



HOME PROGRAM

TENANT-BASED RENTAL ASSISTANCE GUIDE **2025**

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SECTION 1. INTRODUCTION

Planning, administering, and operating an affordable housing activity is a rewarding but challenging venture. The federal regulations relating to the HOME Investment Partnership Program (HOME) can be very complex. The Iowa Finance Authority (IFA) provides subrecipients with this HOME Program Tenant-Based Rental Assistance Guide (Guide) as a tool to help them manage their HOME award and to assist them in staying in compliance with applicable requirements. This Guide is not a stand-alone document and needs to be utilized with other HOME sources of information for state and federal regulations. HUD regulation sections cited in this document refer to HUD Regulations 24 CFR (Code of Federal Regulations). The HOME Regulatory Agreement in Iowa is titled IFA HOME Investment Partnerships (HOME) Program Contract. This management guide will refer to this as the HOME contract.

IFA's website lists a vast amount of information, regulations, forms, and announcements regarding the HOME Program and is one of the best tools available for subrecipients. The state and federal HOME rules along with many of the documents referenced in this Guide can be found on the [HOME Program website](#).

A. HOME ALLOCATION STAFF

Name/Title	Contact Info.	Resource
Brian Sullivan <i>Chief Community Sustainability Programs Officer</i>	Brian.Sullivan@iowafinance.com	Program Administration
Michael Thibodeau <i>Legal Counsel</i>	Michael.Thibodeau@iowafinance.com	Federal
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Bernadette Beck <i>AFHMP</i>	Bernadette.beck@iowafinance.com	AFHMP

SECTION 2. GENERAL INFORMATION

Tenant-Based Rental Assistance (TBRA) is a program that enables individual households to rent safe, sanitary, decent and in good condition housing units. TBRA is not permanent rental assistance and if the tenant qualifies for a permanent source of rental assistance, the tenant should move from TBRA to the permanent rental assistance.

Subrecipients can provide TBRA to very low- and low-income households in three forms:

- Monthly rental assistance
- Security deposit
- Utility deposit

NOTE: The utility deposit shall only be provided in conjunction with rental assistance or security deposit. Utility deposits cannot be standalone assistance. TBRA does **not** pay past due utility costs or monthly utility bills.

IFA requires that TBRA assistance be paid:

- Directly to the landlords on behalf of the tenants
- Directly to the utility provider on behalf of the tenants

A. TBRA FLEXIBILITY

TBRA differs from other types of HOME rental housing activities in three keyways:

- TBRA assists individual households rather than rental units.
- TBRA moves with the tenant if a household decides to move to another rental property.
- TBRA subsidy varies per household, based upon the income of the household, the unit the household selects, and the rent standard.
- TBRA can be designed to serve the general objective of making housing more affordable for low-income households within a jurisdiction.
- TBRA can focus on special purpose or specific housing needs.

B. ELIGIBLE ACTIVITIES

1. RENT ASSISTANCE

Rent assistance is the difference between 30% of the household's adjusted monthly income and the actual monthly rent.

2. SECURITY DEPOSIT ASSISTANCE

The TBRA project may assist tenants by providing a security deposit.

- The term "security deposit" is defined by the local or state tenant-landlord law covering the jurisdiction.
- The maximum amount of HOME funds that may be provided for the security deposit is the equivalent of two months' rent for the unit.

3. UTILITY DEPOSIT ASSISTANCE

Utility deposit assistance must be used along with either rent assistance or security deposit assistance. Utility deposit assistance can be granted when the household moves in if they are required to pay a utility deposit.

C. INELIGIBLE ACTIVITIES

TBRA cannot be used:

- To assist a resident owner of a cooperative or mutual housing unit when that resident is recognized by state law as a homeowner.
- In a project-based assistance building.
- Not downpayment in a lease purchase unit.
- Not with a unit that requires supportive services. Supportive services must be optional for the tenant.
- For homeless persons for overnight or temporary shelter.
- To duplicate existing rental assistance programs that already reduce the tenant's rent payment to 30% of income.
- To pay any past due utility charges.

D. ELIGIBLE TENANT

1. INCOME ELIGIBILITY

The HOME rule is that 90% of the tenants must be at/below 60% area median income (AMI). Exhibit A of the subrecipient's contract with IFA indicates the income levels the project must serve. Very limited exception, a tenant could be at or below 80% AMI. Any tenant over 60% AMI must be approved by IFA.

2. INCOME DETERMINATION

The subrecipient must assure that the household is income-eligible prior to signing a contract for TBRA assistance. Household income for the unit is calculated by using the HUD's regulations at 24 CFR Part 5 (often referred to as "the Section 8 definition"). Income determination is valid for six months.

The subrecipient must determine anticipated annual income by reviewing source documents evidencing annual income (wage statements, interest statements, unemployment compensation, etc.) for the household.

a. Source Documentation for Income Determinations

HOME subrecipients shall examine at least two months of source documentation (e.g., wage statements, interest statements, or unemployment compensation documentation) when determining household income for all potential HOME beneficiaries. (See 2013 Rule amends §92.203(a)(1)(i) and (a)(2))

b. Counting All Household Members' Income

The income of **ALL** persons in the household, including nonrelated individuals, shall be included in the household income determination. (See §92.203(d)(1)).

These tools on the HUD Exchange website may be helpful in determining household income:

- Online CPD Income Eligibility Calculator
- Income Eligibility Calculator User Manual
- Technical Guide for Determining Income and Allowances for the HOME Program

NOTE: The current passbook savings rate on assets is .45%. HUD will release the new imputed rates every September for the following year.

E. STUDENT RULE

Generally, households made up entirely of full-time students do not qualify. When determining eligibility, the owner/manager should start with the question: "Are ALL household members (including minors) full-time students?" If the answer is "no", the household is LIHTC student-

eligible, and no further action is needed. If the answer is “yes”, the household must meet one of five exceptions to qualify.

A full-time student is defined as any individual of any age who:

- Is enrolled in a school with facilities and regular student body (including online-based learning).
- Is enrolled in all or parts of any 5 months out of the calendar year (not necessarily consecutively).
- Is considered full-time by the school that they are enrolled in, based on that school's definition of a full-time workload.
- Note about the 5-month rule: This means that a person who attended school full-time for any part of five months during a calendar year is a student the rest of the calendar year, even after they are out of school.

If a person indicates that they are a full-time student, the manager does not need to verify student status further. The only exception to this is if the status of an adult dependent full-time student is needed to establish their eligibility for limiting their earned income to \$480 (see later in this chapter for more on that). Verification Student status should be determined with the initial application interview prior to move-in. IFA's form Student Status Certification is a required form. It asks the correct questions to determine if the household is made up of full-time students, and which exception (if any) they may meet. Based on this household Certification, further verification that the household meets an exception may need to be gathered. If one individual is attending school part-time and everyone else is a full-time student, student status must be verified with the school for the part-time student. The school will define what constitutes “full-time.” Student status must also be addressed annually and verified as necessary.

Students are not considered eligible tenants unless they meet HUD's student exception rule. If you have any questions, please contact IFA.

