

2018

NATIONAL HOUSING TRUST FUND (HTF) PROGRAM

CHAPTER 2:

Housing Trust Fund Application Application Forms, Instructions, and Application Guidelines

Program Year (July 1, 2018 through June 30, 2019)

Nebraska Department of Economic Development

HUD's Housing Trust Fund



Housing Trust Fund (HTF) Forms, Application Instructions, and Application

FORMS AND INSTRUCTIONS

These Application Guidelines are for the Permanent Housing and Targeted Needs HTF activities. These Guidelines are designed for those applicants applying within these two HTF Cycles. These applications are due May 4, 2018.

The third set-aside for the HTF is the Collaborative Resource Allocation for Nebraska (CRANE) Set-Aside. This cycle is completed through the Nebraska Investment Financing Authority (NIFA) Joint Low Income Housing Tax Credit (LIHTC)/HOME/HTF CRANE Application. For information on how to apply for the Collaborative Resource Allocation for Nebraska (CRANE) Set-Aside please refer to the Nebraska Investment Financing Authority (NIFA) website at: <http://www.nifa.org/res-dev/application>.

I. Eligibility

A. Eligible Applicants

Eligible applicants are:

1. Local or regional non-profit 501(c)(3) or 501(c)(4) housing or related service organizations;
2. Public Housing Authorities (PHA) – ONLY eligible under HTF if the proposed project is part of HUD's Rental Assistance Demonstration (RAD) program, Choice Neighborhood Initiative Program, or involves the Low Income Housing Tax Credit (LIHTC) Program—(see *Joint LIHTC/HOME/HTF CRANE Application with the Nebraska Investment Finance Authority*); and
3. State designated Community Housing Development Organizations (CHDO).

The HTF consists of three set-asides for funding, which includes: Permanent Housing, Targeted Needs, and CRANE. These HTF rental applications will be scored in two separate pools of applications, which include Permanent Housing and Targeted Needs, during the HTF application process. All CRANE Applications will be scored in the same pool through the Joint LIHTC/HOME/HTF Application. Any funds not allocated within any of the three set-asides, may be allocated to any of the three designated set-asides to fund projects.

B. Eligible Activities

HTF funds will be available for rental housing for extremely low-income (ELI) households. HTF activities include:

1. Acquisition and/or Rehabilitation of existing units (for the creation of additional rental units for ELI persons);
2. Rehabilitation of existing rental units;
3. Adaptive re-use of existing buildings;
4. New Construction;
5. Operating Cost Assistance (utilized with other rental housing activities [PHA not eligible]); and
6. Operating Cost Assistance Reserves (utilized with other rental housing activities [PHA not eligible]).

Priority will be given to projects creating new units.

Operating cost assistance and operating cost assistance reserves may be provided only to rental housing acquired, rehabilitated, reconstructed or newly constructed with HTF funds and DED will award no more than one-third of the state's annual grant to be used as operating cost assistance or operating cost assistance reserves. Operating cost assistance and operating cost assistance reserves may be used for insurance, utilities, real property taxes, maintenance, and scheduled payments to a reserve for replacing major systems. The eligible amount of HTF funds per unit for operating cost assistance is determined based on the deficit remaining after the monthly rent payment for the HTF-assisted unit is applied to the HTF-assisted unit's share of the monthly operating cost.

Pursuant to §93.203(a) of the Interim Rule, HTF cannot be used for operating cost assistance reserves if HTF funds are used for the construction or rehabilitation of public housing units. The public housing units constructed or rehabilitated using HTF must receive Public Housing Operating Fund assistance under section 9 of the 1937 Act.

In addition, public housing is only eligible under HTF if the proposed project is part of HUD's Rental Assistance Demonstration (RAD) program, Choice Neighborhood Initiative Program, or involves the LIHTC Program.

C. Ineligible Activities

Any activity not specifically authorized under Eligible Activities is ineligible to be carried out with HTF Funds. This section further identifies ineligible activities:

1. Furnishings and personal property not an integral structural fixture including the purchase of equipment, fixtures, and motor vehicles;
2. The following activities, if not directly related to eligible housing activities including, but not limited to: housing education, acquisition of property and easements, public facilities development or improvements, relocation, clearance, and demolition; or
3. Properties financed or properties that will be financed with Low-Income Housing Tax Credits are not eligible, with the exception of those projects funded through the CRANE Cycle through NIFA. Projects that are seeking (but have not received) a Low-income Housing Tax Credit allocation may apply to Nebraska Investment Finance Authority (NIFA) in the NIFA/DED Annual LIHTC set-aside Application Cycle.

D. Eligible Costs

1. **New Construction:** HTF funds may be used for new construction of housing. Including the costs to construct or rehabilitate laundry and community facilities that are located with the same building as the housing and which are for the use of the project residents and their guests. Any project that includes the addition of dwelling units outside the existing walls of a structure is considered new construction.
2. **Rehabilitation:** This includes the alteration, improvement, or modification of an existing structure. Rehabilitation may include adding rooms that are not dwelling units, outside the existing walls of a structure. Including the costs to construct or rehabilitate laundry and community facilities that are located with the same building as the housing and which are for the use of the project residents and their guests. Conversion, a type of Rehabilitation, is changing the use of an existing structure to one of affordable residential housing. Units cannot be added beyond the building envelope.
3. **Reconstruction:** This refers to 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 HTF 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. Reconstruction also includes replacing an existing substandard unit of manufactured housing with a new or standard unit of manufactured housing. Reconstruction is new construction for purposes of this part.
4. **Acquisition with Rehabilitation:** Funds may be used to acquire a vacant building or building not currently being utilized for rental housing and adapt the building to residential multi-family housing. Acquisition of an existing rental, including affordable rental property, is also eligible. The acquisition purchase price must be less than or equal to the value identified in an independent appraisal.
5. **Demolition:** Must be undertaken only with respect to a particular housing project intended to provide affordable housing.

6. **Utility Connections:** To make utility connections including off-site connections from the property line to the adjacent street.
7. **Site Improvements:** Site improvements must be in keeping with improvements to surrounding standard projects. Site improvements may include onsite roads and sewer and water lines necessary to the development of the project. The project site is the property, owned by the project owner, upon which the project is located.
8. **Refinancing Costs:** The cost to refinance existing debt secured by rental housing units that are being rehabilitated with HTF funds, but only if the refinancing is necessary to reduce the overall housing costs and to make the housing more affordable and proportional to the number of HTF-assisted units in the rental project. The proportional rehabilitation cost must be greater than the proportional amount of debt that is refinanced. The grantee must establish refinancing guidelines and state them in its consolidated plan described in 24 CFR part 91. The guidelines shall describe the conditions under which the grantee will refinance existing debt. At minimum, the guidelines must demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.
9. **Project-related Soft Costs:** These must be reasonable and necessary and can include: private lender origination fees; credit reports; fees for title evidence; fees for recordation and filing of legal documents; building permits; private appraisal fees; fees for an independent cost estimate; builders' or developer's fees; legal and accounting fees (including cost certification); architectural, engineering and related professional services required to prepare plans, drawings, specifications, or work write-ups; tenant housing counseling, these costs cannot be charged to or paid by the low income families; project audit costs; affirmative marketing and fair housing services to prospective tenants of an assisted project; and staff costs directly related to projects.
10. **Capitalization of Project Reserves:** HTF funds may be used to fund an initial operating deficit reserve.

