



**NOTICE OF FUNDING AVAILABILITY
FOR
NEIGHBORHOOD STABILIZATION PROGRAM
(NSP1 and NSP 3) FUNDED ACTIVITIES**

Issue Date July 25, 2021

Virtual Pre-Submission Workshop Mon., Aug. 2, 2021, 2 PM

SUBMISSION DEADLINE Friday, August 27, 2021, 12:00 PM

In accordance with the Americans with Disabilities Act and Florida Statutes Section 286.26, persons with disabilities needing special accommodations to participate in the NOFA process or Pre-Submission Workshop should contact 954-357-4900 at least 2 business days before any pertinent date or deadline.

Translation services available upon request. Servicios de traducción pueden ser disponibles bajo petición.

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AGENCY COVER LETTER - Applicant Agency Information			
Applicant Agency Legal Name			
Main Administrative Address			
City, State, Zip			
Telephone		Fax	
Email		Website	
CEO/Executive Officer		CEO Phone	
Chief Financial Officer		CFO Phone	
Contact Person		Contact Phone	
Contact's Email			
Entity type (check all that apply) <input type="checkbox"/> Private Non-Profit <input type="checkbox"/> CHDO			
Units of Government: <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> County <input type="checkbox"/> City <input type="checkbox"/> Other (describe)			
Attach as Exhibit "B" a Certificate of Incorporation or of Limited Partnership from the Florida Secretary of State, or a printout from www.sunbiz.org , dated within twelve months of the Proposal due date, stating that the Applicant Agency is active. Failure to include this document will result in a FATAL FLAW and automatically remove the Proposal from further review (N/A for government units).			
Licensed to do business in		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A (for government units)	
Florida			
Federal Identification No.			
DUNS Number			
Certification of Accuracy and Compliance			
I do hereby certify that all facts, figures, and representations made in the Application/Proposal are true and correct. Furthermore, all applicable statutes, terms, conditions, regulations, and procedures for program compliance and fiscal control, including but not limited to those contained in the Proposal Solicitation and Core Contract will be implemented to ensure proper accountability of contracts. The filing of this Application/Proposal has been authorized by the contracting entity and I have been duly authorized to act as the representative of the agency in connection with this Application/Proposal. I also agree to follow all terms, conditions, and applicable federal and state statutes.			
_____		_____	
Print Authorized Official Name		Authorized Official's Signature	
_____		_____	
Authorized Official Title		Date	

APPLICATION PROCESS TIMELINE

PHASE ONE – Application Window and Technical Assistance Opportunity

- | | |
|--|---|
| a. NOFA Advertisement Date | July 25, 2021 |
| b. Cone of Silence | July 25, 2021, until BOCC approves Evaluation Committee recommendations |
| c. Virtual pre-submittal public workshop
Join at www.broward.org/housing | Monday, August 2, 2021, 2:00 PM |
| d. Technical Assistance/Questions | July 25 – August 20, 2021, at 5:00 PM |
| e. Deadline for Submission of Application
(1 original and 4 copies) | Friday, August 27, 2021, 12:00 PM |

PHASE TWO – Review and Evaluation Process of Applications

- | | |
|--|--------------------------------------|
| a. Evaluation of Qualifications, Fatal Flaw Review | August 30 – Sept. 1, 2021 |
| b. Evaluation Committee Meeting | Thursday, Sept. 2, 2021, 2:00 PM |
| c. Appeal Period | Sept. 2 – Sept. 8, 2021, 5:00 PM |
| d. Appeal Response, if applicable | On or before Sept. 10, 2021, 5:00 PM |
| e. Tentative Date for Board of County Commissioners Approval of Evaluation Committee Recommendations | October/November, 2021 |

PHASE THREE – Tentative Agreement Contracting Process

October/November 2021

PURPOSE OF SOLICITATION:

Broward County Housing Finance and Community Redevelopment Division (HFCRD) announces available NSP1 and NSP3 funds for qualified nonprofit agencies, experienced with NSP funded projects, to identify, acquire and rehabilitate, as needed, foreclosed, abandoned or distressed residential properties, located in certain Broward County census tracts. These foreclosed property projects may also include demolition with new construction of single family or multi-family housing units. This initiative is funded with Neighborhood Stabilization Program (NSP) 1, NSP3 and program income generated from NSP activities. Acquired properties will be for homeownership for households at or below 120% Area Median Income (AMI) or rentals for households at or below 80% AMI. All elements must meet NSP guidelines as established in the HERA regulations of 2008, which may be periodically updated at "NSP Laws, Regulations, and Federal Register Notices", found at: www.hudexchange.info/programs/nsp.

Areas where eligible property are located are listed on Exhibit "III" and can be confirmed by going to the link [NSP Parcel Eligibility Confirmation \(arcgis.com\)](http://NSPParcelEligibilityConfirmation(arcgis.com). The eligible areas may also be accessed by typing into a browser: <https://bit.ly/3xC9cPd>. Only addresses within the designated eligible areas will appear in your search; ineligible addresses will not be recognized.

Middle Income:

U.S. HUD established a new income category under the NSP Federal Register notice. "Middle Income" under NSP refers to those households making more that 80% AMI for the area as adjusted for family size, but no more than 120% AMI. AMI is Area Median Income. US HUD determines income eligibility under NSP as a percentage of the entitlement's AMI, adjusted for family size.

NSP redefines and supersedes the definition of "low- and moderate-income" of the CDBG program by allowing households whose incomes exceed 80% but are no greater than 120% of area median income to qualify for NSP funds. HUD will refer to this new income group as "middle income," but continue to use the CDBG definitions of "low-income" and "moderate-income." HUD will use the term "low-, moderate- and middle-income" (LMMI) to refer to the national objective of the program.

Broward County NSP Income Eligibility Chart (FY2021)

AMI	HOUSEHOLD SIZE							
	1	2	3	4	5	6	7	8
50%	\$30,800	\$35,200	\$39,600	\$44,000	\$47,550	\$51,050	\$54,600	\$58,100
80%	\$49,300	\$56,350	\$63,400	\$70,400	\$76,050	\$81,700	\$87,300	\$92,950
120%	\$73,920	\$84,480	\$95,040	\$105,600	\$114,120	\$122,520	\$131,040	\$139,440

VIRTUAL PRE-SUBMITTAL PUBLIC WORKSHOP: Broward County HFCRD will convene a virtual pre-submittal public workshop on Monday, Aug. 2, 2021, at 2:00 PM. To join the workshop click on www.broward.org/housing. Participation at this virtual pre-submittal workshop is STRONGLY encouraged for all NOFA respondents, but not required.

TECHNICAL ASSISTANCE/QUESTIONS: Technical assistance questions must be submitted via email to suweiss@broward.org or at the virtual public hearing. All questions and the County's response

will be posted to the Division website (<http://www.broward.org/housing>). The technical assistance window began when the NOFA was issued and will close on Friday, August 20, 2021, at 5:00 PM, after which HFCRD will no longer respond to any requests for technical assistance under this NOFA.

