

## **Attachment "I" National Housing Trust Fund Program Description**

### **TABLE OF CONTENTS**

- I. EXECUTIVE SUMMARY**
- II. ALLOCATION OF FUNDS**
  - a. Rental Production and Rehabilitation**
  - b. Administration**
  - c. Small Rural Project Set-Aside**
- III. RENTAL HOUSING PRODUCTION PROVISIONS**
  - a. Rental Housing Production**
  - b. Eligible Property Types**
  - c. Initial NHTF Rents**
  - d. Affordability Period**
  - e. Occupancy of NHTF-Assisted Rental Units**
  - f. Determining the Initial Income Eligibility of NHTF Tenants/Homeowners**
  - g. Annual Recertification of Income**
  - h. Increases in Tenant Income**
  - i. Eligible Activities for Rental Housing Production**
  - j. Eligible Costs**
- IV. PROPERTY STANDARDS**
- V. ELIGIBLE REHABILITATION COSTS**
  - a. Development Hard Costs**
  - b. Demolition Costs**
  - c. Site Improvements**
  - d. Related Soft Costs**
  - e. Refinancing Costs**
- VI. SITE AND NEIGHBORHOOD REQUIREMENTS**
- VII. ELIGIBLE FORMS OF FINANCIAL ASSISTANCE**
- VIII. DOUBLE DIPPING ON NHTF-ASSISTED PROJECTS**
- IX. NHTF INVESTMENT PER UNIT – MAXIMUM/MINIMUM NHTF EXPENDITURE**
- X. POLICIES & PROCEDURES**
- XI. NHTF PROGRAM DEFINITIONS**

## I. EXECUTIVE SUMMARY

The National Housing Trust Fund (NHTF) was created under The Housing and Economic Recovery Act of 2008 in the Federal Housing Finance Regulatory Reform Act of 2008, Division A, Title I Section 1338 entitled “Housing Trust Fund” and codified under 24 CFR Part 93. The stated purposes of the NHTF include:

- Increasing and preserving the supply of rental housing for extremely low-income (ELI) families with incomes between 0 and 30 percent of area median Income and very low-income (VLI) families with incomes between 30 and 60 percent of area median income, including homeless families, and
- Increasing homeownership for ELI and VLI families.

A minimum of 80% of the funding must be used for rental housing; up to 10 % MAY be used for homeownership; and up to 10 percent may be used for the grantee’s administrative and planning costs. The State of Wyoming **anticipates** receiving an annual allocation in NHTF funds of approximately \$3,000,000, the minimum grant amount. See the WCDA Allocation Plan, Attachment “A” for actual funding levels.

These NHTF funds will be allocated to local governments, CHDOs, Public Housing Authorities, Non-profit organizations and for-profit developers of low-income housing as described below. All projects outside of Casper and Cheyenne must be developed pursuant to the State's Consolidated Plan for Housing and Community Development. Casper and Cheyenne projects must be developed pursuant to their respective local Consolidated Plans. Projects located in entitlement cities (Cheyenne and Casper) must have a current letter of consistency with the Consolidated Plan from the appropriate Jurisdiction.

NHTF funds must be spent quickly. The time frames for committing and expending funds are very short. From the time WCDA signs a NHTF Agreement for NHTF funds with the Department of Housing and Urban Development, the following time frames apply:

- 24 months to enter into written agreements with an Owner/Developer to reserve NHTF funds.
- 24 months to commit funds in the NHTF HUD System for specific projects.
- 4 years to expend funds.

In an effort to quickly allocate NHTF funds prior to the construction season, WCDA’s application period for NHTF funding runs prior to WCDA’s receipt of NHTF funds from HUD. Therefore no funding can be allocated until after WCDA signs an NHTF contract with HUD. The final allocation may be different from the anticipated amount.