E. Grant Amounts & Funding Source

There are three set-asides for HTF Funding. The HTF Application Guidelines is for the Targeted Needs and Permanent Housing Set-Asides.

- Targeted Needs available amount: \$700,000
- Permanent Housing available amount: \$1,500,000
 - Lincoln Continuum of Care (CoC): \$500,000
 - Omaha CoC: \$500,000
 - Balance of State CoC: \$500,000
- CRANE available amount: \$500,000 (only available through the Joint LIHTC/HOME Application for CRANE found at: <http://www.nifa.org/res-dev/application>)

Contracts will be for 24 months.

Essential Documentation & Submittal Instructions

This section contains all forms and exhibits to be submitted so that your application can be reviewed. The Department reserves the right to verify all information and to consult with other agencies on the proposed project.

Documentation

The following checklist is to help ensure you have included all required information.

Part I	Yes	No
Is the applicant identification section complete?	<input type="checkbox"/>	<input type="checkbox"/>
Is the application preparer’s section complete?	<input type="checkbox"/>	<input type="checkbox"/>
Is the program activity indicated?	<input type="checkbox"/>	<input type="checkbox"/>
Is the appropriate district indicated?	<input type="checkbox"/>	<input type="checkbox"/>
Is the appropriate service area indicated?	<input type="checkbox"/>	<input type="checkbox"/>
Is the household beneficiary complete?	<input type="checkbox"/>	<input type="checkbox"/>
Is the certified official section complete?	<input type="checkbox"/>	<input type="checkbox"/>
Is the original copy appropriately bound and submitted?	<input type="checkbox"/>	<input type="checkbox"/>
Is the digital copy uploaded?	<input type="checkbox"/>	<input type="checkbox"/>
Part II		
Is the Funding Summary complete, clear, and correct?	<input type="checkbox"/>	<input type="checkbox"/>
Part III		
Is the Part III Budget complete, clear, and correct?	<input type="checkbox"/>	<input type="checkbox"/>
Table of Contents		
Is an updated Table of Contents with page numbers and titles of sections included?	<input type="checkbox"/>	<input type="checkbox"/>
Project Description		
Is the Project Description included?	<input type="checkbox"/>	<input type="checkbox"/>
Part IV		
Is the application complete?	<input type="checkbox"/>	<input type="checkbox"/>
Is each application question answered?	<input type="checkbox"/>	<input type="checkbox"/>
Is each appropriate exhibit included to support the application answers and labeled correctly?	<input type="checkbox"/>	<input type="checkbox"/>
Is each exhibit and supporting documentation cited with page numbers?	<input type="checkbox"/>	<input type="checkbox"/>
Appendix A Implementation Schedule		
Is the Implementation Schedule included?	<input type="checkbox"/>	<input type="checkbox"/>
Appendix B Development Pro-Forma and Project Design		
Is the Development Pro-Forma and Project Design included? (See Appendix B)	<input type="checkbox"/>	<input type="checkbox"/>
Is the Development Pro-Forma and Project Design complete, clear, and correct?	<input type="checkbox"/>	<input type="checkbox"/>
Appendix C Rehabilitation Standards – HTF Rehabilitation Standards and DED Minimum Rehabilitation Standards		
Are the Rehabilitation Standards included? If applicable.	<input type="checkbox"/>	<input type="checkbox"/>

Appendix D Required Exhibits for Non-profit and Public Housing Authority (PHA)

Exhibit Name	Description	Yes	No
Exhibit A	Notice of Public Hearing/Meeting (Must include comments)	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit C-2	Citizen Participation Plan	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit D	Residential Anti-Displacement & Relocation Assistance Plan (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit L	FFATA Reporting Form/Certification	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit N	SAM (System for Award Management documentation)	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit O-1	Four Factor Analysis Assessing Limited English Proficiency	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit O-2	Language Assistance Plan	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit Q-1	Application Certification Form	<input type="checkbox"/>	<input type="checkbox"/>

Exhibit Q-2	Applicant Certification Of Rental Project Federal Assistance Form	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit R	Authorizing Resolution (for Non-Profit and Public Housing Authority)	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit S	Determination of Level of Review Form	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit T	Proof of Non-Profit Status & Certificate of Good Standing	<input type="checkbox"/>	<input type="checkbox"/>

Appendix E Additional Exhibits for Non-profits and PHAs

Exhibit Name	Description	Yes	No
Exhibit 101	Architectural Plan, including Fair Housing Act and Section 504	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit 102	Site Control	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit 103	Zoning and Local Approvals	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit 104	Other Federally Funded Affordable Housing Projects	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit 105	Site Review Form and Approval	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit 106	Letters of Commitment and/or Executed Memorandum of Agreement	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit 107	Project Based Rental Assistance/Tenant Based Rental Assistance	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit 108	Affirmative Fair Housing Marketing Plan	<input type="checkbox"/>	<input type="checkbox"/>
Exhibit 109	Project Financing and Credit Documentation	<input type="checkbox"/>	<input type="checkbox"/>

Appendix F Applicant Specific Attachments (Optional)

Name each Applicant Specific Attachment (not listed elsewhere) as: "Attachment [appropriately detailed title]"			
Attachment Name	Description	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