EXCEPTIONS

There are five exceptions to the student rule prohibiting households made up entirely of full-time students. Full-time student households must meet one of the exceptions continually to live in an LIHTC for the period that everyone is a full-time student.

1. Any of the adult household members are married and entitled to file a joint tax return. Verification required: copy of joint tax return or marriage certificate.
2. An adult member is a single parent with a minor child in the unit, the adult is not a tax dependent of any third party, and the child is not claimed as a tax dependent by anyone other than one of their parents (even if the other parent is not in the unit). Verification: Copy of tax returns (if possible) or a signed affidavit that the adult in the household is not a dependent of anyone outside the household and that, if the children are claimed on anyone's taxes, it is only by one of their parents.
3. The household includes a member who receives welfare assistance in the form of Temporary Assistance to Needy Families (TANF). Verification: TANF award letter.
4. The household includes a member who formerly received foster care assistance (that means they were a foster child or adult). Verification: Foster paperwork from the placing welfare agency.
5. The household contains a member who gets assistance from the Job Training Partnership Act (JTPA) or similar programs such as General Education Diploma (GED) or High School Equivalency Test (HiSET). (NOTE: The “Workforce Investment Act” has replaced JTPA). Verification: to identify JTPA-similar programs that are not part of the Workforce Investment Act programs, verification from the administrator of the program must establish that the program:
 - a. Gets federal, state or local government funding; and,

- b. Has a mission similar to the one for the JTPA program (see below).

F. TENANT SELECTION POLICY

A subrecipient of TBRA funds **must** have a written tenant selection policy that clearly specifies how households will be selected for participation in their project. There are two major components of tenant selection:

Income Eligibility – A project can target the assistance to distinct AMI levels as long as it is below the 60% AMI level. In a few cases the tenant served maybe at/below 80%. IFA should be contacted to discuss the restrictions for this level of income.

Preferences – A project can target populations of unmet needs as defined in the State of Iowa's Consolidated Plan. (See §92.209(c)(2)(i) and (ii)). Preferences can be established for both individuals with special needs (such as homeless persons or elderly persons) and persons with disabilities, in certain situations. A project can limit TBRA to persons with a specific disability or disabilities if doing so is necessary to provide housing, aid, benefit, or services that are as effective as those provided to others, in accordance with the requirements in 24 CFR 8.4(b)(1)(iv). A project is prohibited from requiring participation in medical or disability-related services as a condition of receiving or continuing to receive HOME TBRA.

G. RENT REASONABLENESS

A subrecipient must disapprove a lease if the subrecipient determines the rent is not reasonable based on rents that are charged for comparable unassisted rental units.

H. PROPERTY AND OCCUPANCY STANDARDS

Inspections to verify compliance with the Section 8 Housing Quality Standards (HQS), lead safe housing and occupancy standards are made at initial move-in. Every unit must have an initial inspection, prior to move-in of a qualified tenant. Then if the tenant continues to receive TBRA, a yearly inspection must be completed and placed in the tenant file.

1. SECTION 8 HOUSING QUALITY STANDARDS

The Section 8 Housing Quality Standards (HQS) must be used for HOME TBRA projects. The inspections at move-in must ensure that the unit meets HQS.

2. LEAD SAFE

HOME TBRA units must be lead safe housing. The inspections at move-in must ensure that the unit is lead safe.

3. OCCUPANCY STANDARDS

Subrecipients must develop local occupancy standards that specify the number of bedrooms needed by households of various sizes and composition. The occupancy standards are used to provide consistent criteria for determining the unit size for which the household is eligible.

4. TERMINATION

Subrecipients must establish standards for when a landlord may elect to terminate or refuse to renew the lease of a TBRA household. These standards must be in writing. They must also be included in the lease and/or in the contract between the subrecipient and the tenant. An owner cannot terminate the tenancy or refuse to renew the lease of a tenant except for serious or repeated violation of the terms and conditions of the lease, for violation of applicable Federal, State, or local law, or for other good cause. Any termination or refusal to renew must be preceded by not less than 30 days by the owner's service upon the tenant of a written notice specifying the grounds for the action.

The 30-day waiting period is not required if the grounds for the termination or refusal to renew involve a direct threat to the safety of the tenants or employees of the housing, or an imminent and serious threat to the property (termination or refusal to renew must be in accordance with requirements of State of Iowa or local law).

I. PROCESSING APPLICATIONS FOR TENANTS

1. APPLICATION INTAKE AND WAITING LIST

The subrecipient must create a waiting list policy or select tenants from the PHA's waiting list. The subrecipient must follow its written tenant selection plan. Documentation must demonstrate that all eligible households had the opportunity to apply and were treated fairly in the application process. The subrecipient shall retain records on all applicants.

2. ELIGIBLE DETERMINATIONS

The subrecipient must verify all factors that relate to the household's eligibility, the household composition, and preference and income information provided by the household. The subrecipient must use source documents (i.e. wage or interest statements, payroll) to determine the household's projected income.

3. TBRA ASSISTANCE

Once a household is determined eligible and selected to receive TBRA assistance, the subrecipient should notify the household and authorize the household to look for housing. The subrecipient should establish a deadline for the household to locate a unit.

4. REQUEST FOR TBRA UNIT APPROVAL

Once the household finds a unit and a landlord willing to participate in the project, the tenant submits a request for the unit to be approved and for using TBRA to rent the unit. The subrecipient must inspect the unit to assure that Section 8 Housing Quality Standards, lead safe housing, and occupancy requirements will be met and assure that the rent is reasonable.

5. LEASE EXECUTION

A written lease agreement must be provided for tenants of HOME TBRA assisted units. Once the unit has been selected and approved, the tenant and the owner must enter a lease for a minimum of one year unless the tenant and owner agree to a lesser term. Agreement should be noted in writing in the tenant's file with signature. The lease can never be less than 30 days. The lease between the landlord and the tenant may not contain certain prohibited lease provisions. IFA has developed a required lease addendum (a required form) to accompany the project lease. The HOME Lease Addendum must be signed by all tenants (as applicable) and located in the tenant file. The owner agrees to comply with the HOME rules and the subrecipient agrees to pay the TBRA share of rent directly to the owner.

J. ONGOING RESPONSIBILITIES

1. OCCUPANCY STANDARDS

The subrecipient shall inspect the unit at move-in to ensure the unit meets HQS, lead safe standards and to ensure that the unit is the appropriate size for the household, meeting occupancy standards. If the tenant stays on the HOME TBRA program longer than a year, the subrecipient must recertify the unit still meets HQS standards, lead safe and that the unit is still appropriate size for the household.

2. RENT INCREASES

The subrecipient must review and approve rent increases by landlords renting to TBRA

tenants. Owners can adjust rents as leases are renewed. The lease must state that the owner reserves the right to adjust rents, based on changes to the HOME limits, or in the event a tenant's income increases above the applicable HOME income limits. The rent must be reasonable by using either the Fair Market Rent or Rent Reasonableness.

3. RECERTIFYING INCOME

Income of tenants receiving rental assistance must be re-examined at least annually using two months of source documents. The lease must state that the tenant's failure to cooperate in the income recertification process is a violation of the lease.