## II. ALLOCATION OF FUNDS

The NHTF is primarily a production program meant to add units to the supply of affordable housing for ELI and VLI households. As such the funds will be allocated as follows:

- A. **Rental Production and Rehabilitation** - The approximate amount of funding set-aside for Rental Production and Rehabilitation is 90 % of the Total Funding –This set aside is available for Rental Housing Production programs under which non-profit developers, for-profit developers, Local Governments, and public housing authorities may apply. Applications are anticipated to be accepted in January of each year. Projects are ranked competitively against the Ranking Criteria listed in the WCDA Allocation Plan. For actual funding levels, see WCDA Allocation Plan, Current Year Summary Attachment “A”.
- B. **Administration** - Approximately 10% of Fiscal Year NHTF allocation will be set-aside for WCDA administrative costs.
- C. **Small Rural Project Set-Aside** - In Wyoming the NHTF funding is allocated through a competitive process from applications received from outside Developers. WCDA does NOT retain any Rental funding to administer projects directly. Thus it is difficult to assure specific geographic distribution as applications are not received until after the Program Plan is approved. In an effort to achieve geographic distribution in areas of greatest need, WCDA analyzes information from various sources to ascertain where these locations are and then builds incentives in the Action Plan through scoring, set asides etc. In recent years it has been evident that the small communities have been overlooked on their affordable housing needs. In order to create an incentive for developers to consider more rural areas, and satisfy HUD’s geographic distribution requisite, this Small Project Set-Aside was created. The amount of the set-aside is disclosed in the Current Year Summary Attachment “A”.

In order to qualify for the Small Rural Project Set-aside the following criteria applies:

1. The project must be in a small community with a population under 15,000 and no communities with a population over 15,000 are within 20 miles of the project.
2. The project must have 24 or fewer units
3. Project must not be done in conjunction with a separate project in the same locale.

Due to the fact that Market Rents are typically lower in rural areas, projects may have a 10% variance in income and rent levels when qualifying for the Small Rural Project set-aside.

### III. RENTAL HOUSING PRODUCTION/REHABILITATION

A. **Rental Housing Production** - can be accomplished in the following ways:

4. **Rehabilitation**
  - a. Rehabilitation
  - b. Conversion
  - c. Reconstruction
  - d. Rehabilitation and Refinance
5. **Acquisition and/or Rehabilitation**
6. **New Construction**

There are three important things to remember about NHTF-assisted Rental Housing:

4. Rents are strictly controlled
5. Tenants must be extremely low-income (30% of Area Median Income adjusted for family size as determined by HUD).
6. Both occupancy and rents must be maintained and monitored for a minimum affordability period of not less than 30 years

Both the rent and income targeting requirements are enforced by deed restrictions and specify remedies for breach of the provisions.

B. **Eligible Property Types**

7. One or more buildings on a single site that are under common ownership, management and financing.
8. Scattered sites are eligible as one project as long as the sites are under common ownership, management and financing, and receive NHTF assistance as part of a single undertaking.
9. There are no limits on the number of units per project.
10. There are no preferences for unit size and style except for what is identified in the applicable Consolidated Plan.
11. Properties may be privately or publicly owned.
12. A letter of notification for proposed development will be sent to the local jurisdiction.

C. **Initial NHTF Rents**

Every NHTF-Assisted unit is subject to rent controls designed to make sure that rents are affordable to extremely low-income households. These maximum rents may be referred to as NHTF RENTS. NHTF RENTS are subject to change annually, are published by HUD and will be made available to applicants by WCDA.

100% of NHTF-Assisted units must have rents that are at or below the maximum rents. This requirement may be modified on a case by case basis at the discretion of WCDA and within the limits of the Federal Regulations.

The NHTF income and rent limits will be posted when available on the WCDA website as disclosed in the Affordable Housing Plan Current Year Summary Attachment "C" Item "1".

The maximum allowable HUD NHTF rents must be reduced if the tenant pays for utilities. Utility adjustments are made in accordance with the NHTF program Rules and Regulations. Utility adjustments proposed by owners/developers for specific projects must be approved by WCDA.

**D. Affordability Period**

HUD requires NHTF-assisted **Rental** units be rent controlled for not less than 30 years.