The following criteria will be verified by DED:	Yes	No
1. HTF applicant's eligibility on sam.gov.	<input type="checkbox"/>	<input type="checkbox"/>
2. Applicant is eligible (non-profit: proof of non-profit status and Cert. of Good Standing).	<input type="checkbox"/>	<input type="checkbox"/>
3. Activities are eligible and comply with HTF regulations.	<input type="checkbox"/>	<input type="checkbox"/>
4. Applicant has addressed compliance problems.	<input type="checkbox"/>	<input type="checkbox"/>
5. Applicant is current with all reporting requirements.	<input type="checkbox"/>	<input type="checkbox"/>
<p data-bbox="167 338 1336 476">6. If the project involves new construction and/or subdivision infrastructure development (excluding projects with direct subsidy only for new construction where no development subsidy or infrastructure is involved), please attach a development pro-forma detailing incremental development.</p> <p data-bbox="212 516 1336 615">Note: Projects involving New Construction and/or Subdivision Infrastructure will be required to complete the following steps prior to a Notice of Release of Funds or prior to a stage mutually agreed upon by the applicant and DED during contract negotiations. These steps include:</p> <ul style="list-style-type: none"> <li data-bbox="248 655 1336 756">i. The site(s) must be reviewed and approved by DED housing staff prior to any activity, including land purchase. Grantee must request a site review from the Housing Coordinator within 45 days prior to final application due date. https://opportunity.nebraska.gov/program/national-housing-trust-fund-htf/ <li data-bbox="248 798 1336 863">ii. Site Plan and Preliminary Architectural Designs must be reviewed and approved by DED housing staff prior to any activity, including land purchase. <li data-bbox="248 869 1336 968">iii. A final Development Pro Forma based upon the approved site, site plan and preliminary architectural designs must be reviewed and approved by DED housing staff prior to any activity, including land purchase. 	<input type="checkbox"/>	<input type="checkbox"/>
<p data-bbox="167 974 1336 1073">7. If the project involves rehabilitation and/or acquisition, please attach a property condition assessment that is less than one year old. Please attach a development pro-forma detailing incremental development.</p> <p data-bbox="212 1119 1336 1184">Applicants are highly encouraged to work with all project owners to develop the property condition assessment. The assessment should include:</p> <ul style="list-style-type: none"> <li data-bbox="248 1224 1336 1289">i. Capital Reserves Schedule or Capital Needs Assessment (multifamily housing with 26 or more total units), <li data-bbox="248 1295 894 1329">ii. immediate and short-term repairs cost estimate, <li data-bbox="248 1335 1336 1400">iii. evaluation of the existing buildings, building architectural and structural systems, building mechanical and electrical systems, and <li data-bbox="248 1407 1068 1440">iv. interior information on dwelling units and any other structures. <p data-bbox="212 1478 1336 1577">Attach an architectural design of the units, including schematic floor plans of the various unit sizes. List all applicable local, state and/or national building codes, zoning requirements and covenants, and describe how the project meets them.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p data-bbox="167 1583 1336 1682">8. If the project involves rehabilitation and/or acquisition, a Project Physical Condition Review must be conducted. Explain when the physical condition review request was made to the DED Housing Coordinator and the results of the review.</p> <p data-bbox="212 1728 1336 1793">Requests must have been made in writing to DED 45 days prior to the application due date. DED must approve the review and approve the building.</p>	<input type="checkbox"/>	<input type="checkbox"/>

<p>7. Fair Housing – Provide an explanation of the Fair Housing Act and Section 504 accessibility requirements applicable to the project. Explain what Fair Housing Act and Section 504 requirements apply to the project and how they will be met and/or exceeded. Requirements are not limited to project design. DED may consult other agencies to review the project for compliance with these requirements.</p>	<input type="checkbox"/>	<input type="checkbox"/>
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Application Submittal Instructions

***In submitting your application, these instructions must be followed:**

- Submit the original signed hardcopy application and upload scanned copy of the original;
- Number all pages, exhibits inclusive, sequentially in the bottom right-hand corner, include the exhibit number above the page number. Handwritten numbers are acceptable;
- Upload scanned copy in three separate files; one file for Part I-Part IV, one file for Required Exhibits, and one file Additional Exhibits, these files need to be in PDF format. Also, submit the Microsoft Excel spreadsheet for the Pro-Forma in addition to including the PDF version in the application. Name all files with the Applicant name then the section of the application above. (DED suggests printing and numbering the entire original hardcopy first, then scanning each portion into its own file and then uploading. This will ensure the page numbers of the digital copy match those of the original.) Be sure to print and keep a copy of the original, including necessary signatures for the Applicant file.
- Two-Hole punch the original application in the center top; and
- Include a Table of Contents for both, the original hard copy and the scanned copy.

***Below is an outline of what your HTF Application should look like:**

- Part I. General Information** (use required form)
- Part II. Funding Summary** (use required form)
- Part III. Project Budget and Financing** (follow instructions)
- Table of Contents** (include page numbers and title of sections)
- Project Description** (follow instructions)
- Part IV Application Questions – Project Design and Impact**
- Implementation Schedule** (Appendix A)
- Development Pro-Forma and Project Design** (Appendix B)
- Rehabilitation Standards** (Appendix C)
 - HTF Rehabilitation Standards
 - DED Minimum Rehabilitation Standards
- Required Exhibits** (Appendix D, forms and instructions included in Chapter 3)
 - A Notice of Public Hearing/Meeting (Must include comments)
 - C-2 Citizen Participation Plan (OPTIONAL)
 - D Residential Anti-Displacement & Relocation Assistance Plan (if applicable)
 - L FFATA Reporting Form/Certification
 - N SAM (System for Award Management Documentation)
 - O-1 Four Factor Analysis Assessing Limited English Proficiency
 - O-2 Language Assistance Plan
 - Q-1 Applicant Certification Form (for Non-Profit and PHA)
 - Q-2 Applicant Certification of Rental Project Federal Assistance Form
 - R Authorizing Resolution (for Non-Profit and PHA)
 - S Determination of Level of Review Form
 - T Proof of Non-Profit Status & Certificate of Good Standing
- Additional Exhibits** (Appendix E)
 - 101 Architectural Plan, including Fair Housing Act and Section 504
 - 102 Site Control

- 103 Zoning and Local Approvals
- 104 Other Federally Funded Affordable Housing Projects
- 105 Site Review Form and Approval
- 106 Letters of Commitment and/or Executed Memorandum of Agreement
- 107 Project Based Rental Assistance/Tenant Based Rental Assistance
- 108 Affirmative Fair Housing Marketing Plan
- 109 Project Financing and Credit Documentation

Applicant Specific Attachments (Appendix F, if applicable)

Application Forms and Instructions

Part I. General Information Instructions

Type all information except where signatures are required.

Box 1: Provide the requested information.

Box 2: Provide the requested information. Check the appropriate application preparer box.

Box 3: Check the appropriate set-aside box, either Permanent Housing (Continuum of Care) or Targeted Needs. Under the Permanent Housing section, select the Continuum of Care (CoC) this project will be applying for funds, include the Region for the Balance of State CoC. Under Targeted Needs, provide a description of the Targeted Needs project being served.

Box 4: Select the primary Congressional District (check only one box) where the project will primarily be located in for purposes of determining proper Congressional District allocation. Each applicant must designate a single Congressional District (and a single sub-district if applicable), but each applicant will not be restricted to only working within a single Congressional District or Sub-District. Statewide or regional programs also select which Congressional District their project will primarily be located in, but each applicant will not be restricted to only working within a single Congressional District or Sub-District.

Box 5: Indicate the area where the program will take place. Enter the municipality (i.e. Village or City) that will be served by the project and the county where the municipality is located. Also, enter the appropriate Congressional and Legislative District(s) information.

