



**HOME APPENDIX LIST**  
**RENTAL WITH TAX CREDITS**

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## APPENDIX A HOME RENTAL WITH LIHTC REQUIREMENTS

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Eligible to Apply: Non-profit and For-profit entities  
Eligible Activities: New Construction  
Rehabilitation (including conversion and preservation)  
Transitional Housing

Cap per project: \$500,000.00

Total Available: \$4,000,000.00

CHDO Total Available: \$2,000,000.00 per round

Project Locations: Regular projects located within a Participating Jurisdiction (PJ) must include PJ HOME funding when requesting IFA HOME funding. CHOD projects can be located within incorporated areas across the state.

Both new construction and rehabilitation (including conversion and preservation) of rental Units are eligible activities. Transitional housing is also an eligible rental activity. Eligible applicants for HOME funds are non-profit and for-profit.

All HOME-assisted Units shall be rented to households with incomes at or below 80% of the Area Median Income (AMI). At initial occupancy, 90% of the Units shall be rented to households with incomes at or below 60% AMI and, for Projects with five or more HOME-assisted Units, at least 20% of the Units shall be rented to households with incomes at or below 50% AMI. A link to the AMI levels by county is on the IFA website.

All HOME-assisted Units must rent at the lesser of the area fair market rents established by HUD or at the high HOME rent limit. For Projects with five or more Units, 20% of the HOME-assisted Units shall rent at the lesser of the fair market rent or the low HOME rent limit. If tenants will pay their own utilities, then a utility allowance must be included in rent calculations.

HOME-assisted Units must remain affordable for a specific period. The affordability periods are 20 years for all newly constructed Units; 15 years for rehabilitated Units receiving over \$40,000 per Unit; 10 years for rehabilitated Units receiving \$15,000 to \$40,000; and 5 years for rehabilitated Units receiving less than \$15,000. Long-term affordability for rental activities must be secured by covenants and deed restrictions.

The maximum amount of HOME assistance per rental Unit is the HOME Maximum Per-Unit Subsidy Limit found on the IFA website. The maximum amount of HOME assistance per LIHTC Project is \$500,000. The amount of HOME available this round is approximately \$4 M dollars. A LIHTC Project can utilize the HOME funds within incorporated areas of the State of Iowa.

The maximum amount of CHDO HOME assistance per rental Unit is the HOME Maximum Per-Unit Subsidy Limit found on the IFA website. The maximum amount of HOME CHDO assistance per LIHTC Project is \$2 M, which will be the HOME CHDO available for the round. The LIHTC Project can utilize the HOME CHDO funds within incorporated areas of the State of Iowa.

Guidance provided by HUD concerning utility allowances for HOME-assisted Units requires that IFA approve the utility allowance for any HOME-assisted Unit that is not required to utilize a utility allowance from another federal source. HOME does not allow the use of utility allowances provided by a local PHA. IFA is utilizing the

HUD Utility Schedule Model as the method in which to comply with this rule change. The utility allowance is required to be used during its effective dates for gross rent calculations. To help minimize the number of utility allowances required for a property, IFA will also require that the utility allowance be applied to all LIHTC Units not required to utilize a utility allowance from another federal assistance program.

A HOME utility allowance shall be approved prior to issuance of the HOME Contract. Please refer to §92.252(d) in the HOME Rule and HOMEfires Volume 13, Number 2 for allowable methods of determining the tenant-



paid utility allowance. The local Public Housing Authority utility allowance schedule, form HUD-52667, may be used in the LIHTC threshold application; however, projects with HUD or Rural Development project-based rental assistance contracts shall use the HUD or RD's utility allowance. **(Updated 3-28-22)**

The HOME Applicant shall obtain a Final Title Guaranty Owner Certificate on the real estate of the Project from the IFA's Iowa Title Guaranty Division prior to submittal of the IRS Form 8609 package. The Ownership Entity shall obtain, at a minimum, a Final Title Guaranty Certificate with an amount of coverage that is not less than the value of the land and pre-existing improvements, if any, combined with the total Hard Construction Costs of the Project.

Compliance with HUD Environmental Noise Requirements (24 CFR Part 51, Subpart B). Applicants shall take into consideration the noise criteria and standards in the environmental review process (24 CFR Part 51, Subpart B) and consider corrective actions when noise sensitive land development is proposed in noise exposed areas. Noise Abatement and Control. The requirements set out in Section 51.104(a) are designed to ensure that noise sensitive projects do not have an interior noise level that exceeds the 45 decibels (dB) level established as a goal in Section 51.10 (a)(9). Complete the IFA form Exhibit H-22 Noise Abatement and Control, and if a noise sensitive condition exists for the project, a noise assessment that meets HUD federal requirements must be included in your application.