4. TENANTS ON SECTION 8 WAITING LIST

Special provisions are needed for tenants receiving HOME TBRA who were on the Section 8 waiting list at the time of selection. The household is to stay on the Section 8 waiting list even if they are selected for HOME TBRA assistance. TBRA is not a permanent rental program.

K. EXPENDITURE TIMEFRAMES

The subrecipient has 24 months from the contract effective date to expend all awarded HOME funds unless an amendment to the contract for a time extension is approved.

L. MATCH

HUD does require the State to ensure that matching contributions provided to the HOME program total not less than 25% of the total amount of HOME funds drawn by the State during the fiscal year. To meet federal reporting requirements and to monitor compliance with match regulations, IFA collects match information contributions directly from HOME subrecipients.

IFA encourages match, and as the HOME Program becomes more competitive, match may become more important to an application score. Match pledged on the subrecipient's application should be reflected in the HOME Match Report submitted at **closeout**. Failure to provide pledged match may result in ineligibility for future funding.

Your match records must include adequate sources of documentation:

Type of Match	Required Documentation
Cash	<ul style="list-style-type: none"> - Commitment letter - Copy of check to subrecipient, records of deposits & expenditure
Below Market Interest Rate (BMIR) Loan	<ul style="list-style-type: none"> - Commitment letter (interest rate & term of the loan) - Copy of promissory note - Amortization schedule
Waived Fees or Charges	<ul style="list-style-type: none"> - Commitment letter from entity waiving fees or charges, including the established value of the contribution
Tax Abatement (including Sales Tax Refunds on Housing Enterprise Zone Projects)	<ul style="list-style-type: none"> - Letter officially granting the tax abatement - Documentation of the abatement terms (number of years, percent of value abated, current rate rate) & the assessed value subject to abatement (to be determined upon completion of the project)
Tax Increment Financing (TIF)	<ul style="list-style-type: none"> - Commitment letter - Copy of debt certification from city/county - Letter or copy of the check verifying final expenditure of Funds

Land/Other Real Property	<ul style="list-style-type: none"> - Appraisal showing property value at time of acquisition - Documentation of the date property ownership is transferred - Seller's written transaction acknowledgement as a donation to the affordable housing activity
Donated Labor or Equipment Use	<ul style="list-style-type: none"> - Letter or timecards documenting the number of hours of labor or equipment used donated to the activity - Letter documenting the usual hourly rate or flat fee charged for such labor or services & verifying the date of the donation
Bonds	- Bonds documentation from city/county
Supportive Services	<ul style="list-style-type: none"> - Letter describing services & verifying date - Invoices, timecards or some similar documentation of the direct cost (salaries, including benefits & materials) providing services

M. GENERAL ADMINISTRATION

General administration is a separate activity contained in the subrecipient's approved budget and shown on Exhibit A of the HOME contract. General administration costs are paid out of the general administration funds line-item of the HOME application budget. The following items are considered general administration costs (not all-inclusive) and the activity must be an allowable cost per federal requirements:

- Overall project coordination. (e.g. establishing financial accounting documents and systems, management, internal controls, and oversight responsibilities, etc.)
- General administration services. (e.g. third-party contracts, accounting, legal, etc.)
- Reporting to IFA. (e.g. draw requests, etc.)
- Advertising and marketing (e.g. general information, public outreach) about the activity or project.
- Direct costs and salaries of the subrecipient's staff directly involved in the administration of the activity project.
- Indirect costs such as office space rent, utilities, insurance, supplies, etc.
- Costs incurred in the procurement of third-party administrative services, technical services, or in the procurement/purchase of any indirect costs noted above.
- Internal monitoring and oversight of funded project activities.
- Coordination and resolution of monitoring and/or audit issues.
- Audit costs.
- Environmental review. (overall project)
- Activities to affirmatively further fair housing. (in a general way)
- Preparation and adoption of the Administration Plan.
- Processing of individual applications for assistance (if the household receives TBRA assistance, then this can be paid by the income eligibility cost, technical services, rather than general administration).
- Third-party verification of applicant's income (if the household receives TBRA assistance, then this can be paid by the income eligibility cost, technical services, rather than general administration).
- Income eligibility determination and verification of applicants (if the household receives TBRA assistance, then this can be paid by the income eligibility cost, technical services, rather than general administration).

N. INSPECTION AND INCOME DETERMINATION COSTS

The cost of inspecting housing units and determining income eligibility may be reimbursed with regular funds if the household receives TBRA assistance. If the unit or household does not end up utilizing TBRA assistance, then the costs for determining income eligibility SHALL be charged to the general administration line item in the TBRA budget.

O. AUDIT STATEMENT

AUDIT (FOR LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS)

The subrecipient's contract will contain language regarding federal audit regulations found in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Financial Guidance. As required by 2 CFR Part 200, HOME subrecipients must provide applicable audit documentation to IFA within nine (9) months of EACH of their fiscal years while the project is open.

IFA will send Annual Audit Letters as well as a Final Audit Letter to remind subrecipients to submit their audit documentation within the required timeframe.

For local governments and non-profit organizations, the following applies:

- A "Single Audit Not Required Form" must be submitted for each fiscal year that the subrecipient expends up to \$750,000 in federal funds, part of which must be HOME funds.
- An audit must be submitted for each fiscal year that the subrecipient expends \$750,000 or more in federal funds, part of which must be HOME funds.
- The subrecipient must submit one copy of the applicable document for EACH contract and note the HOME contract number on the document.
- IFA reserves the right to request additional information as needed.

P. BREACH OF CONTRACT/MISUSE

Any breach of contract provisions or misuse of HOME Funds can result in the repayment of your HOME award. All HOME funds are subject to repayment; in the event the project does not meet the project requirements as stated here and within the contract. Repayment of the subrecipient's HOME funds will prevent future awards from IFA.

SECTION 3. FEDERAL CROSS-CUTTING MEASURES

A. SUMMARY OF OTHER FEDERAL CROSS-CUTTING MEASURES

SUMMARY OF OTHER FEDERAL CROSS-CUTTING MEASURES			
Other Federal Requirements	Applies to TBRA Projects?	Special Issues/Considerations	Regulatory Citations and References
<i>Non-Discrimination and Equal Access Rules</i>			
Fair Housing and Equal Opportunity	Yes	Subrecipient must affirmatively further fair housing	<ul style="list-style-type: none"> • 92.202 • Title VI of Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.) • Fair Housing Act (42 U.S.C. 3601-3620) • Executive Order 11063 (amended by Executive Order 12259) • Age Discrimination Act of 1975, as amended (42 U.S.C. 6101) • 24 CFR 5.105(a)
Affirmative Marketing	Yes	Affirmative Fair Housing Marketing Plan must be submitted to IFA	<ul style="list-style-type: none"> • 92.351
<i>Employment and Contracting Rules</i>			
Conflict of Interest	Yes	Contract includes language	<ul style="list-style-type: none"> • 92.356 • 2 CFR Part 200
Equal Opportunity Employment	Yes	Contracts and subcontracts over \$10,000 should include language prohibiting discrimination.	<ul style="list-style-type: none"> • Executive Order 11246 (implemented at 41 CFR Part 60)
<i>Environmental Requirements</i>			
Environmental Reviews	Yes	58.35(b)(1) – TBRA level of review is Categorically excluded NOT subject to 58.5.	<ul style="list-style-type: none"> • 92.352 • 24 CFR Part 58 • National Environmental Policy Act (NEPA) of 1969
Lead-Based Paint	Yes pre-1978 units	The regulation only applies to structures built before 1978 that house children under the age of six.	<ul style="list-style-type: none"> • 92.355 • Lead Based Paint Poisoning Prevention Act of 1971 (42 U.S.C. 4821 et. seq.) • 24 CFR Part 35 • 982.401(j) (except paragraph 982.401(j)(1)(i))

B. CIVIL RIGHTS AND FAIR HOUSING

The purpose of Affirmative Fair Housing Marketing requirements is to promote a condition in which individuals of similar income levels in the same housing market area have available to them a like range of choices in housing, regardless of the individual's race, color, religion, sex, physical/mental disability, familial status or national origin.