Maximum monthly rents and utility allowances must be recalculated annually by the owner. They are reviewed and approved by WCDA. Rent increases may be permitted, but tenants must be given at least 30 days written notice before increases are implemented. Any increases are also subject to other provisions of the lease agreements and subject to approval by WCDA.

**E. Occupancy of NHTF-Assisted Rental Units**

Owners of rental housing funded with NHTF funds are required to have a written occupancy policy in place prior to the occupancy of the NHTF-assisted units. This policy should outline who is eligible for the units and be consistent with Fair Housing laws. The NHTF regulations list a number of prohibited lease provisions and some required lease provisions with which owners should become familiar. WCDA has a Suggested Occupancy Policy and a list of these provisions that owners can adapt for their project.

**F. Determining the Initial Income Eligibility of NHTF Tenants**

The NHTF Program beneficiaries under Rental Housing Production are tenants with incomes at or below 30% of the Area Median Income. The income of each tenant must be determined initially in accordance with 24 CFR 93.151(d)(1) by using Annual Income as defined under the Section 8 Housing Assistance Payments programs in 24 CFR Part 5.609.

**G. Annual Recertification of Income**

The annual incomes of tenants in NHTF projects must be re-examined each year during the period of affordability. The project owner must re-examine each tenant's annual income by utilizing third party source documents evidencing annual income.

WCDA will require that the owner of NHTF-assisted rental units report at least once a year on the annual income of all tenants.

**H. Increases in Tenant Income**

Tenants occupying NHTF-assisted units whose annual incomes exceed 30% of median (that is, they are no longer extremely low-income) may stay in their NHTF-assisted apartments. However, the next available unit of comparable size must be rented to an NHTF eligible household, at which time the first unit will be re-classified at the appropriate income and rent level as appropriate for other restrictions on the property.

WCDA will review the owner's recertification of tenant income annually. WCDA will review rent and utility allowances annually. WCDA will perform on-site inspection for compliance with the NHTF Property Standards cited at 24 CFR 93.301 which includes that the housing be maintained as decent, safe, and sanitary housing in good repair, meet all applicable State and local code requirements and ordinances and in absence

of State or local code requirements and ordinances, property must meet the International Residential Code or International Building Code (as applicable to the type of housing) of the International Code Council at least once every three years.

WCDA will review the owner's compliance with written agreements annually.

**I. Eligible Activities for Rental Housing Production**

The following activities are eligible for rental housing production with NHTF funds:

1. REHABILITATION –

- a. Rehabilitation of existing structures, and  
Rehabilitation and Refinancing to permit or continue affordability under 24 CFR 93.201(b).
  - Rehabilitation must be the primary eligible activity requiring at least \$30,000 of required rehabilitation costs per unit.
  - A CNA must be provided by an unrelated Professional CNA provider to include a unit by unit breakdown and budget at time of application. The CNA must include an estimate of the remaining useful life of major systems and estimates of replacement costs. Major systems include: structural support, roofing, cladding, weather proofing (windows, doors, siding, and gutters), plumbing, electrical and heating, ventilations, and air conditioning.
  - A review of the owner's management practices will be made in order to determine that disinvestment in the property has not occurred, that the long term needs of the project can be met and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.
  - The refinancing must be made for the purposes of maintaining current affordable units or creating additional affordable units and the rehabilitation cost must be greater than the amount of debt that is refinanced.
  - The minimum required period of affordability would be 30 years.
  - Refinancing is an eligible activity throughout the State of Wyoming under the NHTF Program.
  - NHTF funds cannot be used to refinance multifamily loans made or insured by any Federal program, including CDBG.
- b. Conversion - Conversion of an existing structure from an alternative use to affordable, residential housing is an eligible activity and is considered rehabilitation. If conversion

involves additional units beyond the walls of an existing structure, the project will be deemed new construction.