Floodplain and wetland. HOME does not allow a Project to be located within a flood hazard area or a wetland. Include a FEMA FIRMette map to indicate that the Project site will not be within a flood hazard area and a wetland map showing the project site will not be within a wetland.

If a NEW construction project is funded, the project will also need to provide in the SHPO Packet an archeological desk review, at the time of the SHPO submittal. This is mentioned so that if a project is funded there may be additional time and funds required to get the archeological desk review completed. A project may want to include this in the Phase I request from the consultant. Further guidance will be provided if a new construction project is awarded funding.



## APPENDIX B

### HOME LINKS

[HOME Income Limits](#)

[HOME Rent Limits](#)

- *Use low home rent, high home rent or fair market rent*

[Sam.gov](#)

[DNR Asbestos Information](#)

[FEMA Map Service Center](#)

[HOME Property Owners Compliance Guide](#)

[Lead Poisoning Prevention - Frequently Asked Questions](#)

[Radon](#)

[Census Tract and Minority Percentage](#)



### APPENDIX C

#### 2022 HOME MAXIMUM PER UNIT SUBSIDY Omaha Field Office

PJs	HCP	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Base		\$ 66,564.00	\$ 76,305.00	\$ 92,789.00	\$ 120,039.00	\$ 131,765.00
All Nebraska and Iowa PJs/Counties	240%	\$ 159,753.60	\$ 183,132.00	\$ 222,693.60	\$ 288,093.60	\$ 316,236.00

\*Effective as of March 17, 2022



## APPENDIX E

### MATCH CONTRIBUTION INFORMATION RENTAL WITH TAX CREDITS

#### HOME Match

By establishing the HOME Program, Congress intended to establish a partnership between the federal government, states, units of local government and nonprofit organizations to expand the supply of affordable housing for low-income families. According to 24 CFR Part 92.218, IFA must accumulate contributions to qualified housing in an amount equal to 25% of appropriated HOME funds drawn down for housing projects. These contributions are referred to as “match”.

To be considered an eligible match, a contribution must be made from nonfederal sources and must be made to housing that is assisted with HOME funds or to housing that is not HOME assisted but meets the HOME affordability requirements 24 CFR Part 92.219.

Matching contributions may be in the form of one or more of the following:

- Cash contributions from nonfederal sources and permanently contributed to the HOME project. This contribution cannot be made by the owner/developer. Nonfederal cash match contributions to HOME assisted or HOME eligible projects may be expended for activities that are eligible project costs, as well as for costs that are not eligible HOME costs.
- Below-market interest rate loan from private lending institution.
- The value of state or local taxes, fees, or other charges that are normally imposed but are waived, forgone, or deferred.
- The value of donated land or other real property, before the HOME assistance is provided and minus any debt burden, lien, or other encumbrance.
- The cost of on-site and off-site infrastructure directly required for affordable housing assisted with HOME funds, not paid with federal resources. (The cost of infrastructure related to affordable housing that is NOT HOME assisted is not an eligible form of match).
- Proceeds from multifamily and single-family affordable housing project bond financing validly issued by a State or local government, or an agency, instrumentality, or political subdivision of a State and repayable with revenues from the affordable housing project.
- Donated site preparation and construction materials not acquired with federal resources and any donated or voluntary labor in connection with the site-preparation.



## APPENDIX F

### RESTRICTIONS ON LOBBYING

24 CFR Part 87 requires a recipient of a federal contract, grant, loan, or cooperative agreement to certify that it will not use appropriated funds to influence or attempt to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the following covered federal actions:

- The awarding of any federal contract,
- The making of any federal grant,
- The making of any federal loan,
- The entering into of any cooperative agreement, and
- The extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

In addition, any person who requests or receives a federal contract, grant, loan, or cooperative agreement from a federal agency and uses *non-appropriated* funds to pay an individual to influence or attempt to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the above defined “covered federal actions” must submit a disclosure form (SF-LLL) in accordance with 24 CFR Part 87. A “person” means an individual, corporation, association, authority, firm, partnership, society, state, and local government.

Because HOME awards are a covered federal activity, the Iowa Finance Authority (IFA) must require all owners, contractors, and sub-contractors at any tier to comply with 24 CFR Part 87.