The subrecipient's contract will list several federal and state regulations related to civil rights, equal opportunity, and fair housing. The Fair Housing Act prohibits discrimination in the sale, rental, financing, or other services related to housing based on the protected classes. If you participate in the HOME Program, you cannot be denied benefits or be subjected to discrimination based on the protected classes. Fair housing also applies to any project funded in whole or in part with federal funds. When the subrecipient signs the contract, it certifies that it

will comply with the laws listed. If the subrecipient does not understand the requirements view the full text of the regulation. While some of the civil rights and fair housing regulations simply prohibit discrimination, others require the subrecipient to take some affirmative steps or action. These are addressed below.

AFFIRMATIVELY FURTHERING FAIR HOUSING

Title VIII of the Civil Rights Act of 1968 and Title I of the Housing and Community Development Act of 1974 require that subrecipients take some action to affirmatively further fair housing in their communities. This means the subrecipient must conduct outreach and informational efforts to those who are least likely to know about and apply for the housing assistance. Refer to IFA's website for information and examples.

When the TBRA project is monitored, IFA will review the actions that the subrecipient took to affirmatively further fair housing. The subrecipient should document those activities and the results.

Affirmative Fair Housing Marketing (AFHMP) Plan

HOME subrecipients are required to develop an Affirmative Fair Housing Marketing Plan for the project. The plan needs to be submitted to Bernadette Beck (Bernadette.beck@iowafinance.com).

Section 504 of the Rehabilitation Act of 1973/ Americans with Disabilities Act

Information on Section 504 and ADA requirements for accessibility of HOME activities to persons with disabilities can be found at: [Section 504](#), [ADA](#)

Occupancy Restriction

Fair housing does not prohibit restrictions or preferences being applied to tenants, if these do not violate federally protected classes. Restrictions or preferences cannot be applied for specific groups unless the group fits into one of the following categories: persons with special needs, persons who meet federal or state program requirements, and persons involved in artistic and literary pursuits.

Violence Against Woman Act of 1994 (VAWA 2022)

Final guidance was released by HUD in the Federal Register (Vol. 81, No. 221) on November 16, 2016. Despite the name, VAWA protects both male and female victims. VAWA established two specific provisions for victims of domestic violence. The first provision requires that “an applicant for or tenant of assisted housing under a covered housing program may not be denied admission to, be denied assistance under, terminated from participation in, or evicted from housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy”.

The second provision requires that leases be bifurcated, allowing eviction or termination of assistance for the perpetrator of the violent crime while retaining the victim. Remaining members of the household are given a chance to qualify for the housing they reside in. If they do not qualify without the perpetrator, then they must be given a reasonable time to find other housing or to establish eligibility under another covered housing program.

C. ENVIRONMENTAL REVIEW

IFA determines the level of review for HUD activities following the guidance according to 24 CFR Part 58. TBRA projects are Categorically Excluded Not Subject to 58.5.

1. INCURRING COSTS (24 CFR PART 58.22)

Completion of the environmental review process is mandatory before any action can be taken on a TBRA project. Subrecipients cannot obligate or incur costs or draw down funds until the environmental review requirements are satisfied, and IFA has released funds for the project.

2. ENVIRONMENTAL REVIEW RECORD (24 CFR PART 58.38)

Each HOME project must have a written record of the environmental review process. This is the Environmental Review Record (ERR) which must be available for public review. The ERR must contain a description of the activity for the subrecipient's TBRA project.

3. CATEGORICAL EXCLUSIONS (24 CFR PART 58.35)

TBRA activities must do the following:

- a. Document in writing that the TBRA activity is NOT subject to 58.5 in the ERR.
- b. Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Sections 58.5 Pursuant to 24 CFR Part 58.34(a) and 58.35(b)
- c. Finding of Categorical Exclusion: Not Subject to the Related Federal Laws and Authorities/Request for Release of Funds.

No public comment periods are necessary for this type of categorically excluded project. Upon receipt and approval of the form, IFA will release funds. Once IFA releases funds and applicable contract conditions are satisfied, the subrecipient may draw funds.

The subrecipient accepts the role of the responsible federal agency should there be a lawsuit concerning environmental laws and regulations.

D. FEDERAL CONTRACT PROVISION LANGUAGE

The subrecipient must certify that all federal requirements listed in its contract with IFA are satisfied. The certifications must be part of every contract and subcontract funded in whole or in part with HOME funding. The subrecipient must ensure that all contracts include the provisions outlined in the Contract Provisions Checklist.

E. LEAD SAFE HOUSING

HUD Lead Regulation 24 CFR Part 35, Subpart M, applies to the TBRA Program. The regulation only applies to structures built before 1978 that house children under the age of six. The subrecipient should consult the regulation itself to make sure that it implements this regulation fully and properly. Further information concerning the state-specific requirements for lead poisoning prevention can be found at the Iowa Department of Public Health – Bureau of Lead Poisoning Prevention website.

The following summarizes the key requirements for TBRA projects:

1. EVALUATION

Subrecipients must ensure that a visual assessment of a unit is conducted prior to occupancy and at least annually thereafter. The visual assessment identifies deteriorated paint, dust, debris, and another residue. The visual assessment must be completed by a contractor certified by the Iowa Department of Public Health to conduct visual assessments.

2. PAINT STABILIZATION

The property owner must correct any conditions identified in the HQS inspection or visual assessment including stabilization of deteriorated paint. Paint stabilization normally involves repairing the substrate, scraping, and repainting the surface. All deteriorated paint must be stabilized by properly trained or supervised workers using Lead Safe Work Practices.

When work is complete, the subrecipient must ensure that the unit passes clearance and must maintain a copy of the clearance report. Failure to obtain clearance on any unit where lead hazard reduction activities have occurred will result in disqualification of the unit. Records should be kept on any unit where clearance is required but has not been obtained to ensure that the unit is not rented to a TBRA-assisted household.

3. COMMUNICATION WITH TENANTS

The subrecipient must ensure that residents receive the following communications:

- The tenant must receive the EPA pamphlet, Protect Your Family from Lead in Your Home, or the Iowa Department of Public Health's pamphlet, Lead Poisoning – How to Protect Iowa's Families, prior to occupying the unit. Documentation of the tenant's receipt of one of these pamphlets must be maintained in the tenant's file.
- Prior to occupancy, tenants must receive a Lead Disclosure Notice from the owner notifying them of any known lead-based paint or hazards in the unit.

4. ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVELS

The subrecipient and property owners must take specific steps after receiving notice that a child with EIBLL is living in a unit occupied by a TBRA-assisted household.

5. REIMBURSABLE EXPENSES

Inspections associated with lead-based paint requirements are reimbursable either with regular funds or administration funds depending on the year of the subrecipient's contract and budget limitations. There are no TBRA funds available for lead hazard reduction. The burden to pay for lead reduction work is on the building owner.

F. PROCUREMENT AND CONFLICT OF INTEREST

1. PROCUREMENT

All subrecipients must follow the General Procurement Standards in 2 CFR §200.318.

2. CONFLICT OF INTEREST

Along with other requirements not mentioned in this Guide, this regulation states that non-Federal entity recipients must maintain written standards of conduct covering conflicts of interest, including organizational conflicts of interest. "Organizational conflicts of interest" means that, because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

3. MINORITY OR WOMEN-OWNED BUSINESSES

All projects utilizing HOME funding must take affirmative steps to use small businesses and minority- or women-owned businesses as sources of supplies, equipment, construction, and services. A searchable database of registered MBEs and WBEs is available at the Department of Inspection and Appeals – Certified Targeted Small Business.

G. VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012 (VAWA)

The Violence Against Women Act of 1994 (VAWA) is a United States federal law that provides funding and rules designed to investigate and prosecute violent crimes and to protect victims of such crimes. VAWA was reauthorized in 2000, 2005, and 2013. The 2005 version first introduced provisions that applied to housing. Specifically affected were the Section 8 programs and public housing. The 2013 reauthorization greatly expanded the housing programs covered by the Act to include HOME-funded Tenant-Based Rental Assistance. Final guidance was released by HUD in the Federal Register (Vol. 81, No. 221) on November 16, 2016. Despite its

name, VAWA protects both male and female victims. See Addendum B for more information.

H. SPECIAL REQUIREMENTS FOR LOCAL GOVERNMENTS

Local government recipients of HOME awards need to:

- Adopt a **Policy on the Prohibition of the Use of Excessive Force and a Residential Anti-Displacement and Relocation Assistance Plan**. You must submit adopted and signed copies of both documents to IFA before you can draw funds.
- Adopt an **Equal Opportunity Policy** and post it in a public place.
- Follow appropriate accounting and financial management procedures as required by 2 CFR Part 200.
- For audit requirements, see Section 2 of this Guide.

SECTION 4. AFTER RECEIPT OF AWARD

A. AWARD LETTER

The subrecipient will receive a conditional award letter. Upon receipt of the letter, the subrecipient must sign and return the Award Acceptance page acknowledging and accepting the award.

B. ATTEND MEETINGS/TRAINING SESSIONS

The subrecipient shall attend meetings/trainings as specified by IFA.

C. READ HOME TBRA GUIDE

D. CONTRACT DOCUMENTS

When the subrecipient receives its contract documents, it should review them carefully, obtain the required signatures(s), and return the contract to IFA HOME. IFA will execute the contract and return a copy to the subrecipient. IFA staff will also work with the subrecipient to obtain the required resolution and related documents for project signature authorizations.

Subrecipients should inform IFA Program Manager of any unforeseen project changes(s) occurring after contract execution. If IFA determines that a contract amendment is needed, the subrecipient will be asked to provide written documentation supporting the reason(s) for the amendment. IFA will provide the subrecipient with a copy of any revised documents as needed.

E. BEGIN ENVIRONMENTAL REVIEW PROCESS

See Section 3, C. of this Guide.

NOTE: The subrecipient must have IFA's Request for Release of Funds letter BEFORE it starts the TBRA project.

F. NOTICE TO PROCEED

Only expenses incurred by the subrecipient after receipt of the IFA Notice to Proceed letter are eligible for reimbursement.

G. ADMINISTRATION PLAN

The subrecipient will prepare and submit its Administration Plan and ensure the project's compliance with federal laws, regulations, and state administrative rules provisions and provide the project "blueprint". The subrecipient must describe its operational policies, procedures and standards, and operation consistency. IFA will monitor the subrecipient's project based on its Administration Plan.

H. LEASE PROVISIONS

The following provisions must be included with each tenant lease under the HOME TBRA Lease Addendum.

- The lease between the owner of the rental unit and the assisted tenant must be for at least one year unless mutually agreed upon by both.
- The lease between the owner and the assisted tenant **cannot** contain any of the following provisions:
 - Agreement to be sued - Agreement by the tenant to be sued, to admit guilt, or to a judgment in favor of the owner in a lawsuit brought in connection with the lease.
 - Treatment of property - Agreement by the tenant that the owner may seize or sell personal property of household members without notice to the tenant and a court decision on the rights of the parties. This provision does not apply to the disposition of personal property left by a tenant who has vacated a property.

- Excusing owner from responsibility - Agreement by the tenant not to hold the owner or the owner's agents legally responsible for any action or failure to act, whether intentional or negligent.
- Waiver of notice - Agreement of the tenant that the owner may institute a lawsuit without notice to the tenant.
- Waiver of legal proceedings - Agreement of the tenant that the owner may evict the tenant or household members without instituting a civil court proceeding in which the tenant has the opportunity to present a defense or before a court decision on the rights of the parties.
- Waiver of a jury trial - Agreement by the tenant to waive any right to a trial by jury.
- Waiver of right to appeal court decision - Agreement by the tenant to waive the tenant's right to appeal or to otherwise challenge in court a court decision in connection with the lease.
- Tenant responsible for costs of legal actions regardless of the outcome - Agreement by the tenant to pay attorney's fees or other legal costs, even if the tenant wins in court proceedings by the owner against the tenant. The tenant, however, may be obligated to pay costs if the tenant loses.
- Owners may terminate tenancy or refuse to renew a lease only upon 30 days written notice.
- The subrecipient must adopt written tenant selection policies and criteria that:
 - Are consistent with the purpose of providing housing for very low-income and low-income households.
 - Are reasonably related to program eligibility and the household's ability to perform the obligations of the lease.
 - Provide for the selection of tenants from a written waiting list in the chronological order of their application, insofar as is practicable.
 - Give prompt written notification to any rejected applicant of the grounds for any rejection.

I. ESTABLISH FINANCIAL MANAGEMENT ACCOUNTING & REPORTING PROCEDURES

Your financial management system must provide for accurate, current, and complete disclosure of the financial activities related to the HOME activity. HOME funds drawn by the subrecipient, will be for reimbursement of eligible HOME costs. The eligible cost must be expended within 10 days of receipt. Funds drawn and not expended within 10 days must be returned to IFA

J. PROCURE GENERAL ADMINISTRATION SERVICES

General administration services should be provided by the subrecipient. Project expenses that cannot be provided by the subrecipient should be procured through a competitive process, preferably from three or more firms or individuals (a bid price is not required).

SECTION 5. ESTABLISHING RENTS

A. ASSISTANCE

1. RENT ASSISTANCE

The maximum amount that the HOME TBRA project may pay to assist any given household with rent assistance is the difference between 30% of the household's adjusted monthly income and the actual monthly rent. Assistance in rent payments will be paid directly to the landlord.