- c. Reconstruction - Reconstruction is defined as the rebuilding, on the same lot, of housing standing on a site at the time of project commitment. The number of housing units on the lot may not be decreased or increased as part of a reconstruction project, but the number of rooms per unit may be increased or decreased. Reconstruction also includes replacing an existing substandard unit of manufactured housing with a new or standard unit of manufactured housing.

2. ACQUISITION - Acquisition of an eligible property is eligible as part of a rental housing project.
3. NEW CONSTRUCTION - New Construction is an eligible use of NHTF funds.

**J. Eligible Costs -**

NHTF funding is disbursed on a reimbursement basis. After costs have been incurred and paid by the project, a reimbursement request may be submitted for land acquisition and/or costs as outlined below. A 10% retainage will be withheld from each draw request until the project is completed, placed in service and all documentation sufficient to WCDA is submitted to close out the project. All draws will be processed once a month.

**1. Land Acquisition Costs**

**2. Development Hard Costs** - The actual construction and/or rehabilitation costs including:

- a. Costs of actual material and labor
- b. Costs to meet the International Residential Code or International Building Code (as applicable to the type of housing) of the International Code Council
- c. Costs to meet rehabilitation standards
- d. Essential improvements
- e. Energy-related improvements
- f. Costs to contain or abate Lead-based paint hazards
- g. Costs to mitigate hazards including but not limited to mold, asbestos, radon and drugs
- h. Improvements for handicapped persons
- i. Repair or replacement of major systems in danger of failure
- j. Incipient repairs and general property improvements of a non-luxury nature

**3. Demolition Costs** but only when part of a rehabilitation project.

**4. Site improvements** and utility connections can be funded with NHTF funds only when conducted in conjunction with NHTF eligible activities.

**5. Related Soft Costs** – reasonable and necessary costs, including:

- a. Architectural, engineering or related professional services (inspection, work write-ups) to a third party.
- b. Financing costs such as loan points, credit and title costs, recordation fees, building permits, legal fees, appraisals, and developer fees.
- c. Relocation costs (permanent and temporary), affirmative marketing, and fair housing information services.



## **IV. PROPERTY STANDARDS**

Housing that is constructed or rehabilitated with NHTF funds must meet all applicable local codes, rehabilitation standards, ordinances, and zoning ordinances at the time of project completion. In absence of a local code for new construction or rehabilitation, NHTF-assisted new construction or rehabilitation must meet: as applicable, the International Residential Code or International Building Code (as applicable to the type of housing) of the International Code Council. All new construction project must all meet the requirements in 24 CFR Part 93.301(a), which addresses HUD requirements in Accessibility, Energy efficiency, and Disaster mitigation All rehabilitation projects must meet all the requirements in 24 CFR Part 93.301(b), which addresses HUD Requirements in Health and Safety, Major Systems, Lead-based paint, Accessibility, Disaster mitigation, Uniform Physical Condition Standards, and Capital Needs Assessments.

Since NHTF regulations require that NHTF-assisted units meet a minimum property standard, NHTF funds cannot be used for emergency repair programs.

NHTF is not currently subject to 24 CFR part 58 but in the administration of the NHTF, HUD is committed to the principles of National Environmental Protection Act and insuring decent, safe, sanitary and affordable for extremely low and very low income families. Therefore, NHTF environmental rule establishes environmental review standards for NHTF for new construction and rehabilitation, which are included in the property standards section of the 24 CFR 93.301(f) for historic preservation, archaeological resources, farmland, airport zones, Coastal Barrier Resource System, coastal zone management, floodplains, wetlands, explosives and hazards, contamination, noise, endangered species, wild and scenic rivers, sale drinking water, and sole source aquifers.

These standards are substantially the same or very similar to the requirements of 24 CFR Part 58.

When combining HTF with HOME, a Part 50 or 58 Environmental Review will be required, and the Environmental Review must also meet the HTF environmental requirements.