1. Each HOME recipient, contractor, subcontractor, individual, and entity who have requested or received more than \$100,000 in HOME funds must submit a lobbying certification form to IFA.
  - If more than \$100,000 in HOME funds were received in a month by the recipient, contractor, subcontractor, individual, or entity, then a lobbying certification for each month in which more than \$100,000 was received must be submitted to IFA.
2. Any person (see definition above) who requests or receives more than \$100,000 of HOME funds, whether as a grantee, sub-grantee, contractor, or subcontractor must submit the SF-LLL Lobbying Disclosure Activities form to IFA IF that person has made or has agreed to make a payment using non-federally appropriated funds for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress.



All disclosure forms (SF-LLL) will be submitted to the next higher tier who will then submit to IFA. IFA will submit to HUD. The certifications must only be submitted to the next higher tier and filed.

For example: A subcontractor must file its certification with the contractor. The contractor is required to file the certification. If the subcontractor provided the SF-LLL, then the contractor would forward it to the project who would then forward it to IFA.

Please note that a new SF-LLL Disclosure of Lobbying Activities form must be filed at the end of each calendar quarter if an event occurs that materially affects the accuracy of information reported. This would include:

- A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered federal action; or
- A change in the person(s) or individual(s) influencing or attempting to influence a covered federal action; or
- A change in the officer(s), employee(s), or Member(s) contacted to influence or attempt to influence a covered federal Action.

Failure by any person to file the required certification may be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.



## APPENDIX G

### PROVIDING AUDITS NONPROFITS, CHDO

Recipients must provide an audit or "Single Audit Not Required" form to Iowa Finance Authority as applicable for each fiscal year that the recipient has expended HOME funds.

#### Nothing Required

Nothing must be submitted to IFA for a fiscal year where the recipient expends zero HOME funds.

#### Single Audit Not Required Form

A "Single Audit Not Required" form must be submitted to IFA for each fiscal year that the recipient expends less than \$750,000 in federal funds, part of which must be HOME funds.

#### Audit

Receipt of federal funds may require you to comply with the provisions of 2 CFR Part 200. These rules require that any entity which expends \$750,000 or more in federal funds from any federal sources during any fiscal year must conduct a single audit for that fiscal year, or if all the federal funds are through one program, a program audit for the applicable program.

If you or your auditor determine that you need a single audit, your auditor will need to be aware of the following information:

- ✓ If a single audit is required, it is due to IFA within 9 (nine) months of the end of the applicable fiscal year, or within 30 days of the recipient's receipt of the audit, whichever is earlier.
- ✓ If the grantee is required by state law to do any agency-wide audit, and is also required to comply with the single audit requirements, the grantee may satisfy both requirements by conducting one audit which complies with the requirements.
- ✓ As part of the Single Audit Act requirements, IFA is required to advise you of the Catalog of Federal Domestic Assistance (CFDA) Number of the program through which the grantee will receive HOME funding from IFA. The CFDA number for the HOME program is 14.239

#### Audit Costs

Audit-related costs should be considered and included in your application budget.

#### For More Information

For more information about the Federal government audit requirements, go to:

[2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#)

**NOTE:** Throughout the project's closeout and affordability period, the recipient is required to provide IFA with a copy of any audits prepared on the recipient entity.



## APPENDIX H

### PROVIDING FINANCIAL STATEMENTS FOR PROFIT

Recipients must provide an audit or "Single Audit Not Required" form to Iowa Finance Authority as applicable for each fiscal year that the recipient has expended HOME funds.

#### Nothing Required

Nothing must be submitted to IFA for a fiscal year where the recipient expends zero HOME funds.

#### Financial Statement Not Required Form

A "Financial Statement Not Required" form must be submitted to IFA for each fiscal year that the recipient expends less than \$750,000 in federal funds, part of which must be HOME funds.

#### Federal Funds Expended (\$750,000 or more) Form

A "Federal Funds Expended (\$750,000 or more)" form must be submitted to IFA for each fiscal year that the recipient expends \$750,000 or more in federal funds, part of which must be HOME funds.

#### Financial Statement/Audit

If the recipient submits a "Federal Funds Expended (\$750,000 or more)" form for any fiscal year, a project-specific financial statement or audit must be submitted when the project is placed-in-service or when the IRS Form 8609 (for tax credit projects with HOME) has been issued.

#### Financial Statement/Audit Costs

Financial Statement/audit-related costs should be considered and included in your application budget.