Box 6: Check the appropriate applicant type box.

Box 7: Enter the **number of households** to be served by the proposed project at the **maximum** income allowed program-wide.

Box 8: Type the name and title of the Certifying Official and date. **Sign in blue ink.** The Certifying Official for a non-profit or public housing authority applicant is the official authorized by the governing body to sign applications for state and federal funding. If the Certifying Official for a non-profit is not the Board President or Board Chair, attach the authorizing documentation of the governing body that allows the designated certifying official to sign the application.

Box 9: SUBMIT THE HTF APPLICATION – Original Hard Copy and Scanned Copy

SUBMIT ORIGINAL HARDCOPY BY MAIL OR IN PERSON TO:

Nebraska Department of Economic Development

Housing Coordinator

Housing and Community Development

301 Centennial Mall South - PO Box 94666

Lincoln, NE 68509-4666

ALSO UPLOAD A SCANNED COPY TO: <https://negov.sharefile.com/r-r530cb53a0734bbe9>

Part II. Funding Summary Instructions

Enter dollar amounts into the appropriate boxes in the funding summary table. The Part II Funding Summary should correlate with Part III Project Budget & Financing. Include requested HTF Funds, Matching Funds, Leveraged Funds, and In-Kind Funds to be included in the Award Contract. Please describe the source of all Funds. Note: Nebraska Affordable Housing Program Funds cannot be used as match with any other form of Nebraska Affordable Housing Program Funds, including Program Income.

If you have any questions about Activity Codes, direct them to DED.

The Department reserves the right to non-select an application at any point during the review process if the applicant does not have the full funding commitment of all other key investors prior to application due date.

Part III. Project Budget and Financing Instructions

Provide a detailed budget for the proposed project, including project hard and soft costs. The budget should include: 1) costs for each item; and, 2) the proposed or likely funding source for each item.

Program Costs

List for each activity the major costs by line item. Program costs are the "soft" costs such as: these must be reasonable and necessary and can include: private lender origination fees; credit reports; fees for title evidence; fees for recordation and filing of legal documents; building permits; private appraisal fees; fees for an independent cost estimate; builders' or developer's fees; legal and accounting fees (including cost certification); architectural, engineering and related professional services required to prepare plans, drawings, specifications, or work write-ups; tenant housing counseling, these costs cannot be charged to or paid by the low income families; project audit costs; affirmative marketing and fair housing services to prospective tenants of an assisted project; and staff costs directly related to projects.

Program costs are the "hard" costs such as: new construction; rehabilitation; reconstruction; acquisition with rehabilitation; demolition; utility connections; site improvements; refinancing costs; and acquisition costs. The total line item costs for each activity must equal the totals by activity shown on Part II.

Rent-Up Reserves (activity 581)

For new construction or rehabilitation, the cost of funding an initial operating deficit reserve, which is a reserve to meet any shortfall in project income during the period of project rent-up (not to exceed 18 months) and which may only be used to pay project operating expenses, scheduled payments to a replacement reserve, and debt service. Any HTF funds placed in an operating deficit reserve that remain unexpended after the period of project rent-up may be retained for the project reserves at the discretion of DED. If the proposed project development budget includes HTF-funded reserves, a proposed plan for the disposition of any remaining funds at the end of the 18-month period must be attached to this application.

Operating cost assistance and operating cost assistance reserves may be provided only to rental housing acquired, rehabilitated, reconstructed or newly constructed with HTF funds and DED will award no more than one-third of the state's annual grant to be used as operating cost assistance or operating cost assistance reserves. Operating cost assistance and operating cost assistance reserves may be used for insurance, utilities, real property taxes, maintenance, and scheduled payments to a reserve for replacing major systems. The eligible amount of HTF funds per unit for operating cost assistance is determined based on the deficit remaining after the monthly rent payment for the HTF-assisted unit is applied to the HTF-assisted unit's share of the monthly operating cost.

Pursuant to §93.203(a) of the Interim Rule, HTF cannot be used for operating cost assistance reserves if HTF funds are used for the construction or rehabilitation of public housing units. The public housing units constructed or rehabilitated using HTF must receive Public Housing Operating Fund assistance under section 9 of the 1937 Act.

In addition, public housing is only eligible under HTF if the proposed project is part of HUD's Rental Assistance Demonstration (RAD) program, Choice Neighborhood Initiative Program, or involves the LIHTC Program.

Operating Reserves (activity 582)

An operating cost assistance reserve may be funded by the grantee for the HTF-assisted units in a project where the grantee determines in its underwriting of the project the reserve is necessary to ensure the project's financial feasibility. If the operating cost assistance reserve is funded with appropriated HTF funds, the allowable amount of the reserve shall not exceed the amount determined by the grantee to be necessary to provide operating cost assistance for HTF-assisted units, for a period not to exceed five (5) years, based on an analysis of potential deficits remaining after the expected rent payments for the HTF-assisted units are applied to the HTF-assisted unit's expected share of operating costs. If the operating cost assistance reserve is funded with non-appropriated HTF funds, the reserve may be funded for the period of affordability.

Operating cost assistance and operating cost assistance reserves may be provided only to rental housing acquired, rehabilitated, reconstructed or newly constructed with HTF funds and DED will award no more than one-third of the state's annual grant to be used as operating cost assistance or operating cost assistance reserves. Operating cost assistance and operating cost assistance reserves may be used for insurance, utilities, real property taxes, maintenance, and scheduled payments to a reserve for replacing major systems. The eligible amount of HTF funds per unit for operating cost assistance is determined based on the deficit remaining after the monthly rent payment for the HTF-assisted unit is applied to the HTF-assisted unit's share of the monthly operating cost.

Pursuant to §93.203(a) of the Interim Rule, HTF cannot be used for operating cost assistance reserves if HTF funds are used for the construction or rehabilitation of public housing units. The public housing units constructed or rehabilitated using HTF must receive Public Housing Operating Fund assistance under section 9 of the 1937 Act.

In addition, public housing is only eligible under HTF if the proposed project is part of HUD's Rental Assistance Demonstration (RAD) program, Choice Neighborhood Initiative Program, or involves the LIHTC Program.

Proposed Funding Source

All budget items should indicate the proposed source of funds for that item. DED understands that the application budget and financing is a proposal only and may vary somewhat during project implementation. Nonetheless, a budget indicating both sources and uses must be submitted. For all applications submit a housing development pro-forma in conjunction with the project budget and financing to demonstrate the sources and uses in a project.

Table of Contents Instructions

Include a Table of Contents in both the original hardcopy application and in the scanned digital copy. Number every single page, include exhibit information above page number (handwritten page numbers are appropriate). Page numbers for the scanned digital copy should reflect the page numbers on the original hard copy application submitted and correspond to the Table of Contents.

