

# THE NSP SUBSTANTIAL AMENDMENT

<b>Jurisdiction(s):</b> <u>Clayton County, GA</u>  Community Development, Department HUD Program Division Patrick Ejike, Director  <b>Web Address:</b> <u>www.claytonNSP.com</u> <i>(URL where NSP Substantial Amendment materials are posted)</i>	<b>NSP Contact Person:</b> <u>Carol Seaton, NSP Manager</u> <b>Address:</b> <u>Clayton County HUD Programs Divisions</u> <u>1671 Adamson Parkway, Ste 101</u> <u>Morrow, GA 30260</u> <b>Telephone:</b> <u>(770) 477-4512</u> <b>Fax:</b> <u>(770) 210-5215</u> <b>Email:</b> <u>carol.seaton@co.clayton.ga.us</u>
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**NSP Grant Amount Requested From HUD**

**\$9,732,126**

## ***A. AREAS OF GREATEST NEED***

Provide summary of data identifying the geographic areas of greatest need in the grantee's jurisdiction.

**Note:** An NSP substantial amendment must include the needs of the entire jurisdiction(s) covered by the program; states must include the needs of communities receiving their own NSP allocation. In order to include the needs of an entitlement community, the State may either incorporate an entitlement jurisdiction's consolidated plan and NSP needs by reference and hyperlink on the Internet, or state the needs for that jurisdiction in the State's own plan. The lead entity for a joint program may likewise incorporate the consolidated plan and needs of other participating entitlement jurisdictions' consolidated plans by reference and hyperlink or state the needs for each jurisdiction in the lead entity's own plan.

HUD has developed a foreclosure and abandonment risk score to assist grantees in targeting the areas of greatest need within their jurisdictions. Grantees may wish to consult this data in developing this section of the Substantial Amendment.

### **Response:**

#### Areas of Greatest Need in Clayton County

Clayton County is using the HUD-provided foreclosure and abandonment risk score to identify the areas within Clayton County, which are its "areas of greatest need." The risk scores were ranked by HUD from 1-10, with one (1) being the areas with the lowest foreclosure and abandonment risk, and with ten (10) being the areas with the highest foreclosure and abandonment risk.

Clayton County has determined that all Census Tracts/Block Groups with foreclosure and abandonment risk scores of eight (8) and higher are included as "areas of greatest need." These Census Tracts/Block Groups are presented in the Table 1, Page 2, and are depicted graphically on Map 1, Page 5 of this document.

TABLE 1

Census Tract	Census Block Group	HUD Estimated foreclosure abandonment risk score
040201	1	10
040201	2	10
040202	1	10
040202	9	10
040202	9	10
040301	1	10
040301	1	10
040302	1	10
040302	1	10
040302	2	10
040302	3	10
040302	4	10
040302	4	10
040303	1	10
040303	1	10
040303	2	10
040303	2	10
040303	3	10
040303	3	10
040303	4	10
040303	5	10
040303	6	10
040303	6	10
040304	1	10
040304	1	10
040304	2	10
040304	3	10
040305	1	10
040305	1	10
040305	2	10
040305	2	10
040305	3	10
040305	3	10
040405	1	10
040405	1	10
040405	2	10
040405	3	10
040406	1	10
040406	1	10
040406	2	10
040406	9	10
040407	1	10
040407	2	10

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Census Tract	Census Block Group	HUD Estimated foreclosure abandonment risk score
040407	2	10
040407	2	10
040409	6	10
040409	7	10
040410	1	10
040410	2	10
040410	2	10
040410	9	10
040410	9	10
040410	9	10
040410	9	10
040413	3	10
040413	4	10
040503	1	10
040503	1	10
040503	3	10
040503	3	10
040503	4	10
040503	4	10
040506	2	10
040506	2	10
040506	3	10
040506	3	10
040506	4	10
040509	1	10
040509	1	10
040509	2	10
040510	1	10
040510	1	10
040510	2	10
040510	2	10
040512	2	10
040512	2	10
040512	3	10
040512	3	10
040514	3	10
040515	1	10
040515	2	10
040515	2	10
040515	3	10
040515	3	10
040516	1	10
040516	1	10
040516	2	10
040517	1	10
040517	2	10
040517	3	10