**NOTE:** Throughout the project's closeout and affordability period, the recipient is required to provide IFA with a copy of any audits prepared on the recipient entity.



# COMMERCIAL PRICING

## PREMIUM

\$1 per \$1,000 of coverage (\$250 Minimum Premium Fee)  
\$100 Simultaneous Issuance

IOWA TITLE GUARANTY COMMERCIAL IS IN THE BUSINESS  
OF PROTECTING YOUR COMMERCIAL PROPERTY.

### MATT VELDEY

Commercial Underwriting Attorney

515.452.0490

Matthew.Veldey@IowaFinance.com

### ETHAN MURRAY

Commercial Underwriting Attorney

515.452.0483

Ethan.Murray@IowaFinance.com

REFINANCE CLOSING FEE\* **\$750**

PURCHASE CLOSING FEE\* **\$1,500 - \$2,500**

CONSTRUCTION DRAW FEE\* **\$350**

DATE DOWN/  
DISBURSEMENT  
ENDORSEMENT\* **\$350**  
plus abstracting costs

\*Third-party abstracting fees may apply and shall be payable directly to abstractor

Coverage Amount	Endorsement Fee	
< \$500k	\$50	Access – Access and Entry (ALTA 17-06) Access – Indirect Access and Entry (ALTA 17.1-06) Aggregation (ALTA 12-06) Commercial Environmental Protection Lien (ALTA 8.2-06) Condominium – Lender (ALTA 4-06) Condominium – Owner (ALTA 4.1-06) Contiguity – Multiple Parcels (ALTA 19-06) Contiguity – Single Parcel (ALTA 19.1-06) Contiguity – Specified Parcels (ALTA 19.2-06) Continuation Sheet Endorsement Doing Business (ALTA 24-06) Easement – Damage or Enforced Removal (ALTA 28-06) Electronic Signature Endorsement – Lender Electronic Signature Endorsement – Owner Environmental Protection Lien – Commercial (ALTA 8.1-06) Fairway Endorsement First Loss-Multiple Parcel Transactions (ALTA 20-06) Foundation Endorsement
\$500k - \$1MIL	\$100	Future Advance – Priority (ALTA 14-06) Leasehold – Lenders (ALTA 13.1-06) Leasehold – Owners (ALTA 13-06) Location – Commercial (ALTA 22-06) Mortgage Modification (ALTA 11-06) Multiple Tax Parcels (ALTA 18.1-06) Pari Passu Endorsement Planned Unit Development – Lender (ALTA 5-06) Planned Unit Development – Owner (ALTA 5.1-06) Single Tax Parcel (ALTA 18-06) Street Assessments (ALTA 1-06) Subdivision Plat Endorsement Truth in Lending (ALTA 2-06) Usury Endorsement Utility Facilities Endorsement Variable Rate Mortgage (ALTA 6-06) Variable Rate, Negative Amortization (ALTA 6.2-06)
> \$1MIL	\$150	

Coverage Amount	Endorsement Fee	
< \$500k	\$100	Comprehensive 1 – Improved Land Comprehensive 2 – Improved Land (ALTA 9-06) Comprehensive 3 – Unimproved Land Comprehensive 4 – Owners Unimproved (ALTA 9.1-06) Comprehensive 5 – Owners Improved (ALTA 9.2-06) Comprehensive 6 – Restrictions Comprehensive 7 – Lenders Minerals (ALTA 9.7-06) Comprehensive 8 – Owners Covenants (ALTA 9.8-06) Construction Loan – Direct Payment (ALTA 32.2-06) Construction Loan – Loss of Priority (ALTA 32-06) Encroachment Endorsements Gap Coverage Endorsement
\$500k - \$1MIL	\$200	Non-Imputation Endorsements Private Rights – Current Assessments – Loan (ALTA 9.6.1-06) Private Rights – Lender (ALTA 9.6-06) Private Rights – Owner (ALTA 9.9-06) Standard Exception Waiver Endorsement Survey Endorsement Tax Credit Endorsement Utility Access (ALTA 17.2-06) Zoning – Unimproved Land (ALTA 3-06) Zoning – Completed Structure (ALTA 3.1-06) Zoning – Land Under Development (ALTA 3.2-06)
> \$1MIL	\$300	

## **Estimated Borrower Closing Costs for a \$500,000 HOME Loan:**

Lender's Premium = **\$775**  
*(for Lender's title coverage in the amount of \$500,000)*

