelling unit, common area, facility or element accessible if doing so would impose "undue financial and administrative burden" on the operation of the project and if the rehabilitation is not substantial. Therefore, recipients are required to provide access for covered alterations up to the point of being infeasible or an undue financial and administrative burden.

24 CFR 8.23 - Alterations of existing housing facilities:

"Other" alterations to "dwelling units" in a multifamily housing project (including public housing) shall, to the "maximum extent feasible", be made to be "readily accessible" to and usable by individuals with handicaps. If alterations of "single elements or spaces" of a dwelling unit, when considered together, amount to an alteration of a dwelling unit, the "entire" dwelling unit shall be made accessible. Once "five percent" of the dwelling units in a project are readily accessible to and usable by individuals with mobility impairments, then no additional elements of dwelling units, or entire dwelling units, are required to be accessible under this paragraph.

Alterations to "common areas" or parts of "facilities" that affect accessibility of existing housing facilities shall, to the "maximum extent feasible", be made to be accessible to and usable by individuals with handicaps.

For purposes of this paragraph, the phrase to the "maximum extent feasible" shall not be interpreted as requiring that a recipient (including a PHA) make a dwelling unit, common area, facility or element thereof accessible if doing so would impose "undue financial and administrative burdens" on the operation of the multifamily housing project.

NOTE: Any project that claims such an "exception" must submit documentation from the project architect which outlines the basis for the waiver request. A "legal opinion" supporting that the project falls within the requirements of the Section 504 exception must also be included

V. Fair Housing Act (FHA)

A. Applicability. The federal "Fair Housing Amendments Act of 1988" (Fair Housing Act) amended title VIII of the Civil Rights Act of 1968 (Fair Housing Act) to add prohibitions against discrimination in housing on the basis of disability and familial status. The Fair Housing

Amendments Act (effective March 12, 1989) requires that "covered" public and private multifamily dwelling units designed and constructed for "first occupancy" after March 13, 1991, shall be designed and constructed in a manner that the public and common use portions of such dwellings are readily accessible to and usable by disabled persons. First occupancy is defined as a building that has never before been used for any purpose. The Amendments Act's construction and design requirements apply on a building by building basis.

"Covered multifamily dwellings" or covered multifamily dwellings subject to the Fair Housing Amendments means buildings consisting of "four or more" dwelling units if such buildings have one or more elevators; and ground floor dwelling units in other buildings consisting of four or more dwelling units. Dwelling units within a single structure separated by firewalls do not constitute separate buildings.

NOTE: Any DCA "rehabilitation" project that claims such an "exception" from the Fair Housing Act itself, must submit documentation from the project architect which outlines the basis for the Fair Housing Act exception. A "legal opinion" supporting that the project falls within the requirements of the Fair Housing Act exception must also be included.

The following guidance should not be construed as conclusive for determining which units of a proposed project "must meet" the Fair Housing Act accessibility standards. Each Project Owner should consult their attorney and accessibility consultant to make that determination. Section 100.205 of the United States Department of Housing and Urban Development (HUD) regulations at 24 CFR part 100 implements the Fair Housing Act's design and construction requirements and is a good resource when making that determination.

For an "overview" of how to determine which units and facilities of a proposed project "must meet" the Fair Housing Act accessibility standards the following guidelines can be utilized:

- Development has buildings containing "4 or more units" and was designed and constructed for "first occupancy" on or after March 13, 1991.

NOTE: Acceptable evidence of "first occupancy" is made on a building by building basis. The Fair Housing Act regulations provide that "covered" multifamily dwellings shall be deemed to be designed and constructed for first occupancy "on or before" March 13, 1991 and therefore exempt from the Act's accessibility requirements if they are occupied by that date, or if the last "building permit" or renewal thereof for the covered multifamily dwellings is issued by a state, county or local government "on or before" June 15, 1990.

For buildings that did not obtain the final building permit on or before "June 15, 1990", proof of the date of first occupancy consists of:

(1) a Certificate of Occupancy, and

(2) a showing that at least one dwelling unit in the building actually was occupied by March 13, 1991.

- Building contains an "elevator" so all units in building are "covered units".
- Building does not contain an elevator so only "ground-floor units" in building are "covered units"
- Development contains "covered units," so the "public and common use facilities" must be designed and constructed with features required by the Act.

These specific design and construction standards can also be found in the appropriate requirements of the American National Standards Institute (ANSI), Fair Housing Accessibility Guidelines (FHAG) and in HUD's Fair Housing Act Design Manual. If a project is built in compliance with HUD's Fair Housing Accessibility Guidelines (FHAG) requirements, a "safe harbor" for compliance purposes is created.

B. Seven Basic Design and Construction Requirements

In order to be in compliance with the Fair Housing Act, the "Fair Housing Accessibility FIRST" initiative have identified the following seven basic *design and construction requirements* that must be met:

1. An accessible building entrance on an accessible route:

All covered multifamily dwellings must have at least one accessible building entrance on an accessible route unless it is impractical to do so because of the terrain or unusual characteristics of the site.

- An accessible route means a continuous, unobstructed path connecting accessible elements and spaces within a building or site that can be negotiated by a person with a disability who uses a wheelchair, and that is also safe for and usable by people with other disabilities.
- An accessible entrance is a building entrance connected by an accessible route to public transit stops, accessible parking and passenger loading zones, or public streets and sidewalks.

2. Accessible public and common use areas:

Covered housing must have accessible and usable public and common-use areas.

Public and common-use areas cover all parts of the housing outside individual units.

They include -- for example -- building-wide fire alarms, parking lots, storage areas, indoor and outdoor recreational areas, lobbies, mailrooms and mailboxes, and laundry areas.

3. Usable doors (usable by a person in a wheelchair):
All doors that allow passage into and within all premises must be wide enough to allow passage by persons using wheelchairs.
4. Accessible route into and through the dwelling unit:
There must be an accessible route into and through each covered unit.
5. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations:
Light switches, electrical outlets, thermostats and other environmental controls must be in accessible locations.
6. Reinforced walls in bathrooms for later installation of grab bar:
Reinforcements in bathroom walls must be installed, so that grab bars can be added when needed. The law does not require installation of grab bars in bathrooms.
7. Usable kitchens and bathrooms:
Kitchens and bathrooms must be usable - that is, designed and constructed so an individual in a wheelchair can maneuver in the space provided.

C. Site Impracticality

The Fair Housing Act Accessibility Guidelines contain a narrow "Site Impracticality Exception" which provides that first floor units do not have to meet all of the Act's requirements if it is impractical to have an accessible entrance to the building because of the natural hilly terrain or other unusual characteristics of the site.

"Covered multifamily dwellings shall be designed and constructed to have at least one building entrance on an accessible route unless it is "impractical" to do so because of the terrain or unusual characteristics of the site. {{10-30-92 p.9646}} The burden of establishing impracticality because of terrain or unusual site characteristics is on the person or persons who designed or constructed the housing facility."

NOTE: Any project that claims such an exception must submit documentation from the "project architect" outlining the basis for the site exception. A "legal opinion" supporting that the project falls within the requirements of the Site Impracticality Exception must also be included.

VI. Section 504 of the Rehabilitation Act of 1973

A. Applicability:

Section 504 of the "Rehabilitation Act of 1973" (Section 504) prohibits discrimination against persons with disabilities in the operation of programs "receiving federal financial assistance".