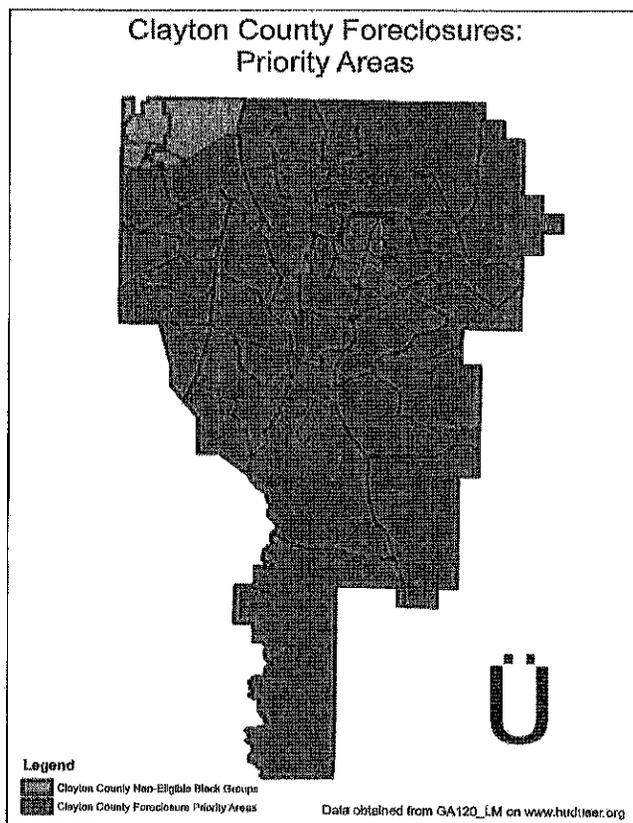
Clayton County, Georgia – NSP Substantial Amendment – Action Plan 2008

Census Tract	Census Block Group	HUD Estimated foreclosure abandonment risk score
040518	1	10
040518	2	10
040606	1	10
040606	1	10
040606	1	10
040606	1	10
040607	1	10
040607	1	10
040607	2	10
040607	2	10
040607	3	10
040607	3	10
040607	3	10
040610	1	10
040610	2	10
040610	3	10
040611	5	10
040611	5	10
040611	6	10
040612	2	10
040612	2	10
040612	3	10
040612	3	10
040612	4	10
040612	4	10
040613	2	10
040613	2	10
040613	3	10
040613	3	10
040408	2	9
040408	2	9
040408	3	9
040408	4	9
040408	4	9
040411	4	9
040411	4	9
040411	5	9
040411	5	9
040412	1	9
040412	2	9
040412	3	9
040511	1	9
040511	2	9
040513	4	9
040513	5	9
040513	6	9
040513	6	9
040608	1	9
040608	1	9

Clayton County, Georgia – NSP Substantial Amendment – Action Plan 2008

Census Tract	Census Block Group	HUD Estimated foreclosure abandonment risk score
040608	1	9
040609	1	9
040609	1	9
040609	2	9
040609	3	9
040614	4	8
040614	5	8

Map 1



Substantial Amendment Map

**B. DISTRIBUTION AND USES OF FUNDS**

Provide a narrative describing how the distribution and uses of the grantee's NSP funds will meet the requirements of Section 2301(c)(2) of HERA, and how funding will be distributed to the areas of greatest need, including those with the greatest percentage of home foreclosures, with the highest percentage of homes financed by a subprime mortgage related loan, and identified by the grantee as likely to face a significant rise in the rate of home foreclosures. *Note:* The grantee's narrative must address these three stipulated need categories in the NSP statute, but the grantee may also consider other need categories.

**Response:**

Since 2005, Clayton County has been one of the counties in Georgia with the highest numbers and the highest percentages of foreclosures of single-family, owner-occupied housing. Due to the large number of foreclosures in Clayton County, and the concomitant negative impact on the neighborhoods in which these structures are located, the County will utilize its NSP funds for the following activities:

**Activity 1 – Financial Mechanisms**

Clayton County will also use NSP funds to assist buyers in the purchase of homes using Financial Mechanisms. Mortgage assistance will be provided to homebuyers purchasing homes through NSP. Some funds for this activity will come from NSP funds, but funds through the HOME Investment Partnership have also been secured for this activity.