Available NSP Funding and Eligible Projects

Type of NSP Project	Eligible Applicant Agencies	Project Description	Program Rules & Guidelines*
<p><u>ACTIVITY A</u> Foreclosure Acquisition, Rehabilitation, and resale of Single-Family Scattered Sites</p>	<p>Not-for-profit organizations with prior, local NSP experience; units of government</p>	<p>Acquisition, rehabilitation, and resale of abandoned or foreclosed upon single family homes to middle (120% AMI), moderate (80% AMI), and low (50% AMI) income households, providing an affordability period of 15 years. Program income will be returned to the County.</p>	<p>Eligible Activities: HERA Section 2301(c) Federal Register Notice 48165, 9/12/2019 “Notice of NSP; Changes to Closeout Requirements”</p>
<p><u>ACTIVITY B</u> Foreclosure Acquisition, Rehabilitation, and rental of Single-Family Scattered Sites</p>	<p>Not-for-profit organizations with prior, local NSP experience; units of government</p>	<p>Acquisition and rehabilitation of abandoned or foreclosed upon single family homes to be rented to households with income at or below 80% AMI, for an affordability period of 15 years. At the end of the affordability period, asset may be retained by agency.</p>	<p>Eligible Activities: HERA Section 2301(c) Federal Register Notice 48165, 9/12/2019 “Notice of NSP; Changes to Closeout Requirements”</p>
<p><u>ACTIVITY C</u> Foreclosure Acquisition, Rehabilitation of Multifamily Rental</p>	<p>Not-for-profit organizations with prior local NSP experience; units of government</p>	<p>Acquisition and rehabilitation of abandoned or foreclosed upon rental housing units, to be rented to households with income at or below 80% AMI, for an affordability period of 30 years. At the end of the affordability period, asset may be retained by agency.</p>	<p>Eligible Activities: HERA Section 2301(c) Federal Register Notice 48165, 9/12/2019 “Notice of NSP; Changes to Closeout Requirements”</p>
<p>TOTAL AVAILABLE FUNDING UNDER THIS NOFA:</p>			<p>\$1,200,000</p>

For all three activities, the purchase price of property (asset) acquisition must be discounted a minimum of 1% from current market value, value as determined by an appraisal performed within 60 days of acquisition.

ACTIVITY A-the sales price to the end buyer/purchaser may not exceed the total project costs or the “as improved” appraised value, whichever is less.

Purchaser may obtain Homebuyer Purchase Assistance (HPA) funds from Broward County up to \$40,000, as a 15 year, zero interest, deferred payment forgivable second mortgage.

ACTIVITY B-rental shall be to households at or below 80% AMI throughout the affordability period. A declaration of restrictive covenant with a 15 year affordability period will be recorded on the property; the County will monitor compliance throughout the affordability period. At the end of the affordability period, the asset may be retained by the agency.

ACTIVITY C-rental shall be to households at or below 80% AMI throughout the affordability period. A declaration of restrictive covenant with a 30 year affordability period will be recorded on the property; the County will monitor compliance throughout the affordability period. At the end of the affordability period, the asset may be retained by the agency.

SELECTION CRITERIA AND RATING CATEGORIES/POINTS: All responses received by the due date and time with no fatal flaws will be rated and scored according to the Rating Matrix (Exhibit IV). Each rating will consist of a financial review and a technical review. The review team may choose to interview applicants. The highest ranking numerical score does not automatically guarantee a funding recommendation. Factors which will be considered include, but are not limited to, past performance of individual agencies, relevant experience, service delivery fee schedule, activity outcome, and qualifications of agency and staff. HFCRD staff will make a recommendation to the County Commission to award a contract.

RATING CATEGORIES (Scoring Matrix Exhibit IV)

1. Organizational capacity: Maximum (Max) 15 points
2. Performance delivery plan: Max 15 points
3. Financial capacity: Max 15 points
4. Experience with NSP funded programs: Max 20 points
5. Experience with federal, state, County, or city funded programs: Max 15 points
6. Site control at application/through contract: 20 points

TOTAL POSSIBLE POINTS: 100

EVALUATION COMMITTEE: Evaluation Committee’s responsibility is to review the submittals to ensure they are following the NOFA requirements, evaluate and rate the submittals using the Rating Categories and Scoring Matrix in order for the HFCRD staff to make a recommendation to the County Commission to award a contract(s). Each Evaluation Committee member appointed to serve on this panel consists of staff members chosen for their breadth of experience, judgment, and interest in the subject matter.

The Evaluation Committee may have a scoring tie. The County reserves the right not to award to any applicant, or to make multiple awards if deemed to be in the best interest of the County.

Information and documents reviewed by the Evaluation Committee as part of the evaluation process will be available for general review on the division website (www.broward.org/housing) the following business day after the Evaluation Committee meeting.

CONFLICT OF INTEREST: In accordance with Broward County policy, “all Evaluation Committee Members shall be free of conflicts of interest”.

APPEALS: All appeals of the Evaluation Committee scoring results must be submitted in writing within five (5) business days of the Evaluation Committee meeting, or no later than Wednesday, Sept. 8, 2021, at 5:00 PM. Appeals are to be in writing and addressed to the Director of Housing Finance and Community Redevelopment Division at the same address as required by the Request for Proposals. All appeals must be based on the evaluation scoring criteria and the applicant must define the basis for the appeal.

APPEAL RESPONSE: The Division Director will evaluate any appeals received and provide a written response no later than Friday, Sept. 10, 2021, at 5:00 PM. The Division Director will not substitute his judgment for that of the Evaluation Committee. The Director will limit his review to the points raised by any applicant in their written appeal. The Division Director’s decision is final and will be reported to the Evaluation Committee and to the Board of County Commission.

CONE OF SILENCE: for this solicitation has been in effect since July 25, 2021, when the Evaluation Committee was appointed, which prohibits the applicants from discussing their projects with the Evaluation Committee Members, the County Commissioners and their staff, County Administrator, Deputy County Administrator, Assistants to the County Administrator, their respective support staff, HFCRD Director and staff, and any other person authorized to evaluate or recommend proposals during this evaluation process. The Cone of Silence will continue to be in effect until project selection is complete and awarded by the Board of County Commissioners or the process is otherwise ended.

DEVELOPER FEES: Developer fees will be paid at the successful completion of the project. Developer fees may not exceed 15% of the project budget.

Other service delivery costs must be included in the budget and stated as flat fees or estimated percentages (such as a real estate sales commission or closing costs estimates). These service delivery costs may include but are not limited to due diligence costs such as appraisal, title searches, environmental review, property inspection services and work specification write up, construction management, maintenance, community outreach, marketing and sales or lease up activity, closing costs, etc.

SECTION 3: The work to be performed under this NOFA is associated with a program funded in whole or in part by the Department of Housing and Urban Development (HUD). All Department of Community Development projects shall uniformly comply with the requirements of Section 3 of the HUD Act of 1968, as amended, 12 U.S.C. 170.

Section 3 is a provision that helps foster local economic development, neighbor-hood economic development, and individual self-sufficiency.

HUD funds represent one of the largest sources of federal dollars in communities and the expenditure of these funds typically results in new contracting and employment opportunities. The Section 3 requirements ensure that when new jobs or contracts are created as a result of the usage of certain HUD funds, priority consideration is given to low- and very low-income persons residing in the community in which the funds are spent and to the businesses that are owned by or substantially

employ these persons.

Section 3 Residents are:

- 1) Public housing residents; or
- 2) Low and very low-income persons who live in an area where a HUD-assisted project is located.

Section 3 Business is a business that meets one of the following:

- 1) Is 51% or more owned by Section 3 residents, or
- 2) Employs Section 3 residents for at least 30% of its full-time, permanent staff, or
- 3) Provides evidence of a commitment to subcontract 25% or more of the dollar amount of the awarded contract to Section 3 businesses.

Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of the Contract, shall be a condition of the Federal financial assistance provided to the project, binding upon the applicant or recipient, its contractors and subcontractors, its successors, and assignees to those sanctions specified by the grant or loan agreement or contract through which Federal assistance is provided, and to such sanctions as are specified by 24 CFR 135.

Reporting on Section 3 activities will be a requirement of any contract issued in response to this NOFA.

TERMS OF AGREEMENT: The initial term of this contract shall be for two (2) years from the date of the contract, subject to satisfactory performance. Contract may be extended with approval of the Board of County Commissioners and/or County Administrator as determined by satisfactory performance.

INSURANCE REQUIREMENTS: The insurance requirements for the selected agency and property coverage are below. This represents the minimal protection necessary for Broward County as determined by the Risk Management Division. Further modification of the requirements may be made at the sole discretion of the Risk Management Division if circumstances change or adequate protection of Broward County is presented. No agreement will be executed until a written determination is made by Risk Management Division that Broward County is adequately protected. Broward County is to be listed as certificate holder.

Insurance of Subcontractors: The Applicant Agency shall require subcontractors to provide and maintain the appropriate insurance commensurate with the project scope of work requirements as set forth in the agreement. The applicant Agency shall maintain a copy of all subcontractors' proof of required insurance and shall make copies available to the County's Contract Administrator upon request.

Liquidated Damages: HFCRD reserves the right to negotiate and implement liquidated damages applicable to this agreement. The terms and conditions of liquidated damages shall be negotiated prior to agreement execution.

INSURANCE REQUIREMENTS

Project: Use of Neighborhood Stabilization Program (NSP) Funds for the Purchase and Rehabilitation of Foreclosed Property
Agency: Housing Finance and Community Redevelopment Division

TYPE OF INSURANCE	ADDL INSD	SUBR WVD	MINIMUM LIABILITY LIMITS		
				Each Occurrence	Aggregate
GENERAL LIABILITY - Broad form <input checked="" type="checkbox"/> Commercial General Liability <input checked="" type="checkbox"/> Premises-Operations <input checked="" type="checkbox"/> XCU Explosion/Collapse/Underground <input checked="" type="checkbox"/> Products/Completed Operations Hazard <input checked="" type="checkbox"/> Contractual Insurance <input checked="" type="checkbox"/> Broad Form Property Damage <input checked="" type="checkbox"/> Independent Contractors <input checked="" type="checkbox"/> Personal Injury Per Occurrence or Claims-Made: <input checked="" type="checkbox"/> Per Occurrence <input type="checkbox"/> Claims-Made Gen'l Aggregate Limit Applies per: <input type="checkbox"/> Project <input type="checkbox"/> Policy <input type="checkbox"/> Loc. <input type="checkbox"/> Other _____	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Bodily Injury		
			Property Damage		
			Combined Bodily Injury and Property Damage	\$1,000,000	\$2,000,000
			Personal Injury		
			Products & Completed Operations		
AUTO LIABILITY <input checked="" type="checkbox"/> Comprehensive Form <input checked="" type="checkbox"/> Owned <input checked="" type="checkbox"/> Hired <input checked="" type="checkbox"/> Non-owned <input checked="" type="checkbox"/> Any Auto, If applicable <i>Note: May be waived if no driving will be done in performance of services/project.</i>			Bodily Injury (each person)		
			Bodily Injury (each accident)		
			Property Damage		
			Combined Bodily Injury and Property Damage	\$500,000	
<input type="checkbox"/> EXCESS LIABILITY / UMBRELLA Per Occurrence or Claims-Made: <input type="checkbox"/> Per Occurrence <input type="checkbox"/> Claims-Made <i>Note: May be used to supplement minimum liability coverage requirements.</i>					
<input checked="" type="checkbox"/> WORKER'S COMPENSATION <i>Note: U.S. Longshoremen & Harbor Workers' Act & Jones Act is required for any activities on or about navigable water.</i>	N/A	<input checked="" type="checkbox"/>	Each Accident	STATUTORY LIMITS	
<input checked="" type="checkbox"/> EMPLOYER'S LIABILITY			Each Accident	\$500,000	
<input checked="" type="checkbox"/> PROFESSIONAL LIABILITY (ERRORS & OMISSIONS) (During Renovation) All engineering, surveying, and design professionals.	N/A		Each Claim:	\$1,000,000	
			*Maximum Deductible:	\$100,000	
<input checked="" type="checkbox"/> POLLUTION/ENVIRONMENTAL LIABILITY (During Renovation) Required for projects involving Mold Remediation, Asbestos Abatement, Lead Removal, or other Environmental Hazards.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Each Claim:	\$1,000,000	
			*Maximum Deductible:	\$10,000	
<input checked="" type="checkbox"/> Property Insurance including Wind and Flood is required based on the value of total funding obtained from Broward County. <i>Note: Coverage must be "All Risk", Completed Value. Broward County must be listed as a Loss Payee.</i>			*Maximum Deductible:	\$10,000	Completed Value
			CONTRACTOR IS RESPONSIBLE FOR DEDUCTIBLE		
Description of Operations: "Broward County" shall be listed as Certificate Holder and endorsed as an additional insured for liability, except as to Professional Liability. County shall be provided 30 days written notice of cancellation, 10 days' notice of cancellation for non-payment. Contractors insurance shall provide primary coverage and shall not require contribution from the County, self-insurance or otherwise. Any self-insured retention (SIR) higher than the amount permitted in this Agreement must be declared to and approved by County and may require proof of financial ability to meet losses. Contractor is responsible for all coverage deductibles unless otherwise specified in the agreement.					

CERTIFICATE HOLDER:

 Broward County
 115 South Andrews Avenue
 Fort Lauderdale, Florida 33301

Risk Management Division

FATAL FLAW CHECKLIST

Failure to comply with or include any of the required Items listed below that apply to the Applicant Agency's status (Non-Profit, For-Profit, or Unit of Government) will result in a Fatal Flaw and removal of the application from further consideration of approval.

	Required Item	Yes	No	N/A
1.	Signed proposal/application was received by the due date and time.			
2.	Agency cover sheet-this form is page 3 of the NOFA (Certification of Accuracy and Compliance MUST be signed).			
3.	DUNS number is provided on agency cover sheet, as required by the Federal Funding and Transparency Act (FFATA)			
4.	Application/proposal is responsive, addressing the activities for which funds are available.			
5.	Attachment "A" -Financial statements of the applicant agency for the most recently completed fiscal year, or the previous fiscal year if the most recent year ended within 120 days of the application due date (Units of government are exempt and may check N/A).			
6.	Attachment "B" - Certificate of Corporation from the Secretary of State, State of Florida, certified and dated by the Secretary of State within twelve (12) months of the application due date. This certificate must state the applicant agency is active. In the alternative, the applicant agency may submit a printout from www.sunbiz.org , dated within twelve (12) months of the application due date, stating that applicant agency is active. Articles of Incorporation or any similar document does not meet the requirements of this section. (Units of government are exempt and may check N/A).			
7.	Attachment "C" -Non-profit applicants to submit a copy of the IRS determination of their 501(c)3 status. (Units of government are exempt and may check N/A).			

SECTION II

**NOTICE OF FUNDS AVAILABLE
FOR
NEIGHBORHOOD STABILIZATION PROGRAM
(NSP1 and NSP 3) FUNDED ACTIVITIES**

APPLICATION WITH INSTRUCTIONS

Note: Technical assistance is available from July 25, 2021, until Aug. 20, 2021, at 5:00 PM and should be considered prior to submission of your proposal.