2. DEPOSIT ASSISTANCE

- Security deposits are limited to two months' rent. These will be paid directly to the landlord
- Utility deposits are determined by the utility provider. These will be paid directly to the utility providers.

3. SUBSIDY

- TBRA subsidy varies per household. The TBRA subsidy level is based on the income of the household, the unit the household selects, and the project's established rent standard.

4. RENT STANDARD

The subrecipient shall **establish** a rent standard using one of the following methods:

- Local Public Housing Authority's rent standard.
- Section 8 FMRs - The rent standards must not be less than 80% of the published FMRs and not more than FMR or area-wide exception rent.
- The calculation of Section 8 FMRs includes all utilities and housing-related services, except telephone, internet, and/or cable TV.

B. MINIMUM TENANT PAYMENT

IFA's rules require a minimum tenant payment. The subrecipient can set a minimum payment level and can establish a dollar figure or a percentage of income.

SECTION 6. PREPARATION AND SUBMITTAL OF DRAWS

A. GENERAL INFORMATION

- The subrecipient must first receive its Request of Release of Funds letter from IFA.
- The subrecipient must receive an IFA Notice to Proceed letter from IFA.
- The subrecipient has 24 months from the contract effective date to expend all awarded HOME funds.
- Draw requests will not be processed before clearance of all applicable contract conditions.
- Draw requests must be in whole dollar amounts and for a minimum of \$500 unless it is the final draw.
- Draw requests must contain all supporting documentation for funds to be drawn.
- The subrecipient will be notified if the draw request is denied. IFA will inform the subrecipient of what needs to be corrected and re-submitted.
- If the draw request is approved, IFA will transfer the funds to the subrecipient through an electronic funds transfer (EFT).

B. ITEMS NEEDED PRIOR TO THE FIRST DRAW

These items must be completed prior to the first draw (whether or not it is a regular fund draw or an administration fund draw).

- Administration Plan
- Tenant Selection Plan
- Affirmative Fair Housing Marketing Plan
- Authorized Signature Form
- ACH Transfer Authorization

C. SUBMITTAL OF DRAWS FOR REGULAR FUNDS

1. COMPLETE DRAW REQUEST (REGULAR FUNDS):
Draws must be in whole dollar amounts and for a minimum of \$500 (unless it is the final draw).
2. COMPLETE TBRA BENEFICIARY FORM
3. SUBMIT DOCUMENTS TO IFA
Submit the Draw Request form and TBRA Beneficiary Form to Carol.wells@iowafinance.com

D. SUBMITTAL OF DRAWS FOR ADMINISTRATION FUNDS

Administration funds will be distributed proportionately to the subrecipient's drawdown of regular funds.

1. COMPLETE DRAW REQUEST FORM (ADMINISTRATION FUNDS)
Complete the Draw Request Form (Administration Funds) and attach supporting documentation. Draws must be in whole dollar amounts and for a minimum of \$500 (unless it is the final draw).
2. SUBMIT DOCUMENTS TO IFA
Submit the completed Draw Request Form (Administration Funds) and supporting documentation to carol.wells@iowafinance.com.

SECTION 7. MONITORING REVIEW

After the first draw, HOME Program Manager will schedule a monitoring visit to review the initial tenant files. Near the contract end date, the HOME Program Manager will contact the subrecipient to set up a final monitoring review. The purpose of this review is to assess the subrecipient's performance and compliance with HOME Program requirements.

SECTION 8. CLOSEOUT PROCESS

After all, funds have been drawn, the HOME Program Manager will determine if there are any outstanding items that are needed prior to closing out the subrecipient's contract.

A. MATCH

HOME projects that listed eligible match funds on the application must submit match information to IFA until all required match (as identified in Exhibit A of the HOME funding agreement) has been contributed to the activity. HOME subrecipients must maintain complete and current records regarding all eligible match contributions.

The match forms below can be found on IFA's website, under the HOME Program:

- Match Table - Eligible Forms, Calculations, Date of Contribution
- HOME Match Report with Instructions

B. FINAL ALLOCATION COMPLIANCE LETTER

When all required documentation for the contract has been satisfied, the subrecipient will receive an Initial Allocation Compliance Letter, Audit Letter, and a Final Allocation Compliance Letter. The Final Allocation Compliance Letter will include a summary of the subrecipient's project.

NOTE: Although IFA may conclude that the subrecipient is in substantial compliance, the subrecipient's HOME Program records may be reviewed as part of IFA's annual audit by HUD, an independent auditor or the State Auditor's Office. Any of these audits could result in findings or conclusions that differ from those of IFA.

Prohibited HOME Lease Clauses:

- Agreement to be Sued-Agreement by the tenant to be sued, to admit guilt, or to a judgement in favor of the owner in a lawsuit brought in connection with the lease.
- Treatment of Property-Agreement by the tenant that the owner may seize or sell personal property of household members without notice to the tenant and a court decision on the rights of the parties. This provision does not apply to disposition of personal property left by a tenant who has vacated a property. The owner may dispose of personal property in accordance with state law.
- Excusing Owner from Responsibility-Agreement by the tenant not to hold the owner or owner's agents legally responsible for any action or failure to act, whether intentional or negligent.
- Waiver of Notice-Agreement of the tenant that the owner may institute a lawsuit without notice to the tenant.
- Waiver of Legal Proceedings-Agreement of the tenant that the owner may evict the tenant or household members without instituting a civil court proceeding in which the tenant can present a defense, or before a court decision on the rights of the parties.
- Waiver of a Jury Trial-Agreement by the tenants to waive any right to a trial by jury.
- Waiver of Right to Appeal Court Decision-Agreement by the tenant to waive the tenant's right to appeal or to otherwise challenge in court a court decision in connection with the lease.
- Waiver of Right to Appeal Court Decision-Agreement by the tenant to waive the tenant's right to appeal or to otherwise challenge in court a court decision in connection with the lease.
- Tenant Chargeable with the Cost of Legal Actions Regardless of the Outcome-Agreement by the tenant to pay attorney's fees or other legal costs, even if the tenant wins in a court proceeding by the owner against the tenant. The tenant may be obligated to pay costs if the tenant loses.
- Require Tenants to Accept Supportive Services-Exception for transitional housing residents.

HUD DEFINITIONS

Activity Completion

The PJ must complete an IDIS activity when it meets the definition of project completion in the HOME regulations at 24 CFR 92.2. The activity is completed when the final drawdown has been disbursed for the project and the project completion information has been entered in IDIS for the project (except for rental projects and TBRA)

Activity Set-Up

PJs set up each HOME project, as defined by the HOME regulations at 24 CFR 92.2, as a separate IDIS activity. Each IDIS activity is associated with an Annual Action Plan project. Information entered at activity setup includes the project name, location, proposed accomplishments, and project-specific data. An activity may not be set up and funded in IDIS until the PJ executes a legally binding HOME commitment (i.e. written agreement) that meets the pre-commitment requirements at 24 CFR 92.2.