Owner's Premium = **\$100**  
*(for Owner's title coverage in the amount of \$500,000)*

Closing Fee = **\$1,500**

Draw Fees (6 Draws) = **\$2,100**  
*(\$350 x 6 draws)*

Estimated Recording Fees = **\$200**

Estimated Abstracting Fees = **\$700**

Estimated Title Opinion Fees = **\$300**

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**Total Estimated Costs = \$5,675**

*\*\*Our Closing Fee includes preparation of the settlement statement, recording of the deed and mortgage documents, disbursement of funds and 1099 reporting.*

**Iowa Title Guaranty offers Owner's coverage at a reduced rate when purchased in conjunction with a Lender's policy. Lender's coverage is exactly that - coverage for the lender.** It does not cover the buyer.

**An Owner's Policy provides coverage for the following:** valid title, title defects, un-marketable title, fraud, forgery, mistakes in abstracting or title examination, errors in the public records, and lack of access.





# Iowa Title Guaranty Commercial Application

## Lender Endorsements:

- Access – Access and Entry (ALTA 17-06)
- Access – Access and Entry - Indirect (ALTA 17.1-06)
- Aggregation - Loan (ALTA 12-06)
- Assignment (ALTA 10-06)
- Comprehensive 1 – Improved Land
- Comprehensive 2 – Lender Restrictions, Encroachments, Minerals (ALTA 9-06)
- Comprehensive 3 – Unimproved Land
- Comprehensive 6 – Restrictions
- Comprehensive 7 – Restrictions, Encroachments, Minerals – Land Under Development (ALTA 9.7-06)
- Condominium – Assessments Priority - Lender (ALTA 4-06)
- Contiguity – Multiple Parcels (ALTA 19-06)
- Construction Loan (ALTA 32-06)
- Construction Loan – Direct Payment (ALTA 32.1-06)
- Construction Loan – Guaranteed’s Direct Payment (ALTA 32.2-06)
- Contiguity – Multiple Parcels (ALTA 19-06)
- Contiguity – Single Parcel (ALTA 19.1-06)
- Contiguity – Specified Parcels (ALTA 19.2-06)
- Date Down - Lender
- Doing Business (ALTA 24-06)
- Easement – Damage or Enforced Removal (ALTA 28-06)
- Electronic Signature – Lender
- Encroachment
- Encroachment – Adverse
- Encroachment – Boundaries and Easements (ALTA 28.1-06)
- Encroachments – Boundaries and Easements – Land Under Development (ALTA 28.3-06)
- Endorsement Against Loss-Lien
- Environmental Protection Lien – Multifamily (ALTA 8.1-06)
- Commercial Environmental Protection Lien (ALTA 8.2-06)
- First Loss – Multiple Parcel Transactions (ALTA 20-06)
- Foundation
- Future Advance – Priority (ALTA 14-06)
- Gap Coverage
- Leasehold – Lenders (ALTA 13.1-06)
- Location – Commercial (ALTA 22-06)
- Modification (ALTA 11-06)
- Multiple Tax Parcels - Easements (ALTA 18.1-06)
- Multiple Tax Parcel (ALTA 18.2-06)
- Pari Passu Mortgage – Lender (ALTA 45-06)
- Planned Unit Development – Assessments Priority - Lender (ALTA 5-06)
- Single Tax Parcel (ALTA 18-06)
- Street Assessments (ALTA 1-06)
- Subdivision (ALTA 26-06)
- Survey
- Usury (ALTA 27-06)
- Utility Access (ALTA 17.2-06)
- Utilities Facilities
- Variable Rate Mortgage (ALTA 6-06)
- Variable Rate - Negative Amortization (ALTA 6.2-06)
- Zoning (ALTA 3-06)
- Zoning – Completed Structure (ALTA 3.1-06)
- Zoning – Land Under Development (ALTA 3.2-06)
- Zoning – Completed Improvement Non-Conforming Use (ALTA 3.3-06)
- Zoning – No Zoning Classification (ALTA 3.4-06)