NSP PROJECT SUMMARY

Complete the following sections.

Submit one form for each project. Attach additional pages as needed

APPLICANT AGENCY:	
ACTIVITY (check applicable activity; only one activity per application):	
<input type="checkbox"/> Single-Family Housing Acquisition, Redevelopment and Resale	
<input type="checkbox"/> Multi-family Rental Housing Acquisition and Redevelopment	
<u>Category</u>	<u>Budget</u>
Cash	
In-Kind	
Financing	
Other Grants	
Broward County NSP	
TOTAL	
NSP funds as a % of total project funding	
Total NSP funds requested for activity	

APPLICATION CHECKLIST

Submission Deadline: Friday, August 27, 2021, no later than 12:00 PM Noon

Deliver to Broward County Housing Finance & Community Redevelopment Division
110 NE 3rd Street, 3rd Floor
Fort Lauderdale, Florida 33301

***All applications received after August 27, 2021, at 12:00 PM
will be disqualified and returned to applicant***

1. A completed package for each project consists of: Agency Cover Sheet; NSP Application Page, Application narratives, all pertinent attachments.
2. Submit one (1) original, four (4) copies, and one (1) flashdrive in the format and order prepared by the Housing Finance & Community Redevelopment Division (HFCD). All attachments (A-K) listed on Page 2 "Table of Contents" and Page 14 are to be included with the original and flashdrive.
3. Every page must be on 8 ½" x 11" paper, single sided.
4. Number all pages, including attachments.
5. Original application – Do not use staples; may be bound, perforated or in a binder.
6. Application copies – may be stapled, clipped or fastened with rubber bands.
7. Forms/formats from other application funding cycles are prohibited.
8. Each entity must submit a separate application for each proposed activity.
9. All applicants must provide DUNS number, certifications, corporate documents and financial statements pertaining to the applicant organization.
10. Applicants are to provide project financial commitment letters to support budget summaries. Lender commitment letters must not expire prior to award of NSP funds.
11. Applicant must include team members licensed to perform all stated NOFA activities, such as licensed, insured general contractor and a licensed real estate broker.
12. No applications requesting financing of prior debt will be considered.

APPLICATION ATTACHMENTS and DOCUMENTS

Section A. Organizational Attachments

Submit the following attachments as an appendix to the back of the original proposal application and the flashdrive. Include all attachments in the proposal pagination. Failure to include and execute all the applicable applicant certification policy attachments which are identified in this NOFA as Attachments "A" through "L" shall be a fatal flaw and the qualifications response shall be automatically rejected.
A. Financial Statements for the most recently completed fiscal year, or the previous fiscal year if the most recent year ended within 120 days of the application due date, must be included with Application as Attachment "A". Not applicable for units of government.
B. Documentation of Certificate of Corporation must be included as Attachment "B." Not applicable for units of government.
C. IRS determination of 501(c)3 status must be included as Attachment "C." For not-for-profit applicants only.
D. Public Entities Crime Act Affidavit must be included as Attachment "D."
E. Drug Free Workplace Policy must be included as Attachment "E."
F. Section 3 Goal statement must be included as Attachment "F"
G. Americans with Disabilities Act Policy. Sample policy included as Attachment "G."
H. Equal Employment Opportunity/Affirmative Action Policy. Sample included Attachment "H."
I. Organization chart, key staff, and vendors' resumes must be included as Attachment I".
J. Professional licenses (general contractors, real estate brokers, etc.)
K. Occupational license (applicant agency)

Section B – Project Documents

Attach the following documents as an appendix to the back of the original application and flashdrive. Include all documents in the application pagination. The failure to include these documents is not a fatal flaw but may result in the applicant agency not maximizing points and/or a reduction of points.
1. Commitment letter(s) from additional funding sources (Commitments should include all terms and conditions proposed for financing).
2. Commitment letter(s) or other documentation from additional non-cash resources (If applicable)
3. Letters of reference for prior comparable projects (maximum 3 letters for past projects; maximum 3 other letters for past projects utilizing federal, state, local or NSP funds).

RATING CATEGORIES (Scoring Matrix Exhibit IV)

1. Organizational capacity: Max 15 points
2. Performance delivery plan: Max 15 points
3. Financial capacity: Max 15 points
4. Experience with NSP funded programs: Max 20 points
5. Experience with federal, state, County, or city funded programs: Max 15 points
6. Site Control from application through contract: 20 points

Application Narrative

1. ORGANIZATIONAL CAPACITY: Provide a narrative that demonstrates the Applicant's organizational and management capacity to successfully complete the project. Identify and describe key staff, their responsibilities and their functions to be performed on the proposed project. If appropriate, use a flow chart or critical path graph. Include information about technical knowledge and professional qualifications of team members to complete all required steps of an NSP funded project. Include all partners, managers, intermediary organizations, and other professional staff that will perform work and/or services on the project/s.

Include resumes of each individual responsible for each project phase. To effectively complete an NSP-funded project, it is expected that each applicant team will have licensed professionals with the ability to:

- a) Identify, evaluate, and acquire real property
- b) Manage several parcels of real property simultaneously
- c) Conduct housing rehabilitation on severely distressed property, including managing the competitive bid process for contractors, if applicable
- d) Coordinate the marketing and timely sale of single-family housing or the marketing, lease up, and timely stabilization of multi-family rental housing
- e) Describe your marketing and community outreach plan to promote properties to low- and moderate-income populations in the area.
- f) Provide a list of all current NSP, federal, state, local and and/or community development projects your agency administers, with project funding amounts and anticipated completion timetable. Add tables if necessary

2. Performance delivery plan: Describe the outcome(s) of a proposed NSP project your agency would administer.

a. **Project Description:** your plan for acquiring foreclosed properties, rehabilitating the units, identifying and qualifying buyers, and selling the rehabilitated units to income-eligible households; or identifying and qualifying renters and leasing the rehabilitated units to income-eligible households. New Housing Construction must comply with Energy Star Requirements. Housing development or rehabilitation should state number of proposed housing units.

b. **Time Frame:** What is the time frame for start-up and completion after notification of funding award? Indicate what funding commitment is required to provide for timely project start-up.

c. **Street address / Location:** Note that site control and specific project locations are not required at time of application. However, Bonus Points may be awarded for applicants with project site control from application through award of NSP contract.

If applicant has site control of eligible projects for acquisition, attached map, property information sheet and evidence of site control. Provide evidence of Phase 1 – Environmental Assessment for new construction activities.

d. Eligible areas: Consult Exhibit “III” for location of eligible areas for this project.

3. Financial Capacity: In addition to NSP funds, provides detail of the other financial resources your team intends to use to complete each NSP project. Attach lender commitment letters, lines of credit, or other supporting documentation. Note that Applicants may be allocated a draw schedule based upon completion of project stages.

4. Experience with NSP funded programs:

Discuss your experience in the administration of programs/projects using NSP funds. Provide the addresses of NSP funded projects (at least 3 projects preferred), the funding amount, property type (single family or multifamily) and use (acquisition/rehab/resale; acquisition/rehab/rental), general timeframe when the NSP funds were spent, etc.