## V. ELIGIBLE REHABILITATION COSTS

- A. Development Hard Costs** - The actual rehabilitation costs including:
1. Costs to meet the International Residential Code or International Building Code (as applicable to the type of housing) of the International Code Council
  2. Costs to meet rehabilitation standards
  3. Essential improvements
  4. Energy-related improvements
  5. Costs to contain or abate Lead-based paint hazards
  6. Costs to mitigate hazards including but not limited to mold, asbestos, radon and drugs
  7. Improvements for handicapped persons
  8. Repair or replacement of major housing systems in danger of failure
  9. Incipient repairs and general property improvements of a non-luxury nature
- B. Demolition Costs** when part of a rehabilitation project.
- C. Site improvements** and utility connections can be funded with HOME funds only when conducted in conjunction with HOME eligible activities.
- D. Related Soft Costs** - reasonable and necessary costs, including:
4. Architectural, engineering or related professional services (inspection, work write-ups) to a third party.
  5. Financing costs such as loan points, credit and title costs, recordation fees, building permits, legal fees, appraisals, and developer fees.
  6. Relocation costs (permanent and temporary), affirmative marketing, and fair housing information services.
- E. Refinancing Costs** – only when cost of rehabilitation exceeds cost of refinancing.

## VI. SITE AND NEIGHBORHOOD REQUIREMENTS

All NHTF projects must be developed in a manner that provides housing that is suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of title VI of the Civil Rights Act of 1964, the Fair Housing Act and HUD regulations issued pursuant thereto; and promotes greater choice of housing opportunities.

- A. NHTF projects must be located on a site eligible for federal financial assistance. The types of items that are reviewed when looking at a site are listed below:
- B. The site's proximity to noise sources such as railroads, highways or busy streets, and airports or military airfields.
- C. The site and the project must have a clearance from the state historic preservation office.
- D. The site cannot be in a 100-year flood plain.
- E. Lead-based paint and asbestos are concerns and must be dealt with in accordance with HUD and state requirements.
- F. The site's proximity (within 3,000 feet) to a hazardous waste site listed on the CERCLIS list.
- G. The site's proximity to above ground storage tanks with hazardous materials.
- H. Zoning and Uses of land surrounding site (Commercial, Business, and Industrial uses are not appropriate).
- I. Proximity to services

WCDA will also do a site visit to determine the site's suitability for the type of housing being proposed. All funded projects will have to meet HUD's environmental review process and HUD's site and neighborhood standards requirement at 24 CFR Part 983.57(e)(2) and (3).

Projects with sites that do not meet the cited site and neighborhood standards or do not promote compliance with civil rights laws, or promote greater choice of housing opportunities will be denied funding regardless of ranking or scoring. Site selection is extremely important and is part of the evaluation and ranking process.

## **VII. ELIGIBLE FORMS OF FINANCIAL ASSISTANCE**

NHTF funds can be structured as follows:

- Interest-bearing loans
- Non-interest-bearing loans
- Interest subsidies that leverage other monies
- Deferred payment loans
- Forgivable loans
- Alternative forms must be approved by HUD

## **VIII. DOUBLE DIPPING ON NHTF ASSISTED PROJECTS**

Except for the first year after project completion, no further NHTF funds can be used during the relevant period of affordability.

## **IX. NHTF INVESTMENT PER UNIT**

The maximum subsidy per NHTF-assisted unit for Wyoming can be found in the WCDA Allocation Plan Current Year Summary, Attachment "A".

Only units receiving NHTF monies are considered "NHTF-Assisted Units". NHTF expenditure limits, rent and occupancy rules only apply to NHTF-Assisted Units.

## X. POLICIES & PROCEDURES

### A. AFFIRMATIVE MARKETING

It is the affirmative marketing policy of WCDA to inform the public, homeowners, landlords and potential tenants about the Federal Fair Housing laws and the affirmative marketing goals by:

1. Making this program available for public review. An overview of the marketing policy is included.
2. Upon qualification and selection of a NHTF project, the owner will be notified of Equal Opportunity requirements.
3. All advertising and literature used for the NHTF program will carry the Equal Housing Opportunity logo or slogan.
4. Copies of media releases, advertisements and announcements where the NHTF program was presented, will be maintained.
5. Affirmative marketing to the general public, landlords, tenants and homeowners will be done by the placement of public notices in the applicable local newspapers. The Casper Star-Tribune is considered the major Wyoming newspaper having statewide circulation.