DED suggests printing and numbering the entire original hardcopy first, then scanning the application file for upload to the DED link. This will ensure the page numbers of the digital copy match those of the original. Be sure to print and keep a copy of the original, including necessary signatures for the Applicant file.

Below is a sample Table of Contents, include the title of the section and exhibit information. Some forms listed below may not be applicable depending upon the application activity, content and organizational type.

Part I. General Information

Part II. Funding Summary

Part III. Project Budget and Financing

Table of Contents

Project Description

Part IV. Application Questions – Project Design and Impact

Implementation Schedule (Appendix A)

Development Pro-Forma and Project Design (Appendix B)

Rehabilitation Standards (Appendix C)

- HTF Rehabilitation Standards
- DED Minimum Rehabilitation Standards

Required Exhibits (Appendix D, forms and instructions included in Chapter 3 Exhibits)

A Notice of Public Hearing/Meeting

C-2 Citizen Participation Plan (OPTIONAL)

D Residential Anti-Displacement & Relocation Assistance Plan (if applicable)

L FFATA Reporting Form/Certification

N SAM (System for Award Management Documentation)

O-1 Four Factor Analysis Assessing Limited English Proficiency

O-2 Language Assistance Plan

Q-1 Non-Profit Application Certification Form

Q-2 Applicant Certification of Rental Project Federal Assistance Form

R Authorizing Resolution (for Non-Profit)

S Determination of Level of Review Form

T Proof of Non-Profit Status & Certificate of Good Standing

Additional Exhibits (Appendix E)

101 Architectural Plan, including Fair Housing Act and Section 504

102 Site Control

103 Zoning and Local Approvals

104 Other Federally Funded Affordable Housing Projects

105 Site Review Form and Approval

106 Letters of Commitment and/or Executed Memorandum of Agreement

107 Project Based Rental Assistance/Tenant Based Rental Assistance

108 Affirmative Fair Housing Marketing Plan

109 Project Financing and Credit Documentation

Applicant Specific Attachments (Appendix F, if applicable)

Project Description Instructions

Include a description of the **proposed project** including information on all the proposed activities within the project, regardless of funding source. The Project Description should be 2 – 3 pages in length and summarize the project, including but not limited to, the type of project, where the project will take place, and who the project will serve.

Part IV: Application Questions – Project Design and Impact

Threshold Requirements

Application:

- a) **Geographic Diversity**
- b) **Ability of Obligate Funds**
- c) **Timeliness**
- d) **Project Based Rental Assistance ELI**
- e) **Affordability Period**
- f) **Priority Housing Needs**
- g) **Non-Federal Funding Sources**

Answer the Part IV Application Questions by explaining your answer in the space provided below the question.

For sections that ask for more information in the form of an exhibit, please include the exhibit in the application, labeling it appropriately and include the page and/or section number in the far right column.

Selection Criteria Matrix

The following Selection Criteria Matrix is provided in order to provide information on the Criteria and Total Possible Points for each application.

Failure of the Applicant to meet all threshold criteria will not be funded during the 2018 HTF Cycle.

Selection Criteria Matrix		
Criteria	Points Possible	Points Awarded
Geographic Diversity	10	
Ability to Obligate Funds	10	
Timeliness	10	
Project Based Rental Assistance ELI	10	
Affordability Period	10	
Priority Housing Needs	10	
Non-Federal Funding Sources	10	
Total Possible Points	70	

2018 APPLICATION FOR THE HOUSING TRUST FUND

Nebraska Department of Economic Development (DED)

PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

DED USE ONLY	
Date Stamp Below	Application Number
	18-HTFRH-

<p>1. APPLICANT IDENTIFICATION</p> <p>Name: _____</p> <p>Contact person: _____</p> <p>Address: _____</p> <p>City/State/Zip: _____</p> <p>Phone: _____</p> <p>Fax: _____</p> <p>Email: _____</p> <p>Tax ID: _____</p> <p>Duns #: _____</p>	<p>2. APPLICATION PREPARER INFORMATION</p> <p>Name: _____</p> <p>Contact person: _____</p> <p>Address: _____</p> <p>City/State/Zip: _____</p> <p>Phone: _____</p> <p>Fax: _____</p> <p>Email: _____</p> <p>Application Preparer (check one)</p> <p><input type="checkbox"/> Local Staff <input type="checkbox"/> Out-of-State Consultant</p> <p><input type="checkbox"/> In-State Consultant <input type="checkbox"/> Non-Profit Organization</p> <p><input type="checkbox"/> Economic Development District</p> <p><input type="checkbox"/> Other</p>
<p>3. HTF Rental Set-Aside (check all that apply)</p> <p><input type="checkbox"/> Permanent Housing (Continuum of Care)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Balance of State CoC, Region</p> <p style="margin-left: 20px;"><input type="checkbox"/> Lincoln CoC</p> <p style="margin-left: 20px;"><input type="checkbox"/> Omaha CoC</p> <p><input type="checkbox"/> Targeted Needs</p> <p style="margin-left: 20px;">Description of Targeted Needs: _____</p>	<p>4. DISTRICT INDICATOR-(Select only ONE)</p> <p><input type="checkbox"/> Congressional District 1</p> <p><input type="checkbox"/> Congressional District 2</p> <p><input type="checkbox"/> Congressional District 3</p>
<p>7. HOUSEHOLD BENEFICIARIES</p> <p># _____ at or below 30% of the Area Median Family Income</p> <p># _____ Total</p> <p><input type="checkbox"/> Single Family - # of units _____ at or below 30% AMI</p> <p><input type="checkbox"/> Duplex - # of units _____ at or below 30% AMI</p> <p><input type="checkbox"/> Multi-Family - # of units _____ at or below 30% AMI</p>	<p>5. SERVICE AREA</p> <p>Area to be served [city and county]. Please list:</p> <p>Nebraska Legislative District(s) _____</p> <p>Nebraska Congressional District(s) _____</p>
<p>6. TYPE OF APPLICANT</p> <p><input type="checkbox"/> Non-Profit 501(c)(3) <input type="checkbox"/> Non-Profit 501(c)(4)</p> <p><input type="checkbox"/> Non-Profit 501(c)(3) CHDO <input type="checkbox"/> Non-Profit 501(c)(4) CHDO</p> <p><input type="checkbox"/> Public Housing Authority</p>	
<p>8. CERTIFYING OFFICIAL:</p>	
<p><i>To the best of my knowledge and belief, data and information in this application is true and correct, including any commitment of local or other resources. The governing body of the applicant has duly authorized this application. This applicant will comply with all Federal and state requirements governing the use of HTF funds.</i></p> <p>Signature in blue ink: _____</p> <p>Typed Name and Title: _____ Date Signed: _____</p> <p>Address/City/State/Zip: _____</p>	
<p>9. SUBMIT THE ORIGINAL HTF APPLICATION TO:</p>	
<p>Nebraska Department of Economic Development Housing Coordinator Housing and Community Development 301 Centennial Mall South - PO Box 94666 Lincoln, NE 68509-4666</p> <p style="text-align: right;">https://negov.sharefile.com/r-r530cb53a0734bbe9 Pamela Otto, pamela.otto@nebraska.gov</p> <p><i>Individuals, who are hearing and/or speech impaired and have a TTY, may contact the Department through the Statewide Relay System by calling (800) 833-7352 (TTY) or (800) 833-0920 (voice). The relay operator should be asked to call DED at (800) 426-6505 or (402) 471-3111.</i></p>	