First NSP Project: _____ Property Type: _____ Use: _____

Project Name/address		Funding Amount	
Contract Period		Balance of funds unspent	
Reference	Name: Organization:	Phone:	Email:

Second NSP Project: _____ Property Type: _____ Use: _____

Project Name/address		Funding Amount	
Contract Period		Balance of funds unspent	
Reference	Name: Organization:	Phone:	Email:

Third NSP Project: _____ Property Type: _____ Use: _____

Project Name /address		Funding Amount	
Contract Period		Balance of funds unspent	
Reference	Name: Organization:	Phone:	Email:

5. Experience with federal, state, county, or municipal funded programs:

A. Discuss your experience in the administration of programs/projects using federal, state, Broward County (or other counties), or municipal funded programs/projects. Provide the addresses of 3 recent projects, the funding amount, property type (single family or multifamily), fund source, general timeframe when the funds expended, etc.

First Project: _____ Property Type: _____ Fund Source: _____

Project Name/address		Funding Amount	
Contract Period		Balance of funds unspent	
Reference	Name: Organization:	Phone:	Email:

Second Project: _____ Property Type: _____ Fund Source: _____

Project Name/address		Funding Amount	
Contract Period		Balance of funds unspent	
Reference	Name: Organization:	Phone:	Email:

Third NSP Project: _____ Property Type: _____ Fund Source: _____

Project Name /address		Funding Amount	
Contract Period		Balance of funds unspent	
Reference	Name: Organization:	Phone:	Email:

B. Provide a list of all current NSP, federal, state, local and and/or community development projects your agency administers. Add tables if necessary

6. Site Control: Provide evidence of site control of the asset to be acquired, through the anticipated date of contract award from Broward County (estimated October 2021).

Certification: Complete the certification below:

If the applicant organization is deemed qualified and selected for funding, the organization agrees to comply with all required federal, state, and local laws and regulations. The organization confirms that it is fully capable of fulfilling the obligations as stated in this proposal and in any attachments or documents included with this application.

As a duly authorized representative of this organization, I submit this application to the Broward County Housing Finance and Community Redevelopment Division and verify that the information herein is true, accurate and complete.

PENALTY FOR FALSE OR FRAUDULENT STATEMENT: U.S. Code Title 18, Section 1001, provides that a fine up to \$10,000 or imprisonment for a period not to exceed 5 years, or both, shall be the penalty for willful misrepresentation and the making of false fictitious statement, knowing same to be false.

Name of Organization:

Type of Organization: Non-profit CHDO Unit of Gov't

Signature

Title

Date

Housing Finance & Community Redevelopment Division
Attachment "A"
FINANCIAL STATEMENTS

Housing Finance & Community Redevelopment Division
Attachment "B"
CERTIFICATE OF CORPORATION

Housing Finance & Community Redevelopment Division
Attachment "C"
IRS Form 501(c)(3)

Housing Finance & Community Redevelopment Division
Attachment "D"
Public Entities Crimes Affidavit

SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

***THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER
AUTHORIZED TO ADMINISTER OATHS.***

1. This sworn statement is submitted with a proposal to Broward County.
2. This sworn statement submitted by _____.
(Name of entity submitting sworn statement)
whose business address is _____
and (if applicable) its Federal Employer Identification Number is _____.
3. My name is _____ and my relationship to the entity named
(Print name of individual signing)
above is _____.
4. I understand that a "public entity crime" as defined in paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(1)(b), Florida Statutes means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.
6. I understand that an "affiliate" as defined in paragraph 287.133(1)(a), Florida Statutes means:
 - a. A predecessor or successor of a person convicted of a public entity crime; or
 - b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of the affiliate. The ownership by one person of shares constituting a controlling interest in another person, or pooling of equipment of income among persons when not for fair market value under an arm's length agreement, shall be prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

I understand that a "person" as defined in paragraph 287.133(1)(e), Florida Statutes means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bids on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of an entity.

Based on information and belief, the statement which I have marked below is true relation to the entity submitting this sworn statement. *(Please circle which statement applies).*

1. Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of the entity, or an affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.
2. The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND *(Please indicate which additional statement applies).*
 - a. There has been proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. *(Please attached a copy of the final order).*
 - b. The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. *(Please attached a copy of the final order).*
 - c. The person or affiliate has not been placed on the convicted vendor list. *(Please describe an action taken by or pending with the Department of General Services).*

_____ (Signature) _____ (Date)

STATE OF FLORIDA
County OF BROWARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20__, by _____, who is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal, this _____ day of _____, 2021.

My commission expires: _____ NOTARY SEAL
Signature of person taking acknowledgment

My commission number: _____ PRINT NAME

Housing Finance & Community Redevelopment Division
Attachment "E"
DRUG FREE WORKPLACE CERTIFICATION

The undersigned Applicant Agency hereby certifies that it will provide a drug-free workplace program by:

- (1) Publishing a statement notifying its employees that unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the offeror's workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- (2) Establish a continuing drug-free awareness program to inform its employees about:
 - (i) The danger of drug abuse in the workplace
 - (ii) The offeror's policy of maintaining a drug-free workplace
 - (iii) Any available drug counseling, rehabilitation, and employee assistance programs, and
 - (iv) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- (3) Giving all employees engaged in performance of a contract a copy of a statement required by subparagraph (1).
- (4) Notifying all employees, in writing, of the statement required by subparagraph (1), that as a condition of employment on a covered contract, the employee shall:
 - (i) Abide by the terms of the statement; and
 - (ii) Notify the employer in writing of the employee's conviction under criminal drug statute for a violation occurring in the workplace no later than 5 calendar days after such conviction.
- (5) Notifying Broward County government in writing within 10 calendar days after receiving under subdivision (4) (ii) above, from an employee or otherwise receiving actual notice of such conviction. The notice shall include the position title of the employee.
- (6) Within 30 calendar days after receiving notice under subparagraph (4) of a conviction, taking one of the following actions with respect to an employee who is convicted of a drug abuse violation occurring in the workplace:
 - (i) Taking appropriate personnel action against such employee, up to and including termination
 - (ii) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose by federal, state, or local health, law enforcement, or other appropriate agency, and

Attachment "E", Drug Free Workplace Certification, **Page 2**

- (7) Making a good faith effort to maintain a drug-free workplace program through implementation of subparagraphs (1) through (6).

(Applicant Agency Signature)

(Print Applicant Agency Name)

STATE OF FLORIDA
County OF BROWARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal, this _____ day of _____, 2021.

My commission expires: _____ NOTARY SEAL
Signature of person taking acknowledgment

My commission number: _____ PRINT NAME

Housing Finance & Community Redevelopment Division
Attachment "F"
SECTION 3 GOAL STATEMENT

APPLICANT'S INITIAL SECTION 3 GOALS

1. The Applicant agrees to comply with Section 3 of the Housing and Urban Development Act of 1968.

2. The Applicant estimates there will be _____ new employees hired during the performance of this contract. Furthermore, should this contract be awarded to the Applicant, the Applicant agrees to delineate work force needs (skilled, semi-skilled, unskilled, labor and trainees) by category.

3. Of these new employees, the Applicant plans to hire at least _____% (_____ percent) from the Section 3 Covered Area (Broward County).

I, _____ {print name}, as an Authorized Officer of the Applicant, do hereby acknowledge that we are aware of the requirements under Section 3 of the Housing and Urban Development Act of 1968 and will abide by them. We further agree to abide by this Affirmative Action Plan to the greatest extent feasible and realize that should we be awarded the contract, HFH or Broward County Community Redevelopment Division will monitor the project to assure compliance with this plan.

Company Name: _____

Business Address: _____

Employer Federal ID#: _____

Signature: _____

Print Name: _____ Date: _____

Applicant Agency: _____

Executive Director: _____
(Signature) (Date)

Sample

AMERICANS WITH DISABILITIES ACT POLICY

This Agency and its employees support through policy, procedure, and action the right of disabled persons, prospective staff and persons served to equal access to services and employment.