NOTE: In addition, DCA "requires" that the accessibility requirements of Section 504 be incorporated into the design and construction of ALL new construction and/or rehabilitation projects funded under the 2017 Qualified Allocation Plan regardless of whether or not the project will receive federal financing assistance. This means that ALL projects including those financed with tax exempt bonds which receive an allocation of "4% tax credits", and "9% tax credits" only projects, must incorporate at a minimum the requirements of the UFAS into the design and construction of the project.

Specifically, Section 504 governs the "design and construction" of housing to ensure that federal programs are operated to be accessible to persons with disabilities, and to ensure that a portion of housing developed with federal funds is accessible to those with "mobility, visual, and hearing impairments". These programs include, but are not limited to HOME, CDBG, and other programs under the jurisdiction of the HUD Office of Multifamily Housing Program.

HUD regulations implementing Section 504 contain accessibility requirements for new construction and rehabilitation of housing as well as requirements for ensuring that the programs themselves are operated in a manner that is accessible to and usable by persons with disabilities. Both "individual units" and the "common areas" of buildings must be accessible under Section 504. These specific design and construction standards can be found in the "Uniform Federal Accessibility Standards" (UFAS).

B. Specific 504 Requirements:

New Construction – A minimum of "5%" or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with "mobility impairments". In addition to the 5% of units made accessible to individuals with mobility impairments, a minimum of "2%" or at least one unit (whichever is greater) of the total units in the project must be accessible to individuals with "sensory impairments" (hearing or vision).

NOTE: Section 504 does not specify what constitutes compliant dwelling units for individuals with "hearing and visual impairments". HUD recommends following "ICC/ANSI A117.1-2009 Section 1006", including audible and visual notification on fire alarms and audio and visual notification system at the primary unit entrance.

Substantial Rehabilitation – If alterations are undertaken to a project that has "15 or more units" and the cost of the alteration is "75% or more of the replacement cost" of the completed facility, then the accessibility requirements for the projects are the same as for newly constructed projects.

Other Alterations- When other alterations are undertaken, including but not limited to modernization and rehabilitation which does not meet the threshold of "Substantial Rehabilitation" under the Act, such alterations are required to be accessible to the "maximum extent feasible" up to the point where at least "5%" of the units in a project are accessible. If alterations of "single elements or spaces" of a dwelling unit when considered together amount to an alteration of a dwelling unit, then the entire dwelling unit shall be made accessible.

In some cases, Section 504 requirements may be "stricter" than requirements under the "Fair Housing Act". For instance, in regard to townhome development, Section 504 would be applicable to a new construction project composed of all two story townhomes. HUD Notices CPD 00-09 and PIH 99-52 (HA) states that, "a development consisting entirely of multistory townhouses constructed with federal financial assistance is not a covered multifamily dwelling for purposes of the design and construction requirements at 24 CFR §100.205 (FHAG), but would still have to meet the Section 504 5% + 2% accessibility requirements at 24 CFR §8.22 (Section 504). A townhouse development of five (5) or more single story units would still have to comply with the Fair Housing Act design and construction requirements. Whether or not the rehab of a development of two story townhouses would need to meet the 504 requirements would depend on the extent of the rehabilitation and whether the applicant could present documentation that the modifications would not be feasible.

DCA will NOT waive these "additional Section 504 requirements" for *any* "new" construction project but waivers for "rehabilitation" projects will be considered in accordance with the requirements set forth in Section 504.

For projects that are not classified as "Substantial Rehabilitation" (cost of the alterations is 75 percent or more of the replacement cost of the completed facility), Section 504 provides that a recipient is not required to make a dwelling unit, common area, facility or element accessible if doing so would impose "undue financial and administrative burden" on the operation of the project and if the rehabilitation is not substantial. Therefore, recipients are required to provide access for covered alterations up to the point of being infeasible or an undue financial and administrative burden.

24 CFR 8.23 - Alterations of existing housing facilities:

"Other" alterations to "dwelling units" in a multifamily housing project (including public housing) shall, to the "maximum extent feasible", be made to be "readily accessible" to and usable by individuals with handicaps. If alterations of "single elements or spaces" of a dwelling unit, when considered together, amount to an alteration of a dwelling unit, the "entire" dwelling unit shall be made accessible. Once "five percent" of the dwelling units in a project are readily accessible to and usable by individuals with mobility impairments, then no additional elements of dwelling units, or entire dwelling units, are required to be accessible under this paragraph.

Alterations to "common areas" or parts of "facilities" that affect accessibility of existing housing facilities shall, to the "maximum extent feasible", be made to be accessible to and usable by individuals with handicaps. For purposes of this paragraph, the phrase to the "maximum extent feasible" shall not be interpreted as requiring that a recipient (including a PHA) make a dwelling unit, common area, facility or element thereof accessible if doing so would impose "undue financial and administrative burdens" on the operation of the multifamily housing project.

NOTE: Any project that claims such an "exception" must submit documentation from the project architect which outlines the basis for the waiver request. A "legal opinion" supporting that the project falls within the requirements of the Section 504 exception must also be included.

C. Increasing "Program" Accessibility

Section 504 regulations also require that a recipient of federal funds ensure that its project, "when viewed in its entirety", is accessible to persons with disabilities. In order to meet this obligation, Section 504 requires that the Project Owner must:

- To the maximum extent feasible, "distribute" accessible units through the projects and sites, and make them available in a sufficient range of sizes and amenities so as to not to limit choice.
- Adopt suitable means to assure that "information" regarding the availability of accessible units reaches eligible individuals with disabilities. Reasonable nondiscriminatory steps to maximize use of such units by eligible individuals must also be taken.
- When an accessible unit becomes "vacant", before offering the unit to an individual without a disability, offer the unit: first, to a current occupant of the project requiring the accessibility feature; and second, to an eligible qualified applicant on the waiting list requiring the accessibility features.
- When an applicant or tenant requires an accessible feature or policy modification to "accommodate" a disability, a federally assisted project must provide such feature or policy modification unless doing so would result in a fundamental alteration in the nature of its

program or an undue financial and administrative burden.

- Project Owners are required to ensure that information about their project is "disseminated" in a manner that is accessible to persons with disabilities.
- Include a "lease provision" that requires a non-disabled family occupying an accessible unit to move if a family with a disability needing that size unit applies and there is an appropriately sized non-accessible unit available for the relocating family.

VII. The American with Disabilities Act

A summary of the 2010 ADA is below:

A. Applicability. The American with Disabilities Act guarantees equal opportunity for individuals with disabilities in "employment, public accommodations, transportation, state and local government services and telecommunication". It is divided into five titles. Two of which are primarily applicable to multifamily housing agencies

- Title II. Public services, which include state and local government instrumentalities, cannot deny people with disabilities from participating in "programs or activities" which are available to people without disabilities.
- Title III. Prohibits disability based discrimination and requires privately owned "places of public accommodation" be designed, constructed and altered in compliance with certain accessibility standards.

NOTE: Under the "2017 Qualified Allocation Plan", the ADA is applicable to all new construction projects that are selected for funding. In "rehabilitation" projects, existing facilities must comply to the "maximum extent feasible". Please note that generally the requirements of the ADA are not as restrictive as the requirements under "Section 504". Projects financed through an allocation of "4% or 9% tax credits" need to closely review the requirements of the ADA Standards for Accessible Design or UFAS as it pertains to these areas of "public accommodation".