Mortgage assistance will be provided through a secured note and deed through a zero percent (0%) deferred loan and will have an affordability period based on amount received, 5-years < \$15,000, 10-years < \$15,000 – \$40, 000.

**Activity 2 – Purchase and Rehabilitate Homes and Residential Properties**

Clayton County will use NSP grant funds and NSP Program Income to purchase and rehabilitate foreclosed single-family housing [detached housing and fee-simple townhomes], as necessary to comply with the Clayton County NSP Rehabilitation Standards. Clayton County has adopted as its NSP Program Property Standards, the Georgia Uniform Code Act [ICC Building Code, National Electrical Code, etc.], as implemented through the Clayton County Housing Rehabilitation Standards.

The foreclosed homes purchased must be located in the Census Tracts/Block Groups designated by Clayton County as “areas of greatest need” using the HUD-supplied foreclosure and abandonment risk data.

This targeting strategy for the Clayton County NSP will ensure that the NSP funds are distributed to the areas of greatest need, including those with the greatest percentage of home foreclosures, with the highest percentage of homes financed by a subprime mortgage related loan, and identified by Clayton County as likely to face a significant rise in the rate of home foreclosures.

The rehabilitated homes will be sold to homebuyers whose total household incomes do not exceed 120% of the Area Median Income (AMI) for Clayton County.

At least 25% of the funding expended for the acquisition/rehabilitation of these homes will be limited to homes sold to persons whose total household incomes do not exceed 50% of the Area Median Income (AMI).

**Activity 3 – Demolish Blighted Properties**

Clayton County NSP will search for blighted properties in the areas of greatest need in order to demolish and then redevelop the properties for an NSP eligible use. Clayton County NSP will work with the Clayton County Code Enforcement to identify blighted properties that need to be demolished.

**Activity 4 – Redevelop Demolished or Vacant Properties**

Clayton County NSP will locate vacant lots or demolished properties in the areas of greatest need in order to redevelop the properties for an NSP eligible use.

**C. Definitions and Descriptions**

(1) Definition of “blighted structure” in context of state or local law.

**Response:**

The Clayton County Code of Ordinances does not use the term “blighted structure,” but does address “Unsafe Buildings” under Article III Sections 18-35. Clayton County will use this “Unsafe Buildings” section from its Code of Ordinances as its “blighted structure” definition for the NSP:

**Article III. Sec. 18-35. Unsafe buildings or systems**

All buildings, structures, electrical, gas, mechanical, or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, as determined by the county official are considered unsafe buildings or service systems. All such unsafe buildings, structures, or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the unsafe building abatement code. (*Ord. No. 2010-122, § 1(18-3.5), 6-8-10*)

This definition applies to residential and commercial properties.

(2) Definition of “affordable rents.” *Note:* Grantees may use the definition they have adopted for their CDBG program but should review their existing definition to ensure compliance with NSP program – specific requirements such as continued affordability.

**Response:**

Affordable Rents Definition: For the purposes of the NSP, Clayton County defines Affordable Rents as the Fair Market Rents published annually by HUD for the Housing Choice Voucher Program.

(3) Describe how the grantee will ensure continued affordability for NSP assisted housing.

**Response:**

Clayton County will ensure the continued affordability of NSP assisted housing by incorporating the use of Promissory Notes and Deeds to Secure Debt, which contain recapture clauses and the use of shared-equity agreements.

Loans to Developers/Asset Management Teams

The County will make loans at zero percent (0%) interest from the NSP grant and/or Program Income funds to developers/asset management teams, which will purchase and rehabilitate foreclosed, single-family housing located in Clayton County's designated areas of greatest need. Promissory notes and deeds to secure debt will be used for these loans to developers/asset management entities to protect the affordability of the properties.

Loans to Homebuyers

Homebuyers who purchase homes which have been purchased/rehabilitated with NSP grant or Program Income funds from developers/asset management entities, may receive "soft second" loans from the Clayton County NSP for mortgage assistance. Funds for these loans will be from HOME Investment Partnership funds or from NSP funds.