APPLICANTS:

This Agency shall make efforts in good faith to arrange "reasonable accommodations" for qualified applicants, providing these accommodations do not create "undue hardship" for the agency.

The process of "reasonable accommodations" will include the following steps: 1) Consultation with the individual by the supervisor or operations director; 2) Identifying barriers in question; 3) Identifying possible accommodations (including assistance from outside authorities or agencies); 4) Assessing reasonableness of accommodations with the final decision from the Executive Director or designee; and 5) Implementing the accommodation or determining that the accommodation would be an "undue hardship".

Should the accommodation create an "undue hardship" for the Agency, the prospective employee will be offered the opportunity to implement the accommodation on their own.

In the event that accommodations: 1) Create "undue hardship" on the agency or the fellow employees; 2) Cannot be accessed through assistance from other authorities or agencies; and 3) Cannot be arranged with the prospective employee, the decision not to hire shall be documented along with records of all efforts made.

Applications for employment shall be completed in wheelchair accessible locations. All relevant compliance posters shall be readily visible in areas with public access. If an individual should need assistance in completing the application, staff shall be available to help with the application process, and any other necessary pre-employment materials.

EMPLOYEES:

In the event an employee develops a disability during the course of employment, modifications to the employee's original position shall be assessed, as well as, a possible job change, or restructuring, providing this does not cause "undue hardship" to the Agency.

In the event that an employee is found to have a substance abuse problem that is affecting their work performance, that employee shall be offered the opportunity to go on a leave of absence until the problem is corrected through immediate and appropriate intervention and therapy, provided the employee seeks such opportunity early in the disciplinary action, and does not commit an offense that is punishable by termination on the first offense.

If an employee requires a leave of absence due to a disability, not associated with work, they may request such leave through procedures outlined in the Agency's leave of absence policies.

If an employee requires leave due to a work-related injury, the rules governing workers compensation shall be followed.

Housing Finance & Community Redevelopment Division
Attachment "G"

Sample

AMERICANS WITH DISABILITIES ACT POLICY, Page 2

The Agency shall comply with the provisions of the Family and Medical Leave Act of 1993.

Name of Applicant Agency: _____

Executive Director: _____
(Signature) (Date)

Sample

EQUAL EMPLOYMENT OPPORTUNITY POLICY

POLICY:

The progress of this Agency requires that we utilize all available staff to the fullest, regardless of race, color, religion, age, sex, sexual orientation, disability, political affiliation or belief, national origin, veteran status or marital status. Unlawful discrimination must be eliminated and individuals with demonstrated talent recognized and encouraged through fair and equitable personnel practices. It is the policy of this Agency to grant equal employment opportunities to all qualified persons without regard to the factors listed above.

This Agency's policy of nondiscrimination includes, but is not limited to, employment advertising, recruiting, employment, placement, promotion, transfer, selection for training, rates of pay, and layoff or termination. All employees are informed of the emphasis on nondiscrimination.

This Agency will comply with all provisions of applicable federal, state, and local equal opportunity laws, orders, rules, and regulations and will cooperate with all agencies established under such laws in guaranteeing compliance.

RESPONSIBILITIES:

The Executive Director is responsible for insuring compliance and adherence to the nondiscrimination policy.

Each supervisor is responsible for using all practical means to implement this policy within his/her department or workgroup.

This Agency shall review, at least annually, the status of this program of expanding and re-emphasizing nondiscrimination.

PROCEDURES:

1. All applications for employment will be printed with the term "Equal Opportunity Employer".
2. All advertisements for recruiting purposes will contain the statement "An Equal Opportunity Employer" at the bottom of the ad.

Name of Agency: _____

Executive Director: _____
(Signature)

(Date)

Housing Finance & Community Redevelopment Division
Attachment "I"
ORGANIZATIONAL CHART, KEY STAFF AND CONSULTANT RESUMES

Housing Finance & Community Redevelopment Division
Attachment "J"
PROFESSIONAL LICENSES (GC, Real Estate, etc.)

Housing Finance & Community Redevelopment Division
Attachment "K"
OCCUPATIONAL LICENSE (Applicant Agency)

Housing Finance & Community Redevelopment Division
Exhibit I
NSP Rules and Regulations

“Guide to Neighborhood Stabilization Program Eligible Uses” by U.S. HUD
(Excerpts)

This Guide is designed to present the activities that are eligible to be assisted under the Neighborhood Stabilization Program (NSP) found in Title III of Division B of the Housing and Economic Recovery Act of 2008, and the Notice of NSP: Changes to Closeout Requirements found in the Federal Register 48165, September 12, 2019.

I. GENERAL INFORMATION

1. **LOW AND MODERATE INCOME REQUIREMENT**

2. **PRIORITY FOR AREAS OF GREATEST NEED**

3. **CONTINUED AFFORDABILITY**

4. **TIMELY USE AND EXPENDITURE OF FUNDS**

II. ELIGIBLE USES

1. **FINANCING MECHANISMS**

2. **PURCHASE AND REHABILITATION**

4. **DEMOLITION**

5. **REDEVELOPMENT**

7. **OTHER USES**

8. **ENSURING COMPLIANCE WITH NSP REQUIREMENTS**

I. GENERAL INFORMATION

1. LOW- AND MODERATE-INCOME REQUIREMENT
(Housing and Economic Recovery Act §2301(f)(3)(A)(i) and (ii))

Requirements for the use of NSP funds:

(1) All of the funds made available under this section are to be used with respect to individuals and families whose incomes do not exceed 120% of area median income.

(2) Not less than 25% of these funds are to be used for the purchase and redevelopment of abandoned or foreclosed upon homes or residential properties that will be used to house individuals or families whose incomes do not exceed 50% of area median income.

Note that NSP redefines and supersedes the definition of “low- and moderate-income” of the CDBG program by allowing households whose incomes exceed 80% but are no greater than 120% of area median income to qualify for NSP funds. HUD will refer to this new income group as “middle income,” but continue to use the CDBG definitions of “low-income” and “moderate-income.” HUD will use the term “low-, moderate- and middle-income” (LMMI) to refer to the national objective of the program.

For more information on the 120% of area median income requirement consult US HUD at www.hudexchange.info/programs/nsp

Meeting the National Objective:

NSP allows for the use of *only* the LMMI national objective.

- Activities may NOT qualify under NSP using the “prevent or eliminate slums or blight” or “address urgent community development needs” objectives as allowed in the overall benefit provisions of the HCD Act and the CDBG regulations.
- Note that although NSP changes the low- and moderate-income requirement level of the CDBG program, the remaining requirements of 24 CFR 570.208(a) and 570.483(b) regarding area benefit, housing, and limited clientele benefit remain unchanged.

Examples of how funds can be used to meet the national objective:

Housing Activities: Providing or improving permanent residential structures that will be occupied by a household whose income is at or below 120% of area median income (LMMH).

- Acquisition, Rehabilitation, Rental, Sale, Conversion, Construction of Housing Units
- Homeownership Assistance
- Infrastructure for housing as part of redevelopment
- All Units must be occupied by those meeting the low- and moderate-income requirement.

Area Benefit Activities: Benefiting all the residents of a primarily residential area in which at least 51% of the residents have incomes at or below 120% of area median income (LMMA).