B. Basic ADA Requirements

For All DCA "new construction" projects the following requirements are applicable:

- The "common areas" that are for public use at "covered multifamily dwellings" under the Act must meet the ADAAG. For example, a "rental office" in a multifamily residential development or a convenience store located in that development would be covered under Title III of the ADA.

- Public accommodations does not include portions of privately owned rental housing used exclusively as residences, but does include areas within such facilities that are available to the general public such as "rental offices, parking areas and community rooms for rent by non-residents".
- Specifically, "rental offices" that serve the public must comply with the access requirements of the ADA, Title III (that is, if they are constructed for "first occupancy" after January 26, 1993), and they must be constructed to comply with ADAAG. If constructed before that date, "architectural barriers" must be removed if doing so is "readily achievable."
- Social service programs operated by a housing provider that are "available to non-residents" would be considered public accommodations and must be accessible under Title III.

Note: Design, construction or alteration of facilities in conformance with ADAAG shall be "deemed to comply" with requirements of the ADA.

For all "rehabilitation" projects, the following requirements are applicable to those areas covered by the ADA:

- All "architectural barriers" in existing facilities must be removed where such removal is readily achievable that is easily accomplished and able to be carried out. This would include adding grab bars, ramping a few steps and lowering telephones. If barrier removal is "not readily achievable" then services must be made available through alternative methods.

NOTE: In "rehabilitation" projects, existing facilities must comply to the "maximum extent feasible". Any project that claims a required modification is not 'readily achievable' must submit documentation from the project architect which outlines the basis for the exception. A "legal opinion" supporting that the project falls within the requirements of the modification exception must also be included.

2010 ADA Standards for Accessible Design:
28 CFR part 36, subpart D – New Construction and Alterations - §36.402 Alterations:

(a) General. (1) Any alteration to a place of public accommodation or a commercial facility, after January 26, 1992, shall be made so as to ensure that, to the "maximum extent feasible", the altered portions of the facility are readily accessible to and usable by individuals with disabilities, including

individuals who use wheelchairs.

(c) To the maximum extent feasible. *The phrase "to the maximum extent feasible," as used in this section, applies to the occasional case where the nature of an existing facility makes it virtually impossible to comply fully with applicable accessibility standards through a planned alteration. In these circumstances, the alteration shall provide the maximum physical accessibility feasible. Any altered features of the facility that can be made accessible shall be made accessible. If providing accessibility in conformance with this section to individuals with certain disabilities (e.g., those who use wheelchairs) would not be feasible, the facility shall be made accessible to persons with other types of disabilities (e.g., those who use crutches, those who have impaired vision or hearing, or those who have other impairments).*

VIII. Layered Properties

In many projects, multiple sources of funding may mean the projects must meet both the "Fair Housing" and "Section 504" new construction requirements. Where two or more accessibility standards apply, the Project Owner is required to follow and apply both standards so that maximum accessibility is obtained.

HUD has provided the following "examples" illustrating how these requirements would apply:

- A project building with an "elevator" constructed with HUD program funding would be required to have "5%" of its dwelling units meet the Section 504 accessibility requirements. The remaining "95%" of its units would be required to comply with the Fair Housing design and construction requirements.
- A newly constructed 100 unit two story garden apartment development with "no elevator" construction with HUD program assistance with half (50) of its dwelling units on the ground floor and half (50) on the second floor, would be required to have "5" of its ground floor dwelling units built to comply with Section 504 accessibility requirements and the remaining "45" ground floor dwellings built to comply with the Fair Housing Act design and construction standards.
- A development consisting entirely of "multistory rental townhouses" constructed with federal financial assistance is not a covered multifamily dwelling for purposes of the design and construction requirements of the Fair Housing Act. However, it would still have to meet the Section 504 "5%" accessibility requirements.

IX. Visitability

HUD "recommends" that all design, construction and alterations for multifamily units, incorporate, whenever practical, the concept of visitability in addition to the requirements under Section 504 and the Fair Housing Act. Housing that is visitable has a very "basic level" of accessibility. Visitability is a "design concept", which, for "very little or no additional cost", enables persons with disabilities to visit relatives, friends, and neighbors in their homes within a community.

NOTE: DCA has also adopted the concept of visitability as a recommended practice for ALL projects that receive funding under the 2017 Qualified Allocation Plan.

Visitability design incorporates the following basic visitability design requirements in all construction or alterations, in addition to the applicable requirements of Section 504 and the Fair Housing Act, whenever "practical and possible for as many units" as possible within a development:

- Provide "32 inch clear" openings in all bathrooms and interior doorways.
- Provide at least one "accessible means of egress/egress" for each unit.

Visitability also expands the availability of housing options for individuals who may not require full accessibility. It will assist project owners in making reasonable accommodations and reduce, in some cases, the need for structural modifications or transfers when individuals become disabled in place.

NOTE: Any project that claims such an exception from the above "basic visitability design requirements" must submit documentation from the project architect which outlines the basis for the visitability design concept exception. A "legal opinion" supporting that the project falls within the requirements of the visitability design concept exception must also be included.

X. Increasing Accessibility

Projects funded with Low Income Housing Tax Credits are encouraged to "go beyond" federal, state, and local regulations and provide further low-cost accommodations for mobility, sight, and hearing impaired tenants. Consider incorporating the following:

Entrance doors: Install two "peep holes"--one for use by ambulatory people and one for use by wheelchair users. For the lowered one, install a wide lens peep hole. It has a much wider range of view which increases safety for user.

Kitchen electrical outlets and switches: The requirements for "switches and outlets" above counter often do not actually meet the needs of people in wheelchairs (reach range), even when the counter width does not exceed the maximum 28". Consider the following to make these switches more accessible:

- Place outlets toward the front on a side wall at the end of counter where it can be more readily reached.
- Place two switches for garbage disposal and stove hood; Under the sink in the area which has knee space and on wall (as low as possible) where it can be accessed from area in front of sink.

Bathrooms: Consider installing a vertical grab bar (minimum 18") in the shower per "ICC/ANSI A117.1-2009" where it can be held onto while entering the tub or shower.

Parking spaces: Parking should be laid out so that the access aisle is NOT an end space. When there is a parking space on both sides of the access aisle, it provides an opportunity for two vehicles to utilize the access aisle.

XI. Play Areas

Specific guidance on what constitutes an accessible playground is not provided in Section 504 or Fair Housing regulations. The "Architectural Barriers Act" (ABA) has published the "ABA Accessibility Standards" that are not specifically applicable to tax credit projects (residential facilities under the purview of HUD, which references UFAS). [Section 1008 Play Areas](#) of the ABA Accessibility Standards are the basis for what DCA considers best practice in playground accessibility. A summary of the "DCA required" design features is as follows:

A. Ground Structure/Equipment

At least "one of each type" of ground structure/equipment should be accessible. The accessibility of a piece of equipment includes the following:

1. Accessible Route. An accessible route shall extend from the play components to the rest of the accessible route on the property
 - i. CLEAR WIDTH: The accessible routes connecting shall provide a clear width of 36 inches.
 - ii. TURNING SPACE: At least one turning space shall be provided on the same level as play components. Where swings are provided, the turning space shall be located immediately adjacent to the swing.