As projects are completed, owners will send written notices containing information about the project (size of units, rent, etc.) to agencies such as the Department of Family Services and the local Salvation Army.

6. WCDA has a housing program brochure that briefly describes WCDA's housing programs. This brochure will be used to affirmatively market the NHTF Program to the general public, tenants, and owners.
7. Throughout the year, WCDA has opportunities to affirmatively market the NHTF Program on a statewide basis to realtors, lenders, and other housing and redevelopment officials at meetings and seminars in which WCDA participates.
8. Landlords will be advised that they must comply with Equal Housing Opportunity laws and their literature must contain the Equal Housing Opportunity logo. All projects will be required to display a fair housing poster when advertising vacancies. If it is found that a landlord is failing to follow the affirmative marketing requirements and blatantly ignoring fair housing laws, WCDA may enforce the default section of the NHTF Agreement and promissory note.
9. If landlords are seeking tenants to fill vacant units, they will be provided assistance by WCDA in outreach methods for contacting groups and ethnic organizations to ensure equal access is provided. Landlords will be required to send written notices of vacancies to employment centers, places of worship or other community organizations that work with low-income persons.

10. Landlords of NHTF-assisted units will be required to keep records of families who apply for housing and document those cases where someone was denied housing. At a minimum, these records will contain data regarding income, family size, and minority status. Landlords will be required to keep copies of all media releases and advertisements for vacancies.
11. Any alleged housing discrimination complaints will be forwarded to the U.S. Department of Housing and Urban Development.
12. WCDA will monitor units of general local government to encourage their adoption of affirmative marketing procedures. On-site monitoring will be performed as required by HUD NHTF Regulations.
13. Homebuyer's Education courses, made available through the Wyoming Housing Network, Inc. (WHN), will provide for a discussion of fair housing.
13. Information on Fair Housing can be obtained from the regional Fair Housing Office in Denver. The mailing address for this office is Office of Fair Housing, US-HUD, 1670 Broadway, 23rd floor, Denver, CO 80202-4801 and the phone number for fair housing complaints is 800-877-7353.

**B. MINORITY BUSINESS ENTERPRISE & WOMEN - OWNED BUSINESS  
ENTERPRISE (MBE & WBE) OUTREACH PROGRAM (24 CFR 93.407)**

If awarded NHTF funds, WCDA will require general contractors on projects being funded with NHTF to solicit bids from minority-owned (MBE) and female-owned (WBE) businesses to the extent practicable. Documentation and data on the steps taken to reach out to MBE/WBE businesses will be required to be submitted to WCDA. WCDA will maintain project records on the use and participation of MBE and WBE.



## **XI. NHTF PROGRAM DEFINITIONS**

### **Affordability**

Affordability requirements can be found at 24 CFR Part 93.302(d) where in it states that NHTF-assisted units must meet the affordability requirement for not less than 30 years, beginning after project completion. The grantee may impose longer periods.

### **Annual (Gross) Income**

The NHTF Program allows for the use of one of two "Annual Income" definitions as described in 24 CFR Part 93.151. Annual Income is used for tenant eligibility and targeting purposes.

### **Commitment**

The written, legally binding agreement that includes the date of the signature of each person signing the agreement, between the Grantee and the eligible recipient for a specific local project where the property title will be transferred to the recipient within 6 months and which construction can reasonably be expected to start within 12 months of the agreement date.

### **Consolidated Plan**

Consolidated plan means the plan submitted and approved in accordance with 24 CFR part 91.

### **Displaced homemaker**

An individual who is an adult, has not worked full-time full-year in the labor force for a number of years, but has, during such years, worked primarily without remuneration to care for the home and family; AND is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

### **Extremely Low-Income families**

Low-income families whose annual incomes do not exceed 30 percent of the median family income of a geographic area, as determined by HUD with adjustments for smaller and larger families.