The amount of the "soft second" for each homebuyer will be determined by the family income category and/or special targeted buyer provisions. Promissory notes and deeds will secure the NSP homebuyer loans, which specify the amount of the investment of NSP or HOME funds. The 0% Mortgage Assistance loans do not require repayment unless homes are sold before the end of the affordability period. The affordability period is the same as the HOME requirements for either loan. (Five years if loan is under \$15,000, and ten years if between \$15,000 and \$40,000.) If the home is sold before the end of the affordability period, and there are sufficient proceeds from the sale, the loan amount is repaid to Clayton County Neighborhood Stabilization Program as Program Income.

(4) Describe housing rehabilitation standards that will apply to NSP assisted activities.

**Response:**

Clayton County will use as its NSP Rehabilitation Standards the Georgia Uniform Code Act [ICC building Code, National Electrical Code, etc.], as implemented through the Clayton County Housing Rehabilitation Standards.

***D. LOW INCOME TARGETING***

Identify the estimated amount of funds appropriated or otherwise made available under the NSP to be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals or families whose incomes do not exceed 50% of area median income. *Note:* At least 25% of funds must be used for housing individuals and families whose incomes do not exceed 50% of area median income.

**Response:**

Clayton County will use 25% of its NSP allocation [at least \$2,433,031.50] plus 25% of any program income received to purchase and redevelop abandoned or foreclosed upon homes or residential properties, which will house individuals or families whose incomes do not exceed 50% of area median income.

**Table 2  
NSP Maximum Income Limits – Clayton County, Georgia**

Household Size 2013								
% AMI	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
50%	\$23,250	\$26,550	\$29,850	\$33,150	\$35,850	\$38,500	\$41,150	\$43,800
80%	\$37,150	\$42,450	\$47,750	\$53,050	\$57,300	\$61,550	\$65,800	\$70,050
120%	\$55,700	\$63,650	\$71,600	\$79,550	\$85,900	\$92,300	\$98,650	\$105,000

**E. ACQUISITIONS & RELOCATION**

Indicate whether grantee intends to demolish or convert any low- and moderate-income dwelling units (i.e., ≤ 80% of area median income).

If so, include:

- The number of low- and moderate-income dwelling units—i.e., ≤ 80% of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities.
- The number of NSP affordable housing units made available to low-, moderate-, and middle-income households—i.e., ≤ 120% of area median income—reasonably expected to be produced by activity and income level as provided for in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion).
- The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 % of area median income.

**Response:**

Clayton County expects to convert and demolish approximately ten (10) low- and moderate-income dwelling units (i.e., ≤ 80% of area median income).

Affordable housing constructed to replace the demolished units will be:

2 Housing units expected to be made available to households ≤ 120% of area median income.

4 Housing units expected to be made available to households  $\leq$  80% of area median income

4 Housing units made available to households  $\leq$  50% of area median income.

***F. PUBLIC COMMENT***

Provide a summary of public comments received to the proposed NSP Substantial Amendment.

**Response:**

The amendment and notice of the public hearing and time line for public comment was posted on the County website and the NSP website on May 15, 2013. An advertisement for the public hearing and public comment period was published in the Clayton News Daily on May 15, 2013. All comments received during the 15-day public comment period and at the public hearing will be included in the documentation submitted to HUD. A public hearing was held on May 30, 2013.

**G. NSP INFORMATION BY ACTIVITY**

**Activity #1: Financial Mechanisms**

(1) Activity Name: Financial Mechanisms

(2) Activity Type

NSP Eligible Use:

Make available financial mechanisms that facilitate the purchase and redevelopment of foreclosed upon homes and residential properties to include soft seconds, mortgage assistance.

CDBG Eligible Use:

Direct Homeownership Assistance [24 CFR 570.201]  
Activity delivery costs for eligible activities defined in 24 CFR 570.206

(3) National Objective:

Activity benefit is 100% for low-, moderate-, and middle-income persons below 120% of area median income as defined by NSP regulations.

(4) Projected Start Date: January 1, 2009

(5) Projected End Date: July 30, 2017

(6) Responsible Organization:

Clayton County Community Development Department  
HUD Programs Division  
1671 Adamson Parkway  
Morrow, GA 30260  
Patrick Ejike, Director

NSP Manager: Carol Seaton  
Telephone: (770) 477-4512  
FAX: (770)210-5215  
Email: carol.seaton@co.clayton.ga.us

(7) Location Description:

Clayton County will focus this activity in the Census Tract/Block Groups, which HUD identified as high foreclosure and high risk for foreclosure areas/areas of greatest need. These areas encompass nearly the entire county (see map on page 5).