Acquisition of Rental Housing

Acquisition is the purchase of existing rental housing. This must be combined with rehab if the property does not meet the HOME property standards at the time of purchase.

AFFH

Affirmatively Furthering Fair Housing

AFHMP

Affirmative Fair Housing Marketing Plan

Annual Action Plan

The Annual Action Plan describes the projects and activities that the CPD formula block grant recipients plan to carry out with that grant year's funding and that will contribute to their Con Plan goals.

Annual Action Plan Project

An Annual Action Plan project includes a high-level description of the eligible program or activity that will take place during the PJ's program year.

Area Median Income (AMI)

The area median income (AMI) is the household income for the median, or middle, household in a region. HOME assistance must be provided to households at or below 80% of the area median income.

BMIR

Below-Market Interest Rate

Certificate of Occupancy (C of O)

The Certificate of Occupancy (often referred to as the C of O) is a certification by the state or local code official that the unit meets the applicable building standards required to allow occupancy.

Circulars

Instructions or information issued by the Office of Management and Budget (OMB) to Federal agencies. These are expected to have a continuing effect of two years or more.

Code of Federal Regulations (CFR)

The codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal government.

Community Housing Development Organization (CHDO)

A private, nonprofit organization that meets a series of qualifications prescribed in the HOME reunifications at 24 CFR Part 92.2. A Participating Jurisdiction (PJ) must award at least 15 percent of its annual HOME allocation to housing that is owned, developed, or sponsored by CHDO

Community Housing Development Organization (CHDO) Proceeds

Funds received by a CHDO that results from the CHDO's investment of HOME set-aside funds.

Consolidated Annual Performance Evaluation Report (CAPER)

The CAPER is an annual performance report on the Consolidated Plan and Action Plan goals and achievements. The CAPER includes a description of the resources made available, the investment of available resources, the geographic distribution and location of investments, the families and persons assisted (including the racial and ethnic status of persons assisted), actions taken to affirmatively further fair housing, and other accomplishments related to the goals set forth in the Con Plan and Action Plan.

Consolidated Plan (Con Plan)

The Con Plan consists of a needs assessment, a market analysis, and a strategic plan, in which PJs lay out priority needs and goals over the planning period. CPD formula block grant recipients are required to submit a Con Plan every three to five years.

Consortia

A group of geographically contiguous units of general local government may choose to form a consortium, particularly when one or more members are not eligible to receive a formula allocation, or their formula allocation would not meet the minimum participation threshold. A consortium is treated as a single unit of local government for the purposes of HOME.

Conversion

Conversion involves changing the use of the property, such as rehabilitation of an institutional or commercial property for residential use.

CPD

Community Planning and Development

Drawdowns

Drawdowns are how the PJ disburses HOME funds in IDIS. After incurring a HOME eligible expense, PJs create a drawdown voucher in IDIS to disburse funds from a particular HOME grant. Drawdowns may only be made for an activity in IDIS after the activity has been funded.

EEO

Equal Employment Opportunity

EBLL

Elevated Blood Lead Level

EPA

Environmental Protection Agency

Fair Market Rents (FMR)

Fair Market Rents (FMRs) are the 40th percentile of gross rents for typical, non-substandard occupied units in the local rental market. These rents are issued by HUD, for Office of Management and Budget (OMB) defined metropolitan areas, some HUD defined subdivisions of OMB metropolitan areas, and each nonmetropolitan county. They are used to determine eligibility and establish a payment standard for certain HUD programs, including the Housing Choice Voucher program.

FHEO

Fair Housing and Equal Opportunity

Fixed Unit

A unit whose designation as HOME-assisted never changes during the period of affordability.

Floating Unit

A unit that is designated as HOME-assisted at the project outset, but whose designation might change during the period of affordability.

General Information Notice (GIN)

As soon as feasible, a general information notice is required to be provided to a person that may be displaced by a project. A general information notice informs the person they may be displaced and not to move. It describes the assistance they may get in general terms, and states that they will receive a 90-day notice before they need to move. Requirements for specific information that must be included in the general information notice are found at 49 CFR 24.203.

Group Home

Housing occupied by two or more single persons or families that consists of common space and/or facilities for group use by the occupants of the unit and separate private space for each family (except in the case of shared one-bedroom units).

HFA

Housing Finance Agency

HOME Project

A HOME project consists of one or more buildings on a single site or multiple sites that are under common ownership, management, and financing and will be assisted with HOME funds as a single undertaking.

Income Targeting

Income targeting refers to limits on occupancy to households that meet specified income limits. For example, if a PJ wants its rental housing programs to serve very low-income tenants, it might impose income targeting so that HOME-assisted units must be occupied by households with incomes that are at or below 50% of area median income (AMI).

Integrated Disbursement and Information System (IDIS)

The Integrated Disbursement and Information System (IDIS) is a nationwide fund disbursement system and database that provides HUD with current information regarding CPD's five formula grant and one competitive grant program activities. These grants include HOME; Housing Trust Fund (HTF); Community Development Block Grant (CDBG); Emergency Solutions Grants Program (ESG); and the Housing Opportunities for People with AIDS, (HOPWA), and HOPWA Competitive.

IDIS Activity

An IDIS activity is a HOME project. In IDIS, each HOME project is called an "activity." IDIS captures data at four key stages of a HOME activity: 1) Activity set-up; 2) Activity funding; 3) Disbursements of HOME funds requested via IDIS, as needed; and 4) Activity completion information.

IDIS Project

IDIS projects generally correspond to the PJ's Consolidated Plan/Annual Action Plan projects. Information about each project, such as name, description, and estimated budget, is either entered into the system through the Action Plan or input directly into the system by PJs. Each IDIS project is set up under a specific plan year. Projects also serve as the chief mechanism for organizing and tracking related IDIS activities and correlate those activities with the goals and outcome indicators that the PJ enters in the specific year's Action Plan

Interest Subsidies

Interest subsidies, also referred to as interest reduction grants or interest rate buydowns, are similar to principal reduction grants or loans except that the HOME funds are used to "buy down" the interest rate to an affordable level. In this case, the HOME subsidy is paid directly to the lender and not provided to the homeowner.

LBP

Lead-Based Paint

LIHTC

Low-Income Housing Tax Credits

Liquidity

In accounting, the term liquidity is defined as the ability of an entity to meet its financial obligations as they come due. The liquidity ratio, then, is a computation that is used to measure a company's ability to pay its short-term debts.

Loan Guarantees

Loan guarantees are an eligible, but extremely uncommon, use of HOME funds. A loan guarantee is used as a credit enhancement when a borrower who is otherwise eligible for a private loan is denied because of a real or perceived risk factor.

LSHR

Lead Safe Housing Rule

Match

The Participating Jurisdiction's (PJ) permanent contribution to the HOME Program – the local, non-Federal contribution to the partnership. The PJ's match contribution must equal not less than 25% of the HOME funds drawn down for projects in that fiscal year.

MSA

Metropolitan Statistical Area

Monitoring Plan

An annual plan that documents how the PJ will monitor their HOME-funded partners and outlines how the PJ will allocate its resources to ensure that each funded entity receives an appropriate level of monitoring, given its risks.