## Owner Endorsements:

- Access - Access and Entry (ALTA 17-06)
- Access – Access and Entry - Indirect (ALTA 17.1-06)
- Comprehensive 4 – Owner Covenants, Conditions and Restrictions – Unimproved Land (ALTA 9.1-06)
- Comprehensive 5 – Owner Covenants, Conditions and Restrictions – Improved Land (ALTA 9.2-06)
- Comprehensive 6 – Restrictions
- Comprehensive 8 – Owner Covenants, Conditions and Restrictions – Land Under Development (ALTA 9.8-06)
- Condominium – Current Assessments - Owner (ALTA 4.1-06)
- Contiguity – Multiple Parcels (ALTA 19-06)
- Contiguity – Single Parcel (ALTA 19.1-06)
- Contiguity – Specified Parcels (ALTA 19.2-06)
- Date Down – Owner
- Easement – Damage or Enforced Removal (ALTA 28-06)
- Electronic Signature – Owner
- Encroachment
- Encroachment – Boundaries and Easements (ALTA 28.1-06)
- Encroachments – Boundaries and Easements – Land Under Development (ALTA 28.3-06)
- Fairway
- Foundation
- Gap Coverage
- Leasehold – Owner (ALTA 13-06)
- Location – Commercial (ALTA 22-06)
- Multiple Tax Parcels – Easements (ALTA 18.1-06)
- Multiple Tax Parcel (ALTA 18.2-06)
- Non-Imputation – Full Equity Transfer (ALTA 15-06)
- Non-Imputation – Additional Guaranteed (ALTA 15.1-06)
- Non-Imputation – Partial Equity Transfer (ALTA 15.2-06)
- Planned Unit Development – Current Assessments - Owner (ALTA 5.1-06)
- Single Tax Parcel (ALTA 18-06)
- Standard Exception Waiver
- Subdivision (ALTA 26-06)
- Survey
- Tax Credit – Owner (ALTA 40-06)
- Utility Access (ALTA 17.2-06)
- Utilities Facilities
- Zoning (ALTA 3-06)
- Zoning – Completed Structure (ALTA 3.1-06)
- Zoning – Land Under Development (ALTA 3.2-06)
- Zoning – Completed Improvement Non-Conforming Use (ALTA 3.3-06)
- Zoning – No Zoning Classification (ALTA 3.4-06)



## APPENDIX N

### LEAD BASED PAINT REQUIREMENTS

The HOME program is impacted by HUD's Lead Safe Housing Regulations.

In 2008, the U.S. Environmental Protection Agency (EPA) issued rules for renovation. They apply to renovation in pre-1978 housing (target housing). They also apply to pre-1978 child-occupied facilities (daycare centers, kindergartens).

Beginning April 22, 2010, renovators must be certified. They must also follow lead-safe work practices. The Iowa Department of Public Health (IDPH) will carry out these rules in Iowa.

Certified people will be called "lead-safe renovators."

Please review the link below to determine if lead based paint requirements must be met for your project.

<http://idph.iowa.gov/lpp>



## APPENDIX O NOISE STANDARDS

### NOISE ATTENUATION

HUD's noise policy clearly requires that noise attenuation measures be provided when proposed projects are to be located in high noise areas. The requirements set out in Section 51.104(a) are designed to ensure that interior level noise does not exceed the 45 decibels (dB) level established as a goal in Section 51.101(a)(9). Thus, in effect, if the exterior noise level is 65 dB to 70 dB, 25 dB of noise attenuation must be provided; if the exterior noise level is between 70 and 75 dB, then 30 dB of attenuation is required.

There are three basic ways to provide the noise attenuation required:

- 1) The use of barriers or berms
- 2) Site design
- 3) Acoustical construction

The necessary attenuation can be achieved through the use of common construction techniques or materials. Sound Transmission Class (STC) is used as a measure of a material's ability to reduce sound. Thus, a high STC rating indicates a good insulating material.

### NOISE ABATEMENT AND CONTROL

HUD's noise standards may be found in 24 CFR Part 51, Subpart B. For proposed new construction in high noise areas, the project must incorporate noise attenuation features. Consideration of noise applies to the acquisition of undeveloped land and existing development as well.

All sites whose environmental or community noise exposure exceeds the day-night average sound level (DNL) of 65 decibels are considered noise-impacted areas. For new construction that is proposed in high noise areas, grantees shall incorporate noise attenuation features to the extent required by HUD environmental criteria and standards contained in Subpart B (Noise Abatement and Control) of 24 CFR Part 51. The interior standard is 45 dB.

The "Normally Unacceptable" noise zone includes community noise levels from above 65 dB to 75 dB. Approvals in this noise zone require a minimum of 5 dB additional sound attenuation for buildings having noise-sensitive uses if the day-night average sound level is greater than 65 dB but does not exceed 70 dB, or a minimum of 10 decibels of additional sound attenuation if the day-night average sound level is greater than 70 dB but does not exceed 75 dB.