2. Clear Floor or Ground Space. Clear floor or ground space shall be provided at play components. Clear floor or ground spaces, turning spaces, and accessible routes are permitted to overlap within play areas. A specific location has not been designated for the clear floor or ground spaces or turning spaces, except swings, because each play component may require that the spaces be placed in a unique location. Where play components include a seat or entry point, designs that provide for an unobstructed transfer from a wheelchair or other mobility device are recommended. This will enhance the ability of children with disabilities to independently use the play component.

- i. When designing play components with "manipulative or interactive" features, consider appropriate reach ranges for children seated in wheelchairs.

ii. Children's Reach Ranges Forward or Side Reach

	Ages 3 - 4	Ages 5 - 8	Ages 9 - 12
High (maximum)	36"	40"	44"
Low (minimum)	20"	18"	16"

3. Ground Surfaces. Ground surfaces shall comply with:
 - i. ASTM F 1951 Standard Specification for Determination of Accessibility of Surface Systems Under and Around Playground Equipment. Ground surfaces shall be inspected and maintained regularly and frequently to ensure continued compliance with ASTM F 1951.
 - ii. ASTM F 1292 Standard Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment.
2. Play Tables. Where play tables are provided, knee clearance 24 inches high minimum, 17 inches deep minimum, and 30 inches wide minimum shall be

provided. The tops of rims, curbs, or other obstructions shall be 31 inches high maximum. EXCEPTION: Play tables designed and constructed primarily for children 5 years and younger shall not be required to provide knee clearance where the clear floor or ground space required by is arranged for a parallel approach.

3. Entry Points and Seats. Where play components require transfer to entry points or seats, the entry points or seats shall be 11 inches minimum and 24 inches maximum from the clear floor or ground space. EXCEPTION: Entry points of slides shall not be required to comply with above.
4. Transfer Supports. Where play components require transfer to entry points or seats, at least one means of support for transferring shall be provided. Examples of supports include a rope loop, a loop type handle, a slot in the edge of a flat horizontal or vertical member, poles or bars, or D rings on the corner posts.

B. Elevated Structure

At least one of each type of "elevated structure" should be accessible and ramps and transfer systems help provide access to elevated play structures. Transfer systems are a means of accessing composite play structures. Transfer systems generally include a "transfer platform" and a series of "transfer steps". Children who use wheelchairs or other mobility devices transfer from their wheelchair or mobility devices onto the transfer platform and lift themselves up or down the transfer steps and scoot along the decks or platforms to access elevated play components. Some children may be unable or may choose not to use transfer systems. Where transfer systems are provided, consideration should be given to the distance between the transfer system and the elevated play components. Moving between a transfer platform and a series of transfer steps requires extensive exertion for some children. Designers should minimize the distance between the points where a child transfers from a wheelchair or mobility device and where the elevated play components are located.

The transfer system to a piece of equipment includes the following:

1. Transfer Platforms. Transfer platforms should be provided where transfer is intended from wheelchairs or other mobility aids.
 - i. Transfer platforms should have level surfaces 14 inches deep minimum and 24 inches wide minimum.

- ii. Height of transfer platforms should be 11 inches minimum and 18 inches maximum measured to the top of the surface from the ground or floor surface.
 - iii. A transfer space complying with 305.2 and 305.3 should be provided adjacent to the transfer platform. The 48 inch long minimum dimension of the transfer space should be centered on and parallel to the 24 inch long minimum side of the transfer platform. The side of the transfer platform serving the transfer space should be unobstructed.
 - iv. At least one means of support for transferring should be provided. Examples of supports include a rope loop, a loop type handle, a slot in the edge of a flat horizontal or vertical member, poles or bars, or D rings on the corner posts.
2. Transfer Steps. Transfer steps should be provided where movement is intended from transfer platforms to levels with elevated play components required to be on accessible routes.
- i. Transfer steps should have level surfaces 14 inches deep minimum and 24 inches wide minimum.
 - ii. Each transfer step shall be 8 inches high maximum.
 - iii. At least one means of support for transferring shall be provided. Examples of supports include a rope loop, a loop type handle, a slot in the edge of a flat horizontal or vertical member, poles or bars, or D rings on the corner posts.

Appendices

- A - Summary of Accessibility Laws and Standards (chart)
- B - Fair Housing Act (FHA) Accessibility Checklist
- C - Common Errors or Omissions
- D - Additional Resources
- E - Accessibility Consultant Qualifications Package Checklist
- F - Accessibility Consultant Qualifications Statement
- G - Certification of Minimum DCA Scope and Reporting Standards
- H - Consultant Accessibility Certification
- I - Accessibility Inspection Checklist
- J - Owner Accessibility Certification
- K - Accessibility Agreement

2017 Accessibility Manual - Appendix A

Summary of Accessibility Laws and Standards

The "Summary of Accessibility Laws and Standards" chart can be used to assist with determining the appropriate design standards that should be incorporated into a project. Project Architects, Engineers, Contractors and Accessibility Consultants should be familiar with the requirements of each standard to ensure that the appropriate requirements are met.

NOTE: See separate Excel file for this referenced appendix.

2017 Accessibility Manual - Appendix B

Fair Housing Act (FHA) Accessibility Checklist

Fair Housing Act (FHA) Accessibility Checklist

The following FHA Accessibility Checklist represents some, but not all of the accessible and adaptive design and construction requirements of the Fair Housing Act. The Internal Revenue Service (IRS), Department of Justice (DOJ) and HUD have jointly prepared it. Adoption of these items into the design and construction of a project will not guarantee that the project complies with all applicable FHA accessibility requirements. The project architect must utilize all requirements set forth in the Fair Housing Act, regulations and FHAG to ensure that the project is accessible in accordance with the law.

1. ACCESSIBLE BUILDING ENTRANCE ON AN ACCESSIBLE ROUTE

- The accessible route is a continuous, unobstructed path (no stairs) through the development that connects all buildings containing covered units and all public and common use facilities.
- The accessible route also connects to parking lots and to at least one public street, public sidewalk, and to a public transportation stop, when provided.
- All slopes on the accessible route are no steeper than 8.33%.
- All slopes on the accessible route between 5% and 8.33% have handrails.
- Covered units have at least one entrance on an accessible route.
- There are sufficient numbers of curb cut ramps for a person using a wheelchair to reach every building in the development.
- Ramp slope and cross slope specifications.

2. ACCESSIBLE COMMON AND PUBLIC USE AREA

- At least 2 percent of all parking spaces serving covered units are designated as accessible handicapped parking spaces.
- At least one parking space at each common and public use amenity is designated as handicapped accessible parking.
- All handicapped accessible parking spaces have adequate signage.
- All handicapped accessible parking spaces are at least 96" wide with a 60" wide access aisle that can be shared between two spaces.
- The accessible aisle is adjacent to the accessible route.
- The rental or sales office is readily accessible and usable by persons with disabilities as required by both the Fair Housing Act and the Americans with Disabilities Act.
- A sufficient number of mailboxes, swimming pools, tennis courts, clubhouses, rest rooms, showers, laundry facilities, trash facilities, drinking fountains, public telephones, and other common and public use amenities offered by the development that are readily accessible and usable by persons with disabilities.