(8) Activity Description:

All homes assisted with NSP funds or NSP program income will be offered for sale to NSP-eligible households at affordable prices and affordable fixed rate primary mortgages. NSP financed “soft second” loans and/or mortgage assistance will also be provided through NSP funding or HOME funding. Mortgage assistance will be provided through a secured note and deed through a zero percent (0%) deferred loan and will have an affordability period based on amount received, 5-years < \$15, 000, 10-years < \$15,000 – \$40, 000.

Budget: Financial Mechanisms

Total Estimated NSP funding - \$36,000

Additional funding for this activity has been allocated from HOME Investment Partnership funds. Since 2010, over \$500,000 of HOME funds have been used for mortgage assistance for homebuyers.

**Activity #2. Purchase and Rehabilitate Homes and Residential Properties**

(1) Activity Name: Purchase/Rehabilitate Foreclosed Homes and Residential Properties

(2) Activity Type: (include NSP eligible use & CDBG eligible activity)

NSP Eligible Use:

a) Purchase and Rehabilitation

Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties. [HERA, Sec 2301(c)(3)(B)] – NSP Type B

b) CDBG Eligible Use

Acquisition [24 CFR 570.201(a)]

Disposition [24 CFR 570.201(b)]

Rehabilitation [24 CFR 570.202]

Direct Homeownership Assistance [24 CFR 570.201]

Activity delivery costs for eligible activities defined in 24 CFR 570.206.

(3) National Objective: Must be a national objective benefiting low-, moderate-, and middle-income persons, as defined in the NSP Notice—i.e.,  $\leq 120\%$  of area median income.

(4) Projected Start Date: January 1, 2009

(5) Projected End Date: July 30, 2017

(6) Responsible Organization:

Clayton County Community Development Department  
HUD Programs Division  
1671 Adamson Parkway  
Morrow, GA 30260  
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(7) Location Description:

Clayton County will focus the activity in the Census Tracts/Block Groups, which were identified by HUD as possessing a high risk for foreclosure or abandonment. (See Page 1, Item A, and Table 1, Page 2, and Map 1, Page 5.)

(8) Activity Description:

The Clayton County designated “areas of greatest need” [see Table 1, Page 2, and see Map 1, Page 5] represent the Census Tracts/Block Groups with the highest number of foreclosures, highest numbers of subprime loans, and have the greatest risk of foreclosure and abandonment.

All single-family homes assisted with NSP funds or NSP Program Income will be offered for sale to NSP-eligible households at affordable purchase prices, with affordable fixed rate primary mortgages, and with potential NSP financed “soft second” mortgage assistance loans provided from grant or Program Income funds from NSP or from the HOME Program [as determined by the household incomes of the homebuyers]. Mortgage assistance will be provided through a secured note and deed through a 0% deferred loan and will have an affordability period based on amount received, 5 years < 15, 000, 10 years < 15,000 – 40, 000.

Tenure of beneficiaries will be homeownership but if houses cannot be sold within a reasonable period, rental opportunities may be offered out of necessity.

Multi-family properties may also be purchased and rehabilitated, with stipulations about the number of units set aside for low- and moderate- income families, based on the percentage of NSP funds used in the project.

Through its grants management and oversight processes, Clayton County will ensure that at least 25% of the NSP funds expended will provide homeownership opportunities to homebuyers with incomes ≤50% AMI.

This activity will provide homeownership as follows:

Sale to NSP-eligible homebuyers [incomes between 81% & 120% AMI]	35 units
Sale to NSP-eligible homebuyers [incomes between 51% & 80% AMI]	175 units
Sale to NSP-eligible homebuyers [incomes ≤50% AMI]	<u>90 units</u>
Total Units – NSP [Acquire/Rehab/Sell]	300 units

For housing related activities, include:

- Tenure of beneficiaries--rental or homeownership;  
**Response:** Homeownership only, no rental of single-family homes, rental of multi-family
- Duration or term of assistance;  
**Response:** Mortgage assistance (term based on amount)
- A description of how the design of the activity will ensure continued affordability.  
**Response:** Mortgage assistance will be secured by Promissory Notes and Deeds to Secure Debt which will require repayment of the NSP grant or Program Income funds if the properties are sold or ownership transferred during the affordability loan term.