Locations with day-night average noise levels above 75 dB have "Unacceptable" noise exposure. For new construction, noise attenuation measures in these locations required the approval of the Assistant Secretary for Community Planning and Development (for projects reviewed under Part 50) or the Responsible Entity's Certifying Officer (for projects reviewed under Part 58). The acceptance of such locations normally requires an environmental impact statement.

In "Unacceptable" noise zones, HUD strongly encourages conversion of noise-exposed sites to land uses compatible with the high noise levels.



HUD Guidance

**Are there potential noise generators in the vicinity of the project?**

Review general location maps and/or conduct a field review to screen for major roadways (within 1,000 feet), railroads (within 3,000 feet), and military or FAA-regulated airfields (within 15 miles) in the vicinity of the project.

**If a noise assessment was performed, was the noise found to be Acceptable, Normally Unacceptable, or Unacceptable?**

Site Acceptability Standards

Noise zone	Day-night average sound level (in decibels)	Special approvals & requirements
Acceptable	Not exceeding 65 dB	None
Normally Unacceptable	Above 65 dB but not exceeding 75 dB	- Environmental assessment and attenuation required for new construction - Attenuation strongly encouraged for major rehabilitation  Note: An environmental impact statement is required if the project site is largely undeveloped or will encourage incompatible development.
Unacceptable	Above 75 dB	- Environmental impact statement required - Attenuation required for new construction with approval by the Assistance Secretary of CPD or Certifying Officer

Compliance and Documentation

The environmental review record should contain **one** of the following:

- Documentation the proposed action is not within 1,000 feet of a major roadway, 3,000 feet of a railroad, or 15 miles of a military or FAA-regulated civil airfield.
- If within those distances, documentation showing the noise level is *Acceptable* (at or below 65 dB).
- If within those distances, documentation showing that there's an effective noise barrier (i.e., that provides sufficient protection).
- Documentation showing the noise generated by the noise source(s) is *Normally Unacceptable* (66-75 dB) and identifying noise attenuation requirements that will bring the interior noise level to 45 dB and/or exterior noise level to 65 dB.



## APPENDIX P COMMUNITY HOUSING DEVELOPMENT ORGANIZATION EXPERIENCE

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### **PART 1 – REQUIREMENTS**

#### **SECTION 1 – GENERAL INFORMATION**

##### **1.1 PURPOSE**

Community Housing Development Organizations (CHDO) that apply under the nonprofit set-aside and request State HOME funds will be awarded 2 points.

#### **SECTION 2 - CHDO REQUIREMENTS**

##### **2.1 CHDO DEFINITION**

CHDO means a private nonprofit organization that meets the definition as specified in the HOME Final Rule, [24 CFR 92.2 “Community housing development organization”](#) as follows:

- (1) Is organized under State or local laws;
- (2) Has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual;
- (3) Is neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization. A community housing development organization may be sponsored or created by a for-profit entity, but:
  - (i) The for-profit entity may not be an entity whose primary purpose is the development or management of housing, such as a builder, developer, or real estate management firm.
  - (ii) The for-profit entity may not have the right to appoint more than one-third of the membership of the organization's governing body. Board members appointed by the for-profit entity may not appoint the remaining two-thirds of the board members;
  - (iii) The community housing development organization must be free to contract for goods and services from vendors of its own choosing; and
  - (iv) The officers and employees of the for-profit entity may not be officers or employees of the community housing development organization.
- (4) Has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 ([26 CFR 1.501\(c\)\(3\)-1](#) or [1.501\(c\)\(4\)-1](#)), is classified as a subordinate of a central organization non-profit under section 905 of the Internal Revenue Code of 1986, or if the private nonprofit organization is an wholly owned entity that is disregarded as an entity separate from its owner for tax purposes (e.g., a single member limited liability company that is wholly owned by an organization that qualifies as tax-exempt), the owner organization has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 and meets the definition of “community housing development organization;”
- (5) Is not a governmental entity (including the participating jurisdiction, other jurisdiction, Indian tribe, public housing authority, Indian housing authority, housing finance agency, or redevelopment authority) and is not controlled by a governmental entity. An organization that is created by a governmental entity may qualify as a community housing development organization; however, the governmental entity may not have the right to appoint more than one-third of the membership of the organization's governing body and no more than one-third of the board members may be public officials or employees of governmental entity. Board members appointed by a governmental entity may not appoint the remaining two-thirds of the board members. The



officers or employees of a governmental entity may not be officers or employees of a community housing development organization;