3. USABLE DOORS

- All doors into and through covered units and common use facilities provide a clear opening of at least 32" nominal width.
- All doors leading into common use facilities have lever door handles or other operating hardware that does not require grasping and twisting.
- Thresholds at doors to common use facilities are no greater than ½".
- All primary entrance doors to covered units have lever door handles or other operating hardware that does not require grasping and twisting.
- Thresholds at exterior primary entrance doors to covered units are beveled and no greater than ¾".

4. ACCESSIBLE ROUTE INTO AND THROUGH THE COVERED UNIT

- All routes through all rooms in the covered units are no less than 36" wide.

5. ACCESSIBLE ENVIRONMENTAL CONTROLS

- All light switches, electrical outlets, thermostats, and other environmental controls are no less than 15" and no greater than 48" from the floor.

6. REINFORCED BATHROOM WALLS FOR GRAB BARS

- Reinforcements are built into the bathroom walls surrounding toilets, showers, and bathtubs for the later installation of grab bars.

7. USABLE KITCHEN AND BATHROOMS

USABLE KITCHENS

- 30 x 48" clear floor space centered at each fixture and appliance
- 40" of clear floor space between opposing elements (i.e. cabinets, appliances, etc.)
- U-shaped kitchens with sink or cooktop at end have 60" diameter turning space or have sink or cooktop base with removable cabinets
- Appliances and controls shall conform to the required accessibility design standards.

USABLE BATHROOMS

Type A Bathroom

- 30 x 48" clear floor space outside the swing of the door
- 30 x 48" clear floor space at lavatory (if centered for parallel approach cabinet may be fixed)
- Toilet next to the tub allowing a perpendicular approach
- Centerline of toilet is 18" from bathtub and 15" from lavatory
- Toilets shall comply with the required design standards for height and location.

Type B Bathroom

- 30 x 48" of clear floor space outside swing of door
- 30 x 48" of clear floor space centered in front of sink
- 30 x 48" of clear floor space adjacent to the bathtub
- If at least one Type B bathroom is included the other bathroom(s) is exempt from only the maneuvering space requirements
- Toilets shall comply with the required design standards for height and location.

2017 Accessibility Manual - Appendix C

Common Errors or Omissions

Common Errors or Omissions

The following list reflects items commonly found out of compliance at DCA's final construction inspection. Since this list is not intended to be comprehensive of all accessibility regulations, please read the Accessibility Manual thoroughly.

- Mailboxes are not coordinated with handicap-designed units such that all "mailboxes" for the mobility impaired are within accessible reach ranges.
- A Clear floor space of 30"x48" is not provided at "mailbox" for forward or parallel approach.
- Community "gardens" do not provide an accessible route into the garden space nor provide any planting beds within accessible reach ranges.
- "Accessible routes" (concrete sidewalks, ramps, and curb cuts) exceed maximum slopes and distances.
- Trash dumpsters not on an accessible route or do not provide a disposal opening that meets requirements for ease of operation to open are is within accessible reach ranges.
- Opposing "kitchen elements" (cabinets and refrigerators) do not have adequate clearance.
- Showers and tubs are not equipped with the proper number or location of "grab bars".
- Showers and tubs are missing "shower seat, handheld shower, offset controls".
- Location of "shower controls" in roll-in shower when a seat is provided on a side wall.
- Clear space is not centered on "appliance" (range).
- "Closet rods" not placed within accessible reach range (clothes and laundry closets).
- Toilet "flush handle" not placed on the outside (not in the corner against the wall) for accessible reach.
- Back "grab bar" at toilet is not the correct length.
- Highest control at "thermostat" is too high.
- Top of bottom "shelf" at the cabinet over work counter is too high.
- An accessible surface for "door maneuvering" clearance at exterior door is not provided.
- Width of "linen and pantry" closet doors is less than the minimum width.
- Protection panels provided at bathroom and kitchen sinks do not provide the correct profile for "knee/toe clearance".
- Accessible route not extended beyond the property to the "public street or sidewalk".
- An accessible route to a bench or bench area at playground" is not provided.

- Depth of "shallow" closet is greater than what's allowed for a door that does not allow user passage.
- Door maneuvering clearances at door not provided per "latch approach or hinge approach".
- "Threshold" height at primary entrance door exceeds ½"
- Wall outlets lower than minimum allowed to "lowest receptacle".
- Wall outlets over "counter" with top receptacle higher than maximum allowed.
- Centerline of "bathroom sink" does not allow sink to be centered on clear floor space.
- Doors to back "porches and patios" are not accessible.

2017 Accessibility Manual - Appendix D

Additional Resources

Additional Resources

The below referenced links may be used to access different accessibility standards and information:

NOTE: DCA does not endorse any of the above sites, but provides them as a resource only. Please consult with your Project Architects, Engineers, Contractors and Attorneys to determine how the requirements of each standard will be met.

FAIR HOUSING ACT (FHA)

Fair Housing Accessibility First:

<http://www.FairHousingFIRST.org>

Fair Housing Accessibility FIRST is an initiative sponsored by the U.S. Department of Housing and Urban Development (HUD) designed to promote compliance with the Fair Housing Act design and construction requirements.

Fair Housing Accessibility Guidelines (FHAG):

<http://www.hud.gov/offices/fheo/disabilities/fhefhag.cfm>

This document presents guidelines adopted by the Department of Housing and Urban Development to provide "builders and developers" with technical guidance on how to comply with the specific accessibility requirements of the Fair Housing Amendments Act of 1988.

Fair Housing Accessibility Guidelines (HUD): Questions and Answers about the Guidelines:

<http://www.hud.gov/offices/fheo/disabilities/fhefhasp.cfm>

This document reproduces the questions that have been most frequently asked by members of the public, and the Department's answers to these questions.

NOTE: This notice of questions and answers about the Fair Housing Accessibility Guidelines will be codified in the 1994 edition of the Code of Federal Regulations as Appendix IV to the Fair Housing regulations (24 CFR Ch.I., Subch.A, App. IV).

2013 HUD and DOJ Joint Statement – "Accessibility (Design and Construction) Requirements for Covered Multifamily Dwellings Under the Fair Housing Act"

<https://portal.hud.gov/hudportal/documents/huddoc?id=JOINTSTATEMENT.PDF>

This Joint Statement provides guidance regarding the persons, entities, and types of housing and related facilities that are subject to the accessible design and construction requirements of the Act (hereinafter, "design and construction requirements"). See 42 U.S.C. § 3604(f)(3).

Fair Housing Act Design Manual (designed and developed by Barrier Free Environments, Inc. For HUD.):

<http://www.huduser.org/publications/destech/fairhousing.html>

First published in 1996, the Fair Housing Act Design Manual: A Manual to Assist "Designers and Builders" in Meeting the Accessibility Requirements of The Fair Housing Act provides clear and helpful guidance about ways to design and construct housing which complies with the Fair Housing Act.

SECTION 504

HUD's Section 504 One-Stop Web Site

<http://www.hud.gov/offices/fheo/disabilities/sect504.cfm>

To provide recipients of HUD financial assistance with information regarding their obligations under Section 504, an overview of relevant regulatory provisions, and information about steps they may take to ensure that they are in compliance.