Any multi-family complexes purchased and rehabilitated will be sold with restrictions on the number of units to be rented for low and moderate-income families and the affordability period required.

For acquisition activities, include:

- Discount rate  
**Response:** Minimum 1% less than the appraised value on the purchase of any residential properties.

For financing activities, include:

- Range of interest rates  
**Response:** NSP “soft second” Mortgage Assistance loans to homebuyers will be made at 0% interest.

Budget: Purchase and Rehabilitation

Total Estimated Expenses from Grant and  
Program Income during the life of the program: \$22,949,702

**Activity # 3 Demolish Blighted Structures**

- (1) Activity Name: Demolish Blighted Structures
- (2) Activity Type: (include NSP eligible use & CDBG eligible activity)

NSP Eligible Use:

- a) Clearance for blighted structures only Redevelop demolished or vacant properties

Demolish blighted homes, residential properties, or commercial (blighted as defined by state or local law.) [HERA, Sec 2301(c)(3)(B)] – NSP Type D]

- b) CDBG Eligible Use

Disposition [24 CFR 570.201(d)]

- (3) National Objective: Must be a national objective benefiting low-, moderate-, and middle-income persons, as defined in the NSP Notice—i.e., ≤ 120% of area median income.
- (4) Projected Start Date: July 1, 2013
- (5) Projected End Date: July 30, 2017
- (6) Responsible Organization:

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HUD Programs Division  
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(7) Location Description:

Clayton County will focus the activity in the Census Tracts/Block Groups, which were identified by HUD as possessing a high risk for foreclosure or abandonment. (See Page 1, Item A, and Table 1, Page 2, and Map 1, Page 5.)

(8) Activity Description:

The Clayton County designated “areas of greatest need” [see Table 1, Page 2, and see Map 1, Page 5] represent the Census Tracts/Block Groups with the highest number of foreclosures, highest numbers of subprime loans, and have the greatest risk of foreclosure and abandonment.

Clayton County NSP will search for blighted properties in the areas of greatest need in order to demolish and then redevelop the properties for an NSP eligible use. Clayton County NSP will work with the Clayton County Code Enforcement to identify blighted properties that need to be demolished.

Budget for Demolition: \$973,212  
(Maximum of 10% of Grant Funds)

**Activity # 4 Redevelop Demolished or Vacant Properties**

- (1) Activity Name: Redevelop demolished or vacant properties
- (2) Activity Type: (include NSP eligible use & CDBG eligible activity)

NSP Eligible Use:

c) Redevelop demolished or vacant properties

Redevelop demolished or vacant properties in order to sell or rent such homes and properties.  
[HERA, Sec 2301(c)(3)(B)] – NSP Type E]

d) CDBG Eligible Use

Acquisition [24 CFR 570.201(a)]

Disposition [24 CFR 570.201(b)]

Rehabilitation [24 CFR 570.202]

Activity delivery costs for eligible activities defined in 24 CFR 570.206.

(3) National Objective: Must be a national objective benefiting low-, moderate-, and middle-income persons, as defined in the NSP Notice—i.e., ≤ 120% of area median income.

(4) Projected Start Date: July 1, 2013

(5) Projected End Date: July 30, 2017

(6) Responsible Organization:

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(7) Location Description:

Clayton County will focus the activity in Census Tracts/Block Groups, which were identified by HUD as possessing a high risk for foreclosure or abandonment. (See Page 1, Item A, and Table 1, Page 2, and Map 1, Page 5.)

(8) Activity Description:

The Clayton County designated “areas of greatest need” [see Table 1, Page 2, and see Map 1, Page 5] represent the Census Tracts/Block Groups with the highest number of foreclosures, highest numbers of subprime loans, and have the greatest risk of foreclosure and abandonment.

Clayton County NSP will locate vacant lots or demolished properties in the areas of greatest need in order to redevelop the properties for an NSP eligible use. Residential properties will be redeveloped as residential properties for sale or rent.