M/WBE

Minority and Women Business Enterprise. A Minority Business Enterprise (MBE) is a business that is at least 51% owned and controlled by one or more persons who are Alaskan Native or American Indian, Asian or Pacific Islander, Black (non-Hispanic), or Hispanic, and are citizens of the United States. A Women Business Enterprise (WBE) is a business that is at least 51% owned and controlled by one or more women who are citizens of the United States.

NEPA

National Environmental Policy Act

New Construction

The creation of new dwelling units. Any project which includes the creation of new or additional dwelling units in an existing structure is considered new construction.

Office of Community Planning and Development (CPD)

The Office of Community Planning and Development (CPD) of HUD seeks to develop viable communities by promoting integrated approaches that provide decent housing, a suitable living environment, and expand economic opportunities for low- and moderate-income persons.

Office of Management and Budget (OMB)

The business division of the Executive Office of the President of the United States that administers the United States Federal budget and oversees the performance of Federal agencies.

Operating Pro Forma

A projected income and expense statement submitted by the developer as part of the project proposal. The PJ must review the operating pro forma to determine whether the project income will be able to support its financial needs for at least the period of affordability.

Participating Jurisdiction (PJ)

The term given to any state, local government, or consortium that is designated by HUD to administer a HOME Program. HUD designation as a Participating Jurisdiction (PJ) occurs if a state or local government meets the funding thresholds, notifies HUD that they intend to participate in the program, and has a HUD-approved Consolidated Plan.

Payment Standard

The payment standard represents the rent plus utility cost of moderately priced standard units, by bedroom size, in the jurisdiction. HOME requires that the PJ establish a payment standard for its tenant-based rental assistance (TBRA) program.

Period of Affordability

The length of time during which affordability restrictions apply, and the unit must be the principal residence of a low-income household.

Program Income (PI)

Under HOME, program income is the gross income received by the participating jurisdiction, State recipient, or a subrecipient directly generated from the use of HOME funds or matching contributions.

Projects

Projects are the chief mechanism for organizing and tracking related activities in IDIS. Projects correlate those activities with the Goals and Outcome Indicators that the Grantee enters in the specific year's Action Plan.

Project Reserves Accounts

Project reserve accounts are created to fund a potential shortfall of operating or maintenance expenses throughout the affordability period. These reserve accounts are not an eligible project cost but are typically funded with annual payment from net operating income

PHA

Public Housing Authority

Responsible Entity (RE)

A responsible entity is a unit of general local, state, or Tribal government that has legal authority to assume responsibility for the environmental review under 24 CFR Part 58 because they exercise control over planning, permitting, and supplying infrastructure to support HUD-assisted projects for their jurisdictions. For the HOME Program, the responsible entity is the PJ - the state, unit of local government or consortium that receives a formula allocation of HOME funds directly from HUD.

Recaptured Funds (HP)

Any amount of funds that are recaptured by the PJ as a result of a homebuyer property (with a recapture provision) that is sold or transferred during the affordability period.

Recapture Provision

A recapture provision is a mechanism for the PJ to recapture all or a portion of direct HOME assistance to the buyer if the HOME recipient decides to sell the house within the period of affordability.

Reconstruction (also rehabilitation)

The rebuilding, on the same lot, of housing standing on a site at the time of project commitment. The HOME Rule permits reconstruction of housing that is no longer standing on the site if it was destroyed in a disaster, provided HOME funds are committed within 12 months of the date of destruction; however, this is the only exception. The number of housing units on the lot may not be changed as part of the reconstruction project, but the number of rooms per unit may change. Reconstruction also includes replacing an existing substandard unit of manufactured housing with a new or standard unit of manufactured housing. Reconstruction is rehabilitation when replacing a substandard housing unit with the same type of housing unit.

Regulation

Regulations are issued by Federal government departments and agencies to promulgate Federal statute and articulate requirements.

Rehabilitation

Correction of deficiencies in or improvement of existing housing to bring the unit to the required standards in the PJ's written rehabilitation standards.

Rental Assistance Payment

A rental assistance payment is the PJ's contribution of HOME subsidy toward a tenant's rent in a HOME tenant-based rental assistance (TBRA) program.

Repayment to the Local Account (IU)

Repayment to the PJ's HOME Investment Trust Fund local account for ineligible projects and costs, including any HOME funds invested in housing that is terminated before completion or does not meet the affordability requirements for the period specified in §92.252 or §92.254, as applicable.

Resale Provision

A resale provision requires that the unit must be sold at an affordable price to a subsequent buyer that is low-income.

RFP

Request for Proposal

RRP

Renovation, Repair, and Painting Rule

Section 104(d)

Section 104(d) of the Housing and Community Development Act of 1974, as amended

Single Room Occupancy (SRO)

Housing consisting of single-room dwelling units that is the primary residence of its occupant or occupants. The unit must contain food preparation and/or sanitary facilities if the project involves new construction, conversion of non-residential space, or reconstruction. If the units do not contain sanitary facilities, the building must contain sanitary facilities shared by the tenants. A project's designation as an SRO cannot be inconsistent with the building's zoning and building code classification.

Sources and Uses Statement

This is a statement that must be submitted by the developer, which lists all anticipated sources of funding (public and private) and anticipated development costs for a project.

Statute

A Federal statute is a law enacted by Congress.

Subfund

A Subfund is a portion of the PJ's grant reserved for a specific purpose (e.g., subrecipient-administered programs, CHDO projects, etc.) and identified by a specific fund type.

Subgrant

A subgrant is a portion of the PJ's grant reserved for a specific entity or organization.

Substantial Rehabilitation

For the purposes of implementing Section 504 (accessibility), substantial rehabilitation is defined as a rehabilitation of a project with 15 or more units when the rehabilitation costs exceed 75% of the after-rehabilitation value of the building. For purposes of implementing HUD's broadband requirement, substantial rehabilitation is defined as either (1) work that involves significant work on the electrical system of the multifamily rental housing, such as complete replacement of the electrical system or work for which the pre-construction cost estimate is equal to or greater than 75% of the cost of replacing the entire electrical system; or (2) Rehabilitation where the estimated cost of rehabilitation is equal to or exceeds 75% of the after-rehabilitation value of the property.

NOTE: for both definitions, in projects with multiple buildings and more than 4 units, the replacement cost (of the electrical system or the property, building(s) undergoing rehabilitation.

Tenant-Based Rental Assistance (TBRA)

The provision of direct rental assistance (as well as security deposit and utility deposit assistance) to individual households to help them afford the housing costs of market-rate units.

Tenant Contribution

Tenant contribution is the amount a family pays toward its total housing costs. The PJ must establish a minimum tenant contribution in the HOME tenant-based rental assistance (TBRA) program.

Tenant Type

Tenure type refers to whether an activity is a rental activity, a homebuyer activity, homeowner rehabilitation activity, or a tenant-based rental assistance activity.

Transitional Housing

Housing with the express purpose of moving residents to independent living within a certain time period; transitional housing typically includes supportive services. Transitional housing is commonly used for housing for deinstitutionalized individuals with disabilities, homeless individuals with disabilities, and homeless families with children.

UFAS

Uniform Federal Accessibility Standard

URA

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended

VAWA

Violence Against Women Act