HTF PROGRAM
PART II. FUNDING SUMMARY

Code	Activity	HTF Funds	Non-Federal Funding Sources	Total Funds	Source(s) of Project Financing
0520	Acquisition of Property				
0521	Acquisition of Vacant Land				
0522	Demolition				
0541	SF Housing Rental Rehabilitation				
0544	SF Housing New Construction Rental ¹				
0561	MF Rehabilitation				
0562	MF New Construction				
	Subtotal				
0581	Rent-up Reserves				
0582	Operating Reserves				
1000	TOTAL PROGRAM COSTS				

Clarification for the above activities should be directed to DED.

¹ New Construction includes the hard costs for acquiring land, constructing homes and development subsidy (the difference between the cost to develop and build the home and the appraised value of the home).

**HOUSING TRUST FUND PROGRAM
PART IV. APPLICATION QUESTIONS - PROJECT DESIGN AND IMPACT**

THRESHOLD REQUIREMENTS

	YES	NO
1. Is the Applicant an eligible applicant as defined in this application; which includes: Local or regional non-profit 501(c)(3) or 501(c)(4) housing or related service organizations; Public Housing Authorities; or State-designated Community Housing Development Organizations (CHDO)?	<input type="checkbox"/>	<input type="checkbox"/>
2. Submit a complete application to the State. After applications are submitted, the State will conduct a completeness review. The application will be deemed complete if the application package contains, at a minimum the following: a. Required application forms submitted: all required NDED-provided forms for current year application will be posted on the NDED website prior to the beginning of the application cycle. b. Required third-party documents submitted. A checklist and instructions of the complete list of required documents will be posted prior to application cycle. c. Applicants must comply in all respects with NDED Rehabilitation Standards as to content and adhere to any necessary HUD environmental regulatory requirements. Subsequent to the completeness review applicants will be contacted via email regarding any missing and/or incomplete items or documents. Applicants must submit all missing and/or incomplete items or documents in order to be considered for funding.	<input type="checkbox"/>	<input type="checkbox"/>
3. Provide description, reference and/or supporting documentation that an eligible activity is proposed by the project according to the Nebraska HTF Allocation Plan eligible activity definition, which is that activities may include rehabilitation (including acquisition); preservation; new construction; and operating assistance. These activities will benefit extremely low-income (ELI) households, at or below 30% of the Area Median Income (AMI).	<input type="checkbox"/>	<input type="checkbox"/>
4. Demonstrate the financial feasibility of the project.	<input type="checkbox"/>	<input type="checkbox"/>
5. Certify that housing assisted with HTF funds will comply with HTF requirements.	<input type="checkbox"/>	<input type="checkbox"/>
6. Demonstrate that the State requirement and HTF Regulations concerning a sustained 30-year affordability period is maintainable.	<input type="checkbox"/>	<input type="checkbox"/>
7. Was the full application submitted to DED by the required due date?	<input type="checkbox"/>	<input type="checkbox"/>
*Failure of the Application to meet all of the threshold requirements will result in the Application not being funded during the 2018 HTF Cycle.		

APPLICATION

Geographic Diversity	Page # & Section <u>Cite Below</u>
Geographic distribution will be dependent on which HTF application cycle funds are being requested, as the discussion below demonstrates.	
Permanent Housing Set Aside For HTF applicants applying for the Permanent Housing Set Aside, funds will be distributed equally between the Continuum of Care (CoC) Regions of the Nebraska Homeless Assistance Program (NHAP), which are the Omaha CoC, the Lincoln CoC, and the Balance of State (BoS) CoC. The Omaha CoC and the Lincoln CoC are regions located in the Southeast area of Nebraska, are approximately 60 miles apart, and are both urban communities. The	

<p>BoS CoC consists of the remaining geographical areas of the state, where many rural communities exist, and which was formerly five separate NHAP regions, named after the remaining state geographical areas: the Panhandle, North Central, Southwest, the rest of the Southeast, and Northeast CoC Regions of Nebraska. See also the CoC map below.</p> <p>Permanent Housing Set Aside: Describe the location of the project. (Provide the Region of the Continuum of Care.)</p> <p>Targeted Needs Set Aside For HTF applicants applying within the Targeted Needs Set Aside, the entire state is the eligible area. While two of the three Set Asides do provide geographic diversity, the Targeted Needs Set Aside will not have a scoring hierarchy associated with geography. This is due to funding limitations and feasibility.</p> <p><i>Targeted Needs Set-Aside will not have any points associated for Geographic Diversity</i></p>	
Geographic Diversity Points – 10	
Ability to Obligate Funds	Page # & Section <u>Cite Below</u>
<p>Applicants will be evaluated on project readiness, including items such as local approvals, architectural plans, and site control.</p> <ul style="list-style-type: none"> • Describe the collaboration with the partners involved in the project, pre-development and post-award and how they assist in timely completion of the organization’s proposed HTF project. 	
<p>Exhibit 101 Architectural Plan, including Fair Housing Act and Section 504 Exhibit 102 Site Control Exhibit 103 Zoning and Local Approvals</p>	
Obligate Funds Points – 10	
Timeliness	Page # & Section <u>Cite Below</u>
<p>Applicant will be evaluated on their capacity to undertake and complete HTF funded activities in a timely manner. This capacity is evaluated during the HTF application process. Capacity includes evaluating the entire development team, and considerations are made for experience with similar projects; financial and staff capacity; and other factors relevant to the role of the development team. These items include:</p> <ul style="list-style-type: none"> • Development staff experience, which includes financial and staff capacity • Development contractor or partnering agency and their experience • History of other federally-funded affordable housing projects, including number of projects and whether projects were completed in a timely manner • Other relevant factors which demonstrate the ability of the team to ensure a successful timely project • Readiness of the current project application <ul style="list-style-type: none"> ○ Timeliness determined through the Threshold Requirements completion ○ Letters of commitment and/or executed Memorandum of Agreement with all support services providers associated with the project 	
Property Portfolio – Describe the applicant’s portfolio of projects/properties that evidence competent management and oversight. Describe how the properties and the applicant’s	