Section 504 notices, regulations and supportive documents (HUD)

https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504docs

This Section 504 Web site is part of HUD's effort to help ensure that its programs are accessible to everyone.

Uniform Federal Accessibility Standards (UFAS):

<https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/ufas>

This document presents uniform standards for the design, construction and alteration of buildings so that physically handicapped persons will have ready access to and use of them in accordance with the "Architectural Barriers Act", 42 U.S.C. 4151-4157.

UFAS Accessibility Checklist (HUD)

<https://www.hud.gov/offices/ftheo/library/UFASAccessibilityChecklistforPHAs-5-7-08.pdf>

This checklist is intended for accessibility reviews of properties owned, operated and/or managed by recipients of Federal financial assistance. See "Section 504" of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794; 24 C.F.R. Part 8.

AMERICANS WITH DISABILITIES ACT (ADA)

ADA.GOV

<https://www.ada.gov/>

Information and Technical Assistance on the Americans with Disabilities Act

2010 ADA Standards for Accessible Design (includes Title II and ADAAG):

<http://www.ada.gov/regs2010/2010ADAStandards/2010ADASTandards.htm>

The 2010 Standards set minimum requirements – both scoping and technical -- for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities.

Accessibility Guidelines for "Play Areas" (U.S. Access Board)

<https://www.access-board.gov/guidelines-and-standards/recreation-facilities/guides/play-areas>

This guide is designed to assist in using the play area guidelines which are a supplement to the "Americans with Disabilities Act" Accessibility Guidelines (ADAAG)

Designing for Inclusive Play: Applying the Principles of Universal Design to the Playground

<http://www.ncaonline.org/resources/articles/playground-universaldesign.shtml>

When we design for these purposes and apply the Principles of Universal Design, we design for inclusive play where every child, regardless of ability or disability, is welcomed and benefits physically, developmentally, emotionally and socially from the environment.

STATE OF GEORGIA

Official Code of Georgia Unannotated:

<http://www.lexis-nexis.com/hottopics/gacode/default.asp>

The statutory portion of the codification of Georgia laws enacted by the General Assembly of Georgia. When so published shall be known and may be cited as the "Official Code of Georgia Annotated."

State Fire Marshal's Office

<https://www.oci.ga.gov/FireMarshal/Home.aspx>

The responsibilities of the Fire Marshal's Office fall into five main categories: building inspection, manufactured housing inspection, engineering, hazardous materials inspections, and licensing.

Fire Marshal Rules and Regulations

<https://www.oci.ga.gov/Firemarshal/Rules%20and%20Regulations.aspx>

Fire Marshal historical rules and regulations, including current regulations.

Appendix “E”

Accessibility Consultant Qualifications Package Checklist

DCA Accessibility Consultant Qualifications Package Checklist

The Qualification Package must be and contain the following information in the order shown and numbered as follows (please scan each document separately):

- **Cover Letter:** A cover letter which provides the company name, mailing address; contact name, telephone number, and email address of the individual to whom DCA may communicate regarding the Qualifications Package.
- **References:** Three current customer references for accessibility reviews must be included. Of special interest to DCA are any customer references from multi-family housing developers, state or local housing agencies and/or financial institutions. Please provide the customer reference contact person's name and telephone number;
- **Resumes:** Copies of resumes for all proposed individuals who will be working directly on the inspections if the Consultant is qualified (Resumes should include any and all trainings and certifications related to accessibility);
- **Report Samples:** At least two samples of accessibility reports (one for new construction, one for substantial rehabilitation) that your firm recently completed for a multi-family housing development. (Consultants currently qualified by DCA to perform accessibility inspections and in good standing need not submit sample reports);
- **Project List:** A listing of multi-family rental housing projects on which Consultant has performed accessibility reviews. This listing should indicate the project name, number of units, proposed tenancy (senior, family or 'other'), source of financing and whether the project was assisted with government funding.
- **Qualifications Statement:** Executed Copy of the DCA "Accessibility Consultant Qualifications Statement".
- **Scope and Reporting Standards:** Executed Copy of the DCA "Certification of Minimum Scope and Reporting Standards".

Certification Statement: Certifies that all items listed above are included in the Qualifications Package and are deemed to comply with the stated requirements listed above and in the DCA "Accessibility Consultant Qualifications Statement":

Company Name: _____

Contact Name: _____ Phone: _____

Signature: _____ Date: _____

Appendix “F”

Accessibility Consultant Qualifications Statement

DCA Accessibility Consultant Qualifications Statement

A "Qualified Accessibility Consultant" is any individual who possess the required knowledge to inspect multifamily properties for compliance with all federal, state and agency accessibility requirements and meets the following experience requirements and qualifications:

- The Consultant will perform tasks necessary to review LIHTC and/or other DCA federally funded properties for compliance with federal, state, and agency accessibility laws and requirements, including, but not limited to:
 - Title II and III of the Americans with Disabilities Act and all applicable compliance standards;
 - Section 504 of the Rehabilitation Act of 1973 and all applicable compliance standards;
 - The Fair Housing Act and all applicable compliance standards;
 - The Georgia Access Law (O.C.G.A. §30-3 et. seq.) and all applicable compliance standards;
 - Georgia Fair Housing Law (O.C.G.A. §8-3-200 et. seq.) and all applicable compliance standards;
 - The requirements of the DCA Qualified Allocation Plan ("QAP") applicable to the Project and the DCA Accessibility Manual;
 - Any other accessibility laws and regulations applicable to the project.

- Consultant is not be a member of the Project Team nor have an Identity of Interest with any member of the Project Team.
- Consultant has the capacity to render a high quality report in accordance with the instructions and requirements set forth in the DCA "Certification of Minimum Scope and Reporting Standards".
- Consultant has no less than five (5) years of experience performing accessibility compliance assessments for affordable rental housing projects.
- Consultant is not presently debarred, suspended, proposed for debarment or suspension, declared ineligible or excluded from participation by any state or federal department, agency, or program.
- Consultant agrees to comply with all applicable laws, including, but not, limited to federal, state and local laws, codes, regulations, ordinances, rules and orders, including all laws concerning fair housing and equal opportunity that protect individuals and groups against discrimination on the basis of race, color, national origin, religion, disability, familial status, or sex.
- Consultant agrees to comply with the Immigration Reform and Control Act of 1986 (IRCA), D.L. 99-603, the Georgia Security and Immigration Compliance Act, the Illegal Immigration Reform and Enforcement Act of 2011 (O.C.G.A. §13-10- 90 et. seq.), and any other applicable state or federal immigration laws. Consultant must be registered with and using E-Verify.
- Consultant agrees to comply with Drug Free Workplace requirements:
 - If Consultant is an individual, he or she must not engage in the unlawful manufacture, sale distribution, dispensation, possession or use of controlled

substance or marijuana during the performance of accessibility compliance services.

- If Consultant is an entity other than an individual, the entity certifies that a drug-free workplace will be provided for the Consultant's employees during the performance of accessibility compliance services.
- Consultant shall carry the minimum insurance coverage as required by current industry standards. The developer who contracts with Consultant will bear the responsibility of verifying the insurance coverage and determining its adequacy.
- Consultant certifies that the information provided as outlined in the DCA "Accessibility Consultant Qualifications Package Checklist" is accurate.