### **Family**

Family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- A. A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or
- B. A group of persons residing together, and such group includes, but is not limited to:
  1. A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
  2. An elderly family;
  3. A near-elderly family;
  4. A disabled family;
  5. A displaced family; and
  6. The remaining member of a tenant family.

### **Grantee**

XI. NHTF Program Definitions

---

The State or State-designated entity that receives the NHTF from HUD. Wyoming Community Development Authority (WCDA)

**Household**

One or more persons occupying a housing unit.

**Housing**

Housing DOES NOT include emergency shelters ( including shelters for disaster victims) or facilities such as nursing home, convalescent homes, hospitals, residential treatment facilities, correctional facilities, halfway houses, housing for student, or dormitories (including farmworker dormitories).

**Income-eligible**

A family, or household (as appropriate given the context of the specific regulatory provision) that is very low-income, extremely low-income, or both depending on the income-targeting requirements set forth in 24 CFR 93.250.

**NHTF funds**

Funds made available under the NHTF formula allocations and reallocations, plus program income.

**Poverty line**

Is defined in Section 673 of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902).

**Very Low-Income Families**

Families whose annual incomes are in excess of 30 percent but not greater than 50 percent of the median income of a geographic area, as determined by HUD with adjustments for smaller and larger families. “Very low-income family” also includes any family that resides in a non-metropolitan area that does not exceed the poverty line applicable to the family size involved.

**Project**

A site or sites together with any building or buildings located on the site(s), that are under common ownership, management and financing and are to be assisted with NHTF funds as single undertaking under the NHTF. The project includes all activities associated with the site and building.

**Project Completion**

All necessary title transfer requirements and construction work have been performed; the project complies with the requirements of 24 CFR Part 93 including the property standards under §93.301; the final drawdown of NHTF funds has been disbursed for the project; and the project completion information has been entered into IDIS.

**Recipient**

An organization, agency, or other entity (including a public housing agency, or a for-profit entity or a non-profit entity) that receives NHTF assistance from a grantee as an owner or developer to carry out an NHTF-assisted project.

A recipient must:

- A. Make acceptable assurances to the grantee that it will comply with the requirement of the NHTF program during the entire period that begins upon selection of the recipient to receive NHTF funds, and ending upon the conclusion of all NHTF funded activities;
- B. Demonstrate the ability and financial capacity to undertake, comply, and manage the eligible activity;

XI. NHTF Program Definitions

---

- C. Demonstrate its familiarity with the requirements of 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; and
- D. Have demonstrated experience and capacity to conduct an eligible NHTF activity as evidenced by its ability to Own, construct, or rehabilitate, and manage and operate an affordable multifamily rental housing development.

**Reconstruction**

Reconstruction means the rebuilding, on the same lot, of housing standing on a site at the time of project commitment, except that housing that was destroyed may be rebuilt on the same lot if NHTF funds are committed within 12 months of the date of destruction. The number of housing units on the lot may not be decreased or increased as part of a reconstruction project, but the number of rooms per unit may be increased or decreased.

**Single Family Housing**

A one to four-family residence, condominium unit, or cooperative unit.

**Single parent**

An individual who:

- A. Is unmarried or legally separated from a spouse; and
- B. Has one or more minor children of whom the individual has custody or joint custody, or is pregnant.

**State-designated entity**

Wyoming Community Development Authority (WCDA)

**Very Low-Income Renter Households**

A household whose income is in excess of 30 percent but not greater than 50 percent of the median income of the area median income, with adjustments for smaller and larger families, as determined by HUD.

**Very Low-Income Families**

Low-Income families whose incomes are in excess of 30 percent but not greater than 50 percent of the median income of the geographic area, as determined by HUD with adjustments for smaller and larger families. “Very low-income family” also includes any family that resides in a nonmetropolitan area that does not exceed the poverty line applicable to the family size involved.