Budget for Redevelopment:

Grant Funds and estimated Program Income: \$1,000,000

Clayton County, Georgia – NSP Substantial Amendment – Action Plan 2008

I. Total Budget: (Include public and private components)

**Response:**

Total Estimated Budget (2009- 2017)

Projected Activity Revenue:

NSP Grant Funds (for program and administration)	\$9,732,126
Estimated Program Income	<u>\$18,000,000</u>
<b>Total</b>	<b>\$27,732,126</b>

Project Activity Expenditures:

Financial Mechanisms	\$36,000
Purchase/rehab	\$22,949,702
Demolition (10% grant maximum)	\$973,212
Redevelop demolished or vacant lots	\$1,000,000
NSP Grant funds for administration	\$973,212
Administration Expenses allowable from Program Income	<u>\$1,800,000</u>
<b>Total</b>	<b>\$27,732,126</b>

**\*Note:** 25% of NSP grant funds [\$2,433,013.50] plus 25% of estimated Program Income [\$4,500,000] will be expended to assist families with total household income which does not exceed 50% of Area Median Income.

Administration Budget

Program Adm. Costs [10% of NSP Grant – 5 Year Budget]	\$ 973,212
Program Adm. Costs [10% of Est. Program Income– 5 Year Budget]	<u>\$ 1,800,000</u>
Total Activity Administration Budget Allowable [5 Year Budget]	\$ 2,773,212

**J. Performance Measures** (e.g., units of housing to be acquired, rehabilitated, or demolished for the income levels of households that are 50 percent (50%) of area median income and below, 51-80 percent, and 81-120 percent):

**Response:**

Activity # 1 – Financial Mechanisms

Households (50% or under AMI)	1
Households (51%-80% AMI)	5
Households (81%-120% AMI)	3
Total Households	9

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Activity #2 – Purchase and Rehabilitation

Acquisition/rehab of Foreclosed Single-Family Homes: 300 units

Sale of Acquired/Rehabilitated Foreclosed Single-Family Homes to Eligible homebuyers:

Family income between 81% & 120% AMI	35 units
Family income between 51% & 80% AMI	175 units
Family income less than 50% AMI	<u>90 units</u>
Total Units – NSP [Acquire/Rehab/Sell]	300 units

Activity #3 – Demolish Blighted Structures

Commercial Properties	5
Homes or Residential Properties:	
Households (50% or under AMI)	6
Households (51%-80% AMI)	8
Households (81%-120% AMI)	<u>2</u>
Total Households	16

Activity #4 – Redevelop Demolished or Vacant Properties

Redevelop demolished or vacant properties	10
Redeveloped units:	
Households (50% or under AMI)	4
Households (51%-80% AMI)	4
Households (81%-120% AMI)	<u>2</u>
Total Units Redeveloped	10

CERTIFICATIONS

(1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-lobbying.** The jurisdiction will comply with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

- (3) **Authority of Jurisdiction.** The jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.
- (4) **Consistency with Plan.** The housing activities to be undertaken with NSP funds are consistent with its consolidated plan, which means that NSP funds will be used to meet the congressionally identified needs of abandoned and foreclosed homes in the targeted area set forth in the grantee's substantial amendment.
- (5) **Acquisition and relocation.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the Notice for the NSP program published by HUD.
- (6) **Section 3.** The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- (7) **Citizen Participation.** The jurisdiction is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.
- (8) **Following Plan.** The jurisdiction is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.
- (9) **Use of funds in 18 months.** The jurisdiction will comply with Title III of Division B of the Housing and Economic Recovery Act of 2008 by using, as defined in the NSP Notice, all of its grant funds within 18 months of receipt of the grant.
- (10) **Use NSP funds  $\leq$  120 of AMI.** The jurisdiction will comply with the requirement that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120% of area median income.
- (11) **Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.
- (12) **Excessive Force.** The jurisdiction certifies that it has adopted and is enforcing: (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and (2) a policy of enforcing applicable State and local

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laws against physically barring entrance to or exit from, a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

(13) **Compliance with anti-discrimination laws.** The NSP grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(14) **Compliance with lead-based paint procedures.** The activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(15) **Compliance with laws.** The jurisdiction will comply with applicable laws.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

Chairman, Board of Commissioners  
Title

PUBLIC COMMENTS:

Any public comments received during the 15 day comment period will be added here.