Certification Statement: Consultant agrees to comply with all requirements as stated above

Company Name: _____

Consultant Name: _____ Phone: _____

Signature: _____ Date: _____

Note: Executed copy to be included with each report.

Appendix “G”

Certification of Minimum Scope and Reporting Standards

DCA Certification of Minimum Scope and Reporting Standards

The Accessibility Consultant will perform tasks necessary to review and report LIHTC and/or other DCA federally funded properties for compliance with federal, state, and agency accessibility laws and requirements, including, but not limited to:

- Title II and III of the Americans with Disabilities Act and all applicable compliance standards.
- Section 504 of the Rehabilitation Act of 1973 and all applicable compliance standards.
- The Fair Housing Act and all applicable compliance standards.
- The Georgia Access Law (O.C.G.A. §30-3 et. seq.) and all applicable compliance standards.
- Georgia Fair Housing Law (O.C.G.A. §8-3-200 et. seq.) and all applicable compliance standards.
- The requirements of the DCA Qualified Allocation Plan (“QAP”) applicable to the Project and the DCA Accessibility Manual.
- Any other accessibility laws and regulations applicable to the project.

The following identifies the minimum DCA accessibility work scope and reporting standards:

Plans and Specification Review Report

Scope: A pre-construction plan and specification review to determine that the proposed construction documents will meet all accessibility requirements.

Reporting: Include the following minimum standards in the report:

- Identify all applicable federal, state, and agency accessibility laws and requirements.
- Include the documents reviewed.
- The review comments from the Consultant, all documents related to resolution of identified accessibility issues.
- Certification from the Consultant that the plan/spec review comments have been incorporated in the construction documents.

Framing Inspection (and additional needed interim inspections) Report

Scope: An inspection of the construction site after framing is completed to determine that the property is following the approved plans and specifications as to accessibility.

Reporting: Include the following minimum standards in the report:

- Identify all applicable federal, state, and agency accessibility laws and requirements.
- Description of the general progress of construction activities.
- Description of the level of compliance with accessibility achieved to date.
- Details on all areas of inconsistencies, including areas where the project is out of compliance with federal and state laws and regulations.
- Recommendations that would bring the project in compliance with accessibility regulations.
- Photographs representative of situations that must be addressed.

Final inspection Report

Scope: A final inspection of the property after completion of construction to determine that the property has been constructed in accordance with all accessibility requirements. This will include inspection of:

- All units designated equipped for the mobility impaired (5% of the project unit count).
- All units designated equipped for the audio/visual impaired (2% of the project unit count).
- Where applicable, a random sample of 5% of the units required to comply with the Federal Fair Housing Amendments Act.
- Overall review of the site for accessibility.

Reporting: Include the following minimum standards in the report:

- Identify all applicable federal, state, and agency accessibility laws and requirements.
- Information outlined in the Appendix I DCA "Final Accessibility Inspection Checklist".
- Details on all areas of inconsistencies, including areas where the project is out of compliance with federal and state laws and regulations
- Recommendations that would bring the project in compliance with DCA, state, federal and industry standards
- Photographs representative of situations that must be addressed

Certificate of Accessibility Compliance

Scope: Following the final report after the general contractor and/or developer has had a reasonable opportunity to correct deficiencies, the Qualified Consultant will confirm that the corrections were executed properly.

Reporting: DCA "Consultant Accessibility Certification".

NOTE: It is incumbent upon the Qualified Consultant to arrange enough visits with his client, the LIHTC Developer, to observe all areas of accessibility and to verify completion of recommended corrections.

Certification Statement: Consultant agrees to comply with all requirements as stated above.

Company Name: _____

Consultant Name: _____ Phone: _____

Signature: _____ Date: _____

Note: Executed copy to be included with each report.

Appendix “H”

Consultant Accessibility Certification

DCA CONSULTANT ACCESSIBILITY CERTIFICATION

(to be completed by Accessibility Consultant)

DCA requires that all projects which receive funding under the 2017 Qualified Allocation Plan (QAP) be designed and constructed in a manner so that the "units, common areas, facilities and services" are readily accessible to and usable by disabled persons. All projects that receive allocations of funding under the Plan must comply with DCA QAP accessibility requirements and all applicable Federal and State accessibility laws including but not limited to the laws set forth in the 2017 Accessibility Manual.

- The Fair Housing Amendments Act of 1988 (FHA)
- Americans with Disabilities Act (ADA)
- Section 504 of the Rehabilitation Act of 1973 (Section 504)
- Georgia Fair Housing Law
- Georgia Access Law

In order to meet the requirements of federal and state accessibility policy, the undersigned being first duly sworn on oath do certify to the Georgia Department of Community Affairs (DCA)/Georgia Housing and Finance Authority (GHFA) that the below referenced project was constructed in compliance with all federal and state housing accessibility requirements applicable to the project as agreed to under the "Owner's Statement of Accessibility Compliance". The undersigned verifies the documentation and completion of all outstanding accessibility discrepancies.

Company Name

Authorized Consultant—Printed Name and Title

Authorized Consultant -- Signature

Date Signed

Project Address: _____

Project Name: _____

Project Number: _____

Applicable QAP: _____

Appendix “I”

Final Accessibility Inspection Checklist

The Information outlined in the DCA “Final Accessibility Inspection Checklist” form is required to be Included as part of the minimum DCA reporting standards as identified in Appendix G DCA “Certification of Minimum Scope and Reporting Standards”

NOTE: See separate Excel file for this referenced appendix.

Appendix “J”

Owner Accessibility Certification



OWNER ACCESSIBILITY CERTIFICATION

(to be completed by Owner and returned before final draw is issued)

In order to meet the requirements of federal and state accessibility policy, the undersigned being first duly sworn on oath do certify to the Georgia Department of Community Affairs (DCA)/Georgia Housing and Finance Authority (GHFA) that the above referenced project was constructed in compliance with all federal and state housing accessibility requirements applicable to the project as agreed to under the "Owner's Statement of Accessibility" Compliance. The undersigned further understands that any deviations from federal and state accessibility requirements are the responsibility of the Owner and, as such, Owner is responsible for such deviations and DCA cannot waive these requirements. I also understand that noncompliance may require me as Owner to make modifications to the project and/or result in repayment of funds to DCA to correct any errors or deficiencies in the project.

Ownership Entity Name

Authorized Owner or Representative—Printed Name and Title

Authorized Owner-- Signature

Date Signed

Project Name and Address: _____

Project Number: _____

Applicable QAP: _____

Appendix “K”

Accessibility Agreement

- Statements of Accessibility Compliance
- Owner
- Architect
- Contractor

ACCESSIBILITY AGREEMENT - OWNERS, ARCHITECTS AND GENERAL CONTRACTORS

Statements of Accessibility Compliance

Newly constructed and rehabilitated multifamily housing developments funded all, or in part, by the Georgia Department of Community Affairs (“DCA”) are subject to statutory and regulatory requirements regarding accessibility. It is the Owner’s responsibility to ensure compliance with all federal, state and local laws. All projects funded all, or in part, by DCA must meet the requirements of all federal, state and local accessibility laws, including, but not limited to, the following laws and regulations.