development have adequate funding. If the applicant is not managing the property, please provide the management company and answer these questions for the management company.	
Management Capacity – Describe how the current management has the ability to manage additional development activities. If the applicant is not managing the property, please provide the management company and answer these questions for the management company.	
Project Management – Describe the procedures in place for monitoring the progress of the project.	
<i>Exhibit 104 Other Federally Funded Affordable Housing Projects</i>	
<i>Exhibit 105 Site Review Form and Approval</i>	
<i>Exhibit 106 Letters of Commitment and/or Executed Memorandum of Agreement</i>	
Timeliness Points – 10	
Project Based Rental Assistance for ELI	Page # & Section Cite Below
Applicants will be evaluated on the number of project based rental assistance and tenant based rental assistance that is being provided for the project in order to ensure the affordability of rents for the ELI families. Applicants must identify the type of assistance and the length of commitment for the assistance in the project to demonstrate and ensure residents do not pay more than 30% of their income towards rent and utilities. Other methods that ensure affordability of ELI households will also be considered, such as cross-subsidization or operating assistance reserves.	
<i>Exhibit 107 Project Based Rental Assistance/Tenant Based Rental Assistance</i>	
Project Based Rental Assistance ELI Points – 10	
Affordability Period	Page # & Section Cite Below
Applicants must commit to keeping the HTF units affordable, including all applicable income and rent restrictions, for a period of no less than 30 years from the date of project completion. Applicants must submit appropriate verification and supporting documents to demonstrate the commitment.	
<i>Appendix B Development Pro-Forma and Project Design</i>	
Affordability Period Points – 10	
Priority Housing Needs	Page # & Section Cite Below
HTF applications will be consistent with the State’s Housing Priority Need which is to respond to the needs of affordable, decent, safe, and appropriate housing as part of balanced economic development in Nebraska. The creation and preservation of residential units for extremely low income persons is consistent with the Housing Priority Need and also is consistent with a part of the Homeless Services Priority Need which is to ensure appropriate emergency shelter and/or transitional housing and services for people who are homeless or at imminent risk of becoming homeless.	
HTF applications will be evaluated on how the priority housing needs as identified in the	

<p>State of Nebraska 2015-2019 Consolidated Plan are addressed. That is, what objectives and under which priority need is the application addressing and fulfilling?</p> <p>The Housing Priority Need is a need for affordable, decent, safe, and appropriate housing. There are four objectives associated with the priority housing need, of which only three are applicable to HTF dollars. Applications will be reviewed to evaluate which of the three applicable objectives are addressed:</p> <ol style="list-style-type: none"> 1. Is the project application promoting additional affordable rental housing and preservation of affordable rental housing in selected markets? 2. Is the project application promoting housing preservation by improving the quality of Nebraska’s existing affordable housing? 3. Does the project application enhance statewide understanding of fair housing law through outreach and education? <p>The Homeless Services Priority Need has been described previously and has two primary objectives. Applications will be reviewed and evaluated as to whether these objectives are addressed.</p> <ol style="list-style-type: none"> 1. Does the project application provide appropriate shelter and/or housing to people who are homeless or at imminent risk of becoming homeless? 2. Does the project application provide needed services to people who are homeless or at imminent risk of becoming homeless? 	
<p>Describe the local need and how the need was determined for the proposed HTF project and how it provides a solution to the immediate housing needs of the area being served.</p> <p>Describe how the proposed project impacts the community.</p>	
<p>Exhibit 108 Affirmative Fair Housing Marketing Plan</p>	
<p>Priority Housing Needs Points – 10</p>	
<p>Non-Federal Funding Sources</p> <p>Applicants will be evaluated on the quantity, quality, and timeliness of leveraged non-federal funding that will be committed to the proposed project.</p> <p>The applicant must describe whether there are plans to apply for and/or anticipate a commitment of non-federal sources of funding, which must include the dollar amount, the source(s), and what percentage of the total development cost that the non-federal funding sources represent.</p> <p>Describe the overall project financing for the proposed HTF project. Be sure to include a description of all resources into the project; these may include, but not be limited to: other grant resources (including rental assistance), matching funds, leverage funds, and in-kind funds.</p>	<p>Page # & Section Cite Below</p>
<p>Appendix B Development Pro-Forma and Project Design Exhibit 109 Project Financing and Credit Documentation</p>	
<p>Non-Federal Funding Sources Points – 10</p>	
<p>Total Possible Points – 70</p>	

APPENDIX A – IMPLEMENTATION SCHEDULE

Implementation Schedules forms are available at <https://opportunity.nebraska.gov/program/national-housing-trust-fund-htf/>. You must use this form and attach to your application.

1. List the target(s) for your project. The target must contain: a) the number of proposed units; b) the income of those affected; c) the type of program; d) where the target will be achieved, and e) date the project or program will be fully completed and verifiable.
2. List all proposed due dates for sections required by program type.

The more details that can be provided about the actual project, the methods used to achieve the project, and information about the persons responsible for project implementation and development will benefit the applicant in the DED application review process.

APPENDIX B – DEVELOPMENT PRO-FORMA AND PROJECT DESIGN

The Development Pro-Forma is required for all rental projects and can be found at: <https://opportunity.nebraska.gov/program/national-housing-trust-fund-htf/>

Please attach a development pro forma detailing incremental development. **Upload scanned excel spreadsheet.** (To: <https://negov.sharefile.com/r-r530cb53a0734bbe9>, or email to Pamela Otto at: pamela.otto@nebraska.gov).

The Project Design can be found in Chapter 3 – Exhibits.

APPENDIX C – REHABILITATION STANDARDS – HTF REHABILITATION STANDARDS AND DED MINIMUM REHABILITATION STANDARDS

The HTF Rehabilitation Standards and DED Minimum Rehabilitation Standards can be found on the website at: <https://opportunity.nebraska.gov/program/national-housing-trust-fund-htf/>

APPENDIX D – REQUIRED EXHIBITS (CAN BE FOUND IN CHAPTER 3)

Non-profit organization and Public Housing Authority applicants:

EXHIBIT A	Notice of Required Public Hearing or Public Meeting Notice (Application Guidelines Exhibit A form language must be used for the official public hearings and must be submitted with either Proof of Publication or Certificate of Posting, and a summary of citizens' comments).
EXHIBIT C-2	Citizen Participation Plan (OPTIONAL)
EXHIBIT D	Residential Anti-Displacement & Relocation Assistance Plan (if applicable)
EXHIBIT L	FFATA Reporting Form/Certification
EXHIBIT N	SAM (System for Award Management documentation)
EXHIBIT O-1	Four Factor Analysis Assessing Limited English Proficiency
EXHIBIT O-2	Language Assistance Plan
EXHIBIT Q-1	Non-Profit or Public Housing Authority Application Certification Form
EXHIBIT Q-2	Applicant Certification of Rental Project Federal Assistance Form
EXHIBIT R	Authorizing Resolution for Non-profit organization and Public Housing Authority Applicants (sample format provided)
EXHIBIT S	Determination of Level of Environmental Review
EXHIBIT T	Proof of Non-Profit Status and Certificate of Good Standing

APPENDIX E – ADDITIONAL EXHIBITS

Please include the following exhibits noted below. Clearly identify each exhibit number in bottom right of each page of the exhibit.