(6) Has standards of financial accountability that conform to [2 CFR 200.302](#), 'Financial Management' and [2 CFR 200.303](#), 'Internal Controls;'

(7) Has among its purposes the provision of decent housing that is affordable to low-income and moderate-income persons, as evidenced in its charter, articles of incorporation, resolutions or by-laws;

(8) Maintains accountability to low-income community residents by:

(i) Maintaining at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or elected representative of low-income neighborhood organizations. For urban areas, "community" may be a neighborhood or neighborhoods, city, county or metropolitan area; for rural areas, it may be a neighborhood or neighborhoods, town, village, county, or multi-county area (but not the entire State); and

(ii) Providing a formal process for low-income program beneficiaries to advise the organization in its decisions regarding the design, siting, development, and management of affordable housing;

(9) Has a demonstrated capacity for carrying out housing projects assisted with HOME funds. A designated organization undertaking development activities as a developer or sponsor must satisfy this requirement by having paid employees with housing development experience who will work on projects assisted with HOME funds. For its first year of funding as a community housing development organization, an organization may satisfy this requirement through a contract with a consultant who has housing development experience to train appropriate key staff of the organization. An organization that will own housing must demonstrate capacity to act as owner of a project and meet the requirements of [§ 92.300\(a\)\(2\)](#). A nonprofit organization does not meet the test of demonstrated capacity based on any person who is a volunteer or whose services are donated by another organization; and

(10) Has a history of serving the community within which housing to be assisted with HOME funds is to be located. In general, an organization must be able to show one year of serving the community before HOME funds are reserved for the organization. However, a newly created organization formed by local churches, service organizations or neighborhood organizations may meet this requirement by demonstrating that its parent organization has at least a year of serving the community.

## 2.2 CHDO CERTIFICATION

The qualified CHDO must be approved by IFA for CHDO certification in conjunction with the LIHTC application submission in order for the Project to be eligible for an award of HOME funds under the HOME CHDO Set-Aside. IFA reserves the right to deny approval to any proposed CHDO that has failed to comply with program requirements in the administration of any previous project funded by IFA through any of its programs.

To be eligible for CHDO certification, the CHDO and proposed Project must meet all requirements set forth in the HOME Final Rule, including [24 CFR 92.300, Set-aside for community housing development organizations \(CHDOs\)](#).

In a typical LIHTC Project, the rental housing will be "sponsored" by the CHDO under the following requirements as specified in [24 CFR 92.300\(a\)\(4\)](#):

(4) Rental housing is "sponsored" by the community development housing organization if it is rental housing "owned" or "developed" by a subsidiary of a community housing development organization, a limited partnership of which the community housing development organization or its subsidiary is the sole general partner, or a limited liability company of which the community housing development organization or its subsidiary is the sole managing member.



(i) The subsidiary of the community housing development organization may be a for-profit or nonprofit organization and must be wholly owned by the community housing development organization. If the limited partnership or limited liability company agreement permits the community housing development organization to be removed as general partner or sole managing member, the agreement must provide that the removal must be for cause and that the community housing development organization must be replaced with another community housing development organization.

(ii) The HOME funds must be provided to the entity that owns the project.

To request CHDO certification, the CHDO must submit Exhibit H-25 and Exhibit H-26 as part of the LIHTC Application submission. The CHDO must also certify its intent and ability to comply with 24 CFR 92.300(a)(4)(i).

Staff may request additional clarifying information to confirm the information submitted in the Exhibits. IFA reserves the right to verify information contained in the Exhibit and to discuss the Applicant's and Project qualifications. IFA also reserves the right to obtain and consider information from other sources concerning a CHDO and Project.

### Sample Section 3 Employment Notice

**(Instructions: Send notice to the Iowa Chapter of NAHRO for distribution to public housing authorities)**

(Insert Locality's name) is preparing to carry out the (insert Name of Project) through the use of HOME Funds. In the implementation of this project the following job types are available:

(Insert List of Job Classifications to be used during project)

All job openings will be posted at (list other posting locations). To the greatest extent feasible, employment and training positions will be made available to qualified persons who permanently reside in (Insert the County's or local municipality name as Section 3 area).

Persons qualified for the jobs listed should register at the following location:

(Insert location where applicant should apply and any application instructions)

For questions on this employment opportunity, please contact:

(Insert contact & contact information)