1. Title II and III of the Americans with Disabilities Act (ADA) and all applicable compliance standards— applies to all actions of State, and municipal governments as well as all “public entities” (Title II) and public accommodations (Title III).
 - Title III prohibits disability based discrimination and requires privately owned “places of public accommodation” be designed, constructed and altered in compliance with certain accessibility standards.
 - Resource: ADAAG. See <http://www.access-board.gov/adaag/html/adaag.htm> and Georgia Rules and Regulations (Georgia Accessibility Code for Buildings and Facilities 120-3-20).
 - In an apartment complex, typically only affects the leasing office and any areas of the project that is rented to the public (ex. conference rooms)

2. Section 504 of the Rehabilitation Act of 1973 (Section 504) and all applicable compliance standard. Section 504 applies to all entities who receive federal funds (examples: HOME, TCAP).
 - A minimum of 5% of the total units in the project must be accessible to individuals with mobility impairments. In addition to the 5% of units made accessible to individuals with mobility impairments, a minimum of 2% of the total units in the project must be accessible to individuals with sensory impairments (hearing or vision)
 - Resource: Uniform Federal Accessibility Standard (UFAS). See <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/background/ufas?highlight=WyJ1ZmFzII0=>
Affects a smaller number of units than Fair Housing with a higher level of accessibility

3. The Fair Housing Amendments Act of 1988 (Fair Housing) and all applicable compliance standards applies to all “covered units” of multifamily development regardless of funding source.

Covered units include those units in buildings containing 4 or more residential units and constructed on or after March 13, 1991. All ground floor units are "covered and, in buildings that contain elevators, all units are "covered".

All covered units must include:

1. Accessible building entrance on an accessible route
 2. Accessible common and public use areas
 3. Usable doors
 4. Accessible route into and through the covered unit
 5. Accessible environmental controls
 6. Reinforced bathroom walls for grab bars
 7. Usable kitchen and bathrooms
- Resource: Fair Housing Design Manual. See <https://www.huduser.gov/portal/publications/destech/fairhousing.html>
 - Affects a larger number of units than Section 504 but with a lesser level of accessibility

4. The Georgia Access Law (O.C.G.A. §30-3 et. seq.) and all applicable compliance standards applies to public and multifamily buildings. It is the intent of this law to eliminate, insofar as possible, unnecessary physical barriers encountered by persons with disabilities or elderly persons whose ability to participate in the social and economic life is restricted when such persons cannot readily use government buildings, public buildings, and facilities used by the public. All covered multifamily dwellings constructed for first occupancy after March 31, 1993, with a building entrance on an accessible route shall be designed and constructed to conform to the appropriate standards and requirements of Code Sections §30-3-3 and §30-3-5 or in such a manner that:

- The public and common use areas are readily accessible to and usable by persons with disabilities;
- All the doors designed to allow passage into and within all premises are sufficiently wide to allow passage by persons with disabilities in wheelchairs; and
- All premises within covered multifamily dwelling units contain the following features of adaptable design:
 1. An accessible route into and through the covered dwelling unit;
 2. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
 3. Reinforcements in bathroom walls to allow later installation of grab bars around the toilet, tub, shower stall, and shower seat, where such facilities are provided; and
 4. Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.
- Federal law controls if there is a conflict between this provision and federal law. Where no conflict, provisions which affords persons with disabilities greater access than is required by federal law are required.
- Resource: Official Code of Georgia Annotated: <http://www.lexisnexis.com/hottopics/qacode/default.asp>

5. Georgia Single Family Accessibility (O.C.G.A. §8-3-172) and all applicable compliance standards applies to single-family affordable housing projects awarded state or federal funds. Single-family homes under this requirement must have the following accessible features:

- at least one entrance door, whether it is located at the front, side, or back of the building, has to be on an accessible route served by a ramp or no-step entrance and has to have at least a standard 36-inch door.
- on the first floor of the building, each interior door must be at least a standard 32 inch door, unless the door provides access only to a closet of less than 15 square feet in area
- each hallway has a width of at least 36 inches and is level, with ramped or beveled changes at each door threshold;
- each bathroom wall is reinforced for potential installation of grab bar
- each electrical panel or breaker box, light switch, or thermostat is not higher than 48 inches above the floor
- each electrical plug or other receptacle is at least 15 inches above the floor
- the main breaker box is located inside the building on the first floor
- Resource: Official Code of Georgia Annotated:
<http://www.lexisnexis.com/hottopics/gacode/default.asp>

6. The requirements of the DCA Qualified Allocation Plan (“QAP”) and Accessibility Manual applicable to the Project. As a policy, DCA has adopted the 5% and 2% requirements from Section 504 (see Section #2 above).

- Resource: Georgia Department of Community Affairs Accessibility Manual:
<http://www.dca.ga.gov/housing/housingdevelopment/programs/OAHplansGuidesManuals.asp>. A list of resource guides is included in each Accessibility Manual. Please refer to this list.

7. Any other accessibility laws and regulations applicable to the project. Local code requirements should be checked for additional requirements.

The Owner, Architect and General Contractor must sign the attached “Statements of Accessibility Compliance” and return to the DCA Construction Manager within seven (7) days of the Pre-Construction Conference.

The Owner must sign the attached “Accessibility Certification” and return to the DCA Construction Manager at Final Draw.

No draws will be authorized until all three (3) Statements of Accessibility Compliance are returned and Final Draw will not be authorized until the Accessibility Certification is returned.

OWNER'S STATEMENT OF ACCESSIBILITY COMPLIANCE

(to be completed and returned within seven (7) days of Pre-Construction Conference)

In order to meet the requirements of this policy, I agree that I am thoroughly familiar with all the facts and circumstances concerning the physical development of this project and I understand the above DCA policy and agree to take such actions to ensure compliance with all housing accessibility requirements applicable to said project. I also understand that I must ensure that my Architect and General Contractor understand these same requirements and will design (Architect) and construct (General Contractor) the project according to state and federal requirements. I understand that noncompliance may require me as Owner to make modifications to the project and/or result in repayment of funds to DCA.

Ownership Entity Name

Authorized Owner or Representative—Printed Name and Title

Authorized Owner-- Signature

Date of Pre-Construction Conference

Date Signed

Project Name and Address: _____

Project Number: _____

Applicable QAP: _____

ARCHITECT'S STATEMENT OF ACCESSIBILITY COMPLIANCE

(to be completed and returned within seven (7) days of Pre-Construction Conference)

I have prepared, or caused to be prepared, under my direct supervision, the attached plans and specifications. I understand that I am contractually obligated to know the federal, state and local accessibility laws applicable to the below listed project and have applied them accordingly. To the best of my professional knowledge and belief, I agree that the below listed project as designed is in compliance with all applicable federal, state & local housing and accessibility laws and regulations.

Architect-- Printed Name

Architect-- Signature

Date of Pre-Construction Conference

Date Signed

Project Name and Address: _____

Project Number: _____

Applicable QAP: _____

CONTRACTOR'S STATEMENT OF ACCESSIBILITY COMPLIANCE

(to be completed and returned within seven (7) days of Pre-Construction Conference)

I, or those under my direct supervision, are responsible for the construction of the project listed below according to the plans and specifications prepared by the Architect of Record. I understand that I am obligated to know the federal, state and local accessibility laws applicable to the below listed project and will build the project accordingly.

General Contractor-- Printed Name

General Contractor-- Signature

Date of Pre-Construction Conference

Date Signed

Project Name and Address: _____

Project Number: _____

Applicable QAP: _____