Exhibit 101 – Architectural Plan, including Fair Housing Act and Section 504

1. Provide preliminary architectural drawings on 8.5 x 11 sheets to include all site plan(s), elevation drawings (front, rear, and side) of each building type, and schematic floor plans of the various unit sizes.
2. In addition, provide a signed certification from the architect that confirms that the development will be constructed in accordance/compliance with:
 - (i) The applicable local energy conservation code, or, if no such code is applicable, then in accordance with the 2009 International Energy Conservation Code.
 - (ii) Local Codes or Uniform Building Code, International Residential Building Code, National Building Code Standard Building Code or Council of American Officials one- or two-family code or minimum property standards at 24 CFR 200.925 (for multi-family) or 200.926 (for one- and two-unit dwellings)
 - (iii) If applying for HTF Funds, for rehabilitation: The development will meet or exceed the NDED rehabilitation standards, and local code requirements or Uniform Building Code, International Residential Building Code, National Building Code Standard Building Code or Council of American Officials one- or two-family code or minimum property standards at 24 CFR 200.925 (for multi-family) or 200.926 (for one- and two-unit dwellings). The NDED rehabilitation standards can be found at: <https://opportunity.nebraska.gov/program/national-housing-trust-fund-htf/>
 - (iv) Signed certification must be dated within 12 months of the applicable final deadline.

NOTE: Material changes to the floor plan(s) without prior approval of DED could result in cancellation of the award of HTF.

Fair Housing and Section 504

1. Provide a signed certification from the Architect that confirms that the development will be constructed in accordance/compliance with:
 - (i) The Fair Housing Act Amendments of 1988; consideration being given to the accessibility/adaptability of units to handicapped occupancy.
 - (ii) If applying for HOME/HTF funds, Section 504 accessibility requirements are applicable to the development. Describe what Section 504 requirements apply to the development and how they will be met and/or exceeded. Information regarding Section 504 accessibility requirements can be found at: https://www.hud.gov/program_offices/fair_housing_equal_opp/disabilities/sect504
 - (iii) Signed certification must be dated within one year of the applicable final deadline.

Exhibit 102 – Site Control

Provide evidence of site control in the form of one of the following eligible forms (if multiple sites, the applicant must have control of each site making up the single development).

1. Exhibit 103 must also include a legal description and evidence of current fee ownership (e.g. a copy of the current seller's recorded deed or a valid title commitment confirming seller's ownership).
2. The expiration of any purchase/option agreement must not occur until at least **90 days** after the deadline for submitting the **final** application.

Eligible Types of Site Control:

- a. A valid contract/option to purchase the land (and building(s), if any) with the legal description clearly identified between the seller (who must be the current fee owner) & the owner, its general partner or an affiliated entity.

- b. Executed disposition and development agreement with a public agency with the legal description clearly identified. (Example: city owns the land (and building(s), if any) and has a transfer agreement with the Owner).
- c. Signed and recorded long-term land lease with the legal description clearly identified (with a minimum term of 50 years) in a form acceptable to NDED with evidence that the lessor owns the land. (**An agreement to enter into a lease with the above provision is also acceptable for developments built on Tribal lands or land owned by the Veterans Administration.**)
- d. Recorded Warranty Deed in the name of the owner, its general partner or an affiliated entity.

Exhibit 103 – Zoning and Local Approvals

- 1. Provide a letter from the appropriate local governmental body dated within one year of the final applicable deadline indicating the development’s status in relation to local zoning requirements for the proposed number and type of units. A form of letter is included as Exhibit 105 in the Exhibit Examples.
 - (i.) Development meets all local zoning requirements, including the proposed number and type of units.
 - (ii.) If the development is not subjected to municipal zoning ordinances, then the owner must supply NDED with written documentation from the appropriate local governmental official, stating the proposed development can be built per the current governing land use regulations, subject only to review of final plans and specifications.
 - (iii.) If the development is currently a legal nonconforming use, as per zoning regulations, then the owner must have the zoning administrator’s explicit evaluation that a conditional use permit or final approval will be obtained within **180 days** of the final application.

Exhibit 104 – Other Federally Funded Affordable Housing Projects

Provide a spreadsheet of all other Federally Funded Affordable Housing Projects.

Exhibit 105 – Site Review and Approval

Applying for HTF funds from NDED, requires a site visit review, which must be requested in writing to Pamela Otto via email at pamela.otto@nebraska.gov at least 45 days prior to the current application deadline. Please attach a copy of the DED Site Visit Review as Exhibit 105. The form can be found at: <https://opportunity.nebraska.gov/program/national-housing-trust-fund-htf/>

Exhibit 106 – Letters of Commitment and/or Executed Memorandum of Agreement

Include letters of commitment and/or executed memorandum of agreements for the project.

Exhibit 107 – Project Based Rental Assistance/Tenant Based Rental Assistance

- Name of the Housing Authority that has committed to providing new project-based rental assistance including VASH vouchers:
- Number of units receiving project-based rental assistance:
- Length of commitment for project-based rental assistance (in years): *Attach a letter of commitment from the Housing Authority detailing the number of units that will receive project-based rental assistance & the length of the commitment for the project-based rental assistance as **Exhibit 106**, dated within one year of the applicable final deadline.*

Exhibit 108 – Affirmative Fair Housing Marketing Plan

- 1. Provide an Affirmative Marketing Plan: The form is located at: <https://www.hudexchange.info/resource/4716/affirmative-fair-housing-marketing-plan-form/>
 - (i) Sign and date the appropriate form for the project type.
 - (ii) Complete all applicable worksheets.
 - (iii) Signed form must be dated within one year of the applicable final deadline.

NOTE: If the development consists of a scattered site (i.e. buildings in the development are located in different towns/cities), a plan is needed for each site.

Exhibit 109 – Project Financing and Credit Documentation

Documentation must include all sources of project financing as reflected on the Part II and the Non-Federal Funding Sources application question.

APPENDIX F – APPLICANT SPECIFIC ATTACHMENTS

If applicable, please include any attachments not previously included. Clearly identify each attachment name in bottom right of each page. On the scanned copy, please label each attachment name to correspond with the original submitted copy. Please include as many additional attachments as is necessary to support the Part IV project design and impact answers.

- Attachment [Specific Name]
- Attachment [Specific Name]
- Attachment [Specific Name]
- Attachment [Specific Name]
- Attachment [Specific Name]