- Grantees must identify the service area of each NSP-funded activity.
- HUD will provide data on the percentage of low-, moderate- and middle-income persons, by census tracts and block groups.
See <http://www.huduser.org/publications/commdevl/nsp.html>
- Demolition, Acquisition, Land Banks if maintenance and demolition also take place
- No use of the “upper quartile” provision for exception criteria communities.

Limited Clientele Activities: Serving a limited clientele whose incomes are at or below 120 % of area median income (LMMC).

- Housing counseling for prospective purchasers/tenants
- Public facilities such as emergency shelters, group homes

Meeting the 50% of area median income requirement:

- The requirement applies to each grant, not to the NSP program as a whole, nor each project or activity, nor each subrecipient.
- Compliance based on dollars, not number of units
- Principal way to comply will be through rental housing:
 - New construction or conversion
 - Acquisition
 - Rehabilitation

2. PRIORITY FOR AREAS OF GREATEST NEED

HUD “Notice of NSP: Changes to Closeout Requirements”, Federal Register 48165, 9/12/19

For all rounds of NSP, HERA required grantees give priority emphasis to geographic areas of greatest need. HUD developed a Foreclosure Need website and mapping tool, which is no longer being updated by HUD as HUD observed grantees have largely served the identified areas of greatest need through the initial three NSP rounds.

To identify new target areas, HUD supports the use of NSP funds in “Opportunity Zones (OZ).” Those eligible Broward County OZ census tracts are listed on Section III with a link to a mapping tool.

3. CONTINUED AFFORDABILITY

- Grantees shall ensure, to the maximum extent practicable and for the longest feasible term, that the sale, rental, or redevelopment of abandoned and foreclosed upon homes and residential properties under this section remain affordable to individuals or families whose incomes do not exceed 120 percent of area median income or, for units originally assisted with funds under the requirements of section 2301(f)(3)(A)(ii), to remain affordable to individuals and families whose incomes do not exceed 50 percent of area median income.
- HUD will consider any grantee adopting the HOME program standards at 24 CFR 92.252(a), (c), (e) and (f), and 92.254 to be in minimal compliance with this affordability standard and expects any other standards proposed and applied by a grantee to be enforceable and longer in duration.
- If NSP funds assist a property that was previously assisted with HOME funds, but on which the affordability restrictions were terminated through foreclosure or transfer in lieu of foreclosure pursuant to 24 CFR part 92, the grantee must revive the HOME affordability restrictions for the greater of the remaining period of HOME affordability or the continuing affordability requirements of this notice.

II. ELIGIBLE USES

(Housing and Economic Recovery Act §2301(c)(3))

1. FINANCING MECHANISMS

§2301(c)(3)(A) establish financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties, including such mechanisms as soft-second, loan loss reserves, and shared-equity loans for low- and moderate- income homebuyers.

Relevant Definition:

Foreclosed. A property “has been foreclosed upon” at the point that, under state or local law, the mortgage or tax foreclosure is complete. HUD generally will not consider a foreclosure to be complete until after the title for the property has been transferred from the former homeowner under some type of foreclosure proceeding or transfer in lieu of foreclosure, in accordance with state or local law.

Correlated Eligible Activities from the CDBG Entitlement Regulations

- As part of an activity delivery cost for an eligible activity as defined in 24 CFR 570.206.
- Financing mechanisms used to carry out CDBG eligible activities listed below.

2. **PURCHASE AND REHABILITATION**

§2301(c)(3)(B) 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.

Relevant Definitions:

Abandoned. A home is abandoned when mortgage or tax foreclosure proceedings have been initiated for that property, no mortgage or tax payments have been made by the property owner for at least 90 days, AND the property has been vacant for at least 90 days.

Current market appraised value. The current market appraised value means the value of a foreclosed upon home or residential property that is established through an appraisal made in conformity with the appraisal requirements of the URA at 49 CFR 24.103 and completed within 60 days prior to an offer made for the property by a grantee, subrecipient, developer, or individual homebuyer.

Acquisition:

- Section 2301(d)(1) of HERA requires any purchase of a foreclosed-upon home or residential property under NSP be at a discount from the current market-appraised value of the home or property. Such discount shall ensure that purchasers are paying below-market value for the home or property.
- For mortgagee foreclosed properties, grantees must seek to obtain the “maximum reasonable discount” from the mortgagee, taking into consideration likely “carrying costs” of the mortgagee if it were to not sell the property to the grantee or subrecipient.
- Section 301 of the URA, regarding just compensation, does not apply to voluntary acquisitions.
- All acquisitions of property under NSP require an appraisal for purposes of determining the statutory purchase discount.
- For individual purchase transactions, the purchase discount is to be at least 1% from the current market appraised value of the home or property.
- Carrying costs shall include, but not be limited to taxes, insurance, maintenance, marketing, overhead, and interest.
- An NSP recipient may NOT provide NSP funds to another party to finance an acquisition of tax foreclosed (or any other) properties from itself, other than to pay the necessary and reasonable costs related to the appraisal and transfer of title.
- HUD is not specifying alternative requirements to the relocation assistance provisions at 42 U.S.C. 5304(d).

Rehabilitation

- Any rehabilitation of a foreclosed upon home or residential property shall be to the extent necessary to comply with applicable laws, codes and other requirements relating to housing safety, quality, and habitability, in order to sell, rent, or redevelop such homes and properties. In their substantial amendment, grantees must define their housing rehabilitation standards that will apply to NSP assisted activities.
- Funds may be used for preservation, improving energy efficiency or conservation, or providing renewable energy source(s).
 - HUD encourages grantees to strategically incorporate modern green building and energy efficiency improvements to provide for long-term affordability and increased sustainability and attractiveness of housing and neighborhoods.
- Grantees may fund costs, such as sales costs, closing costs, and reasonable developer's fees, related to NSP-assisted housing, rehabilitation, or construction activities.
- NSP funds may be used to redevelop acquired property for nonresidential uses, such as a public parks or mixed residential and commercial use.
- Grantees may rehabilitate property to be operated as rental housing by the grantee, by a subrecipient, by a lessee or by a purchaser. Grantees should note that the costs of purchase, rehabilitation, conversion and sale of such properties are eligible NSP activities, but the expenses of actually operating the rental housing (such as maintenance, insurance, deficits in monthly operating income) and tenant-based rental subsidies are not eligible NSP activities.

Sale

- If an abandoned or foreclosed upon home or residential property is to be sold to an individual as a primary residence, no profit may be earned on such sale.
- Section 2301(d)(2) directs that the sale of such property shall be in an amount equal to or less than the cost to acquire and redevelop or rehabilitate such home or property up to a decent, safe, and habitable condition.
- The maximum sales price for a property is determined by aggregating all costs of acquisition, rehabilitation, and redevelopment (including related activity delivery costs, which generally include, among other things, costs related to the sale of property).
- In determining the sales price, HUD will NOT consider the costs of boarding up, lawn mowing, maintaining the property in a static condition, or, in the absence of NSP-assisted rehabilitation or redevelopment, the costs of completing a sales transaction or other disposition to be redevelopment or rehabilitation costs.
- Each NSP-assisted homebuyer is required to receive and complete at least eight hours of homebuyer counseling from a HUD-approved housing counseling agency before obtaining a mortgage loan.

- Grantees must ensure that homebuyers obtain a mortgage loan from a lender who agrees to comply with the bank regulators' guidance for non-traditional mortgages.
- Grantees are cautioned against providing or permitting homebuyers to obtain subprime mortgages for whom such mortgages are inappropriate.

Correlated Eligible Activities from the CDBG Entitlement Regulations

- 24 CFR 570.201
 - (a) Acquisition
 - (b) Disposition
 - (i) Relocation
 - (n) Direct homeownership assistance to persons whose incomes do not exceed 120% of median income.

- 24 CFR 570.202 Eligible rehabilitation and preservation activities for homes and other residential properties.

- **4. DEMOLITION**

§2301(c)(3)(D) demolish blighted structures.

Relevant definition:

Blighted structure. A structure is blighted when it exhibits objectively determinable signs of deterioration sufficient to constitute a threat to human health, safety, and public welfare.

General information:

- NSP grantees will NOT be required to meet the requirements of 42 U.S.C. 5304(d) as implemented at 24 CFR 42.375, which mandates one-for-one replacement of low- and moderate-income dwellings units that are demolished or converted for activities assisted with NSP funds.

Correlated Eligible Activities from the CDBG Entitlement Regulations

- 24 CFR 570.201 (d) Clearance, for blighted structures only

- **5. REDEVELOPMENT**

§2301(c)(3)(E) redevelop demolished or vacant properties

- Grantees may fund costs, such as sales costs, closing costs, and reasonable developer's fees, related to NSP-assisted housing, rehabilitation, or construction activities.
- New construction of housing and building infrastructure for housing is an eligible use.
- Grantees may redevelop property to be used as rental housing.

6. OTHER USES

- If not otherwise stated, if an activity is ineligible under CDBG, it is ineligible under the NSP program.
- HUD will not consider requests to allow foreclosure prevention activities, such as refinancing mortgages and paying back taxes; or to allow demolition of structures that are not blighted; or to allow purchase of residential properties and homes that have not been abandoned or foreclosed upon as provided in HERA and defined in this notice.

7. ENSURING COMPLIANCE WITH NSP REQUIREMENTS

A. Appraisals

NSP requires a full, URA-compliant appraisal if the anticipated value is greater than \$25,000. If the anticipated value is \$25,000 or less, you may opt to establish market value of the property through a review of available data made by a person qualified to make the evaluation (Bridge Note, Federal Register, June 19, 2009-14360).

There is NO NSP appraisal requirement for the purchase of abandoned, blighted, demolished, or vacant properties under NSP if they do not ALSO meet the revised definition of foreclosure. For example, if a property is “vacant” or “blighted” but also “foreclosed” per the HUD definitions, an appraisal and the minimum 1% discount are required. Appraisals must be completed within 60 days of an offer being made on a property. If that requirement is met, there is no need to obtain a new appraisal if the closing occurs more than 60 days after the appraisal is completed.

B. Tenant Protection Laws

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) applies to occupants displaced by acquisition, demolition, or rehabilitation for a federally assisted project.

Housing Finance & Community Redevelopment Division
Exhibit "II"
NSP Eligible Acquisition Areas

PRIORITY FOR AREAS OF GREATEST NEED (Housing and Economic Recovery Act §2301(c)(2))

In distributing NSP funds, grantees are to give priority emphasis and consideration to those metropolitan areas, metropolitan cities, urban areas, rural areas, low- and moderate-income areas, and other areas with the greatest need. In identifying new target areas, HUD supports the ability of NSP grantees to use these funds in Opportunity Zones (OZ). Created by the 2017 Tax Cut and Jobs Act, the Opportunity Zone tax incentives are designed to stimulate private investment in designated, low-income census tracts and allows individuals and companies to invest equity in real estate projects or in businesses in these communities.

The eligible areas for this NSP NOFA located within federally designated OZ census tracts are listed below:

Census Tract ID	Municipal Name
12011080500	Dania
12011041000	Unincorporated
12011041400	Unincorporated
12011100300	Hallandale Beach
12011100201	Hallandale Beach
12011050311	Lauderdale Lakes
12011050312	Lauderdale Lakes
12011050308	Lauderdale Lakes (Section)
12011050301	Lauderdale Lakes/OP
12011020412	North Lauderdale
12011050702	Oakland Park
12011050207	Oakland Park/Lauderdale Lakes (sections)
12011100502	Pembroke Park/Hallandale Beach
12011041100	Unincorporated
12011100700	West Park

To confirm an address is within an eligible areas, go to [NSP Parcel Eligibility Confirmation \(arcgis.com\)](https://arcgis.com)

The eligible areas may also be accessed by typing into a browser: <https://bit.ly/3xC9cPd>.

Only addresses within the designated eligible areas will appear in your search; ineligible addresses will not be recognized.

Housing Finance & Community Redevelopment Division
Exhibit "III"

NSP Evaluation Tool and Scoring Matrix (TOTAL POSSIBLE SCORE = 100)

1. ORGANIZATIONAL CAPACITY (Maximum 15 points)

Provide a narrative that demonstrates Proposer's organizational capacity to successfully complete the project. Identify and describe key staff, their responsibilities and their functions to be performed on the proposed project. Include information about technical knowledge and professional qualifications of team members to complete all required steps of an NSP funded project. Include all partners, managers, senior and other professional staff that will perform work and/or services on this project.

Score (Max 15 points): _____

2. PERFORMANCE DELIVERY PLAN (Maximum 15 points)

Does the applicant demonstrate that the applicant understands the necessary procedures to successfully complete the project?

Does the applicant's methodology for the development of the NSP project appear reasonable and sound?

Is the applicant's project schedule realistic and likely to be completed within the stated timeframe, given its organizational and financial resources?

Is the applicant likely to complete the project within 18 months of contract execution?

Is the "NSP Process Flow Chart" complete, with team members assigned to every task identified therein?

Are the applicant's team members listed on the "NSP Process Flow Chart" performing duties or functions within their area of expertise?

Does the applicant demonstrate an ability to perform community outreach and market to income eligible buyers or renters?

Score (Max 15 points): _____

3. FINANCIAL CAPACITY (Maximum 15 points)

Does the applicant have access to additional financing and matching funds to assist in completion of the project?

Does the applicant provide evidence of sufficient financial resources to successfully complete a stage of the NSP project (property acquisition, rehabilitation, and property sale), prior to receiving NSP funding?

Is the applicant able to provide financial statements, year-to-date profit and loss statements, and/or other evidence of the organization’s financial stability?

Score (Max 15 points): _____

4. EXPERIENCE WITH NSP FUNDED PROGRAMS (Maximum 20 points)

Does the applicant have current or prior successful experience with the administration of NSP funded projects or programs?

Does the applicant have prior experience successfully completing property acquisition, rehabilitation, maintenance, property management, sales and disposition (homeownership) or lease up and stabilization (multifamily rental) of REO properties?

Does the applicant have the necessary organizational, fiscal, and administrative controls in place to successfully administer federal affordable housing funds?

Letters of reference associated with completion of similar projects funded with NSP or federal funds provide 1 scoring point per project, maximum 3 projects.

Score (Max 17 points without letters of reference, Max 20 points with letters of reference): _____

5. PAST FEDERAL, STATE, COUNTY or MUNICIPAL FUNDED PROGRAMS (Maximum 15 points)

Does the applicant have current or prior successful experience with the administration of federal, state, County, or municipal funded projects or programs?

Letters of reference associated with completion of similar projects provide 1 scoring point per project, maximum 3 projects.

Score (Max 12 points without letters of reference, Max 15 points with letters of reference): _____

6. SITE CONTROL (20 Points)

Applicant provided evidence of site control of eligible property(ies), through County contract period

Score (20 points): _____

TOTAL POSSIBLE SCORE = 100 _____