

HOME AND NHTF APPENDIX LIST

RENTAL WITH TAX CREDITS

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APPENDIX A

HOME and NHTF LINKS

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[NHTF Rent Limits](#)

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

[Unique Entity ID](#)

[Asbestos - Home Page](#)

[FEMA Flood Map Service Center | Welcome!](#)

[2024 Compliance Guide](#)

[Lead Poisoning | Health & Human Services](#)

[Radon](#)

[Build America, Buy America \(BABA\) | US EPA](#)

[HUD NSPIRE Factsheet](#)

[HOTMA Resources](#)



Section 3 Resources

[CDC Social Vulnerability Index Map](#)



APPENDIX B
2024 HOME MAXIMUM PER UNIT SUBSIDY
Omaha Field Office

PJs	HCP	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Base		\$75,620.00	\$86,687.00	\$105,414.00	\$136,372.00	\$149,693.00
All Nebraska and Iowa PJs/Counties	240%	\$181,488.00	\$208,048.00	\$252,993.60	\$327,292.80	\$359,263.20

*Effective as of February 13, 2024



APPENDIX C

MATCH AND LEVERAGE 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.

NHTF Leverage

By establishing the NHTF, Congress intended to establish a program that will complement existing Federal, State, and Local efforts to increase and preserve the supply of decent, safe, and sanitary affordable housing for extremely low- and very low-income households, including homeless families. As a part of an awarded NHTF project, many non-federal sources of funds and qualified non-cash contributions can be counted as leverage and utilized to assist in the development budget. There is not a required leverage contribution for any NHTF applicant.

IFA does, however, reserve the right to make award decisions (i.e. provide points for leverage) such that the State may further enhance affordable housing development.

To be considered as eligible leverage, a contribution must be made from nonfederal sources.

Matching and Leverage 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 D RESTRICTIONS ON LOBBYING

24 CFR Part 87 and 2 CFR Part 200 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 and 2 CFR Part 200. A "person" means an individual, corporation, association, authority, firm, partnership, society, state, and local government.

Because HOME and NHTF 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 and 2 CFR Part 200.

1. Each HOME or NHTF recipient, contractor, subcontractor, individual, and entity who have requested or received more than \$100,000 in HOME or NHTF funds must submit a lobbying certification form to IFA.
 - If more than \$100,000 in HOME or NHTF 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 or NHTF 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 them 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:

1. 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
2. A change in the person(s) or individual(s) influencing or attempting to influence a covered federal action; or
3. 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 E 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 or NHTF funds.

Nothing Required

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

An audit or financial statement is due within 30 Days of audit completion or nine months after the end of the audit period, whichever is earlier, during construction and project completion. IFA will review the audit or financial statement for any findings or concerns, yearly.

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 (CDFA) 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 F 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 or NHTF funds.

Nothing Required

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



IOWA TITLE GUARANTY 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.**

REFINANCE CLOSING FEE* \$750

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

CONSTRUCTION DRAW FEE* \$400

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

Coverage Amount	Endorsement Fee		
≤500k	\$50	Access and Entry (ALTA 17-06) Aggregation – Lender's Certificate (ALTA 12) Anti-Taint (ALTA 43-06) Assignment (ALTA 10) Assignment of Rents or Leases (ALTA 37-06) Certificate Authentication (ALTA 39-06) Commercial Environmental Protection Lien (ALTA 8.2-06) Condominium – Current Assessments (ALTA 4.1) Contiguity – Single/Multiple/Specified Parcels (ALTA 19-06, 19.1-06, 19.2-06) Covenants, Conditions, and Restrictions – Unimproved Land – Owner's Certificate (ALTA 9.1-06) Doing Business (ALTA 24-06) Environmental Protection Lien (ALTA 8.1) Fairway First Loss – Multiple Parcel Transactions (ALTA 20-06) Future Advance – Priority (ALTA 14) Guaranteed Mortgage Recording – Lender's Certificate (ALTA 44-06) Indirect Access and Entry (ALTA 17.1-06) Leasehold – Owner's Certificate/Lender's Certificate (ALTA 13-06, 13.1-06) Location (ALTA 22-06) Minerals and Other Subsurface Substances – Buildings/Improvements/Described Improvements/Land Under Development (ALTA 35-06, 35.1-06, 35.2-06, 35.3-06)	Mortgage Modification (ALTA 11) Mortgage Modification with Additional Coverage Amount* (ALTA 11.2) Multiple Tax Parcel – Easements (ALTA 18.1-06) Multiple Tax Parcel (ALTA 18.2-06) Pari Passu Mortgage – Lender's Certificate (ALTA 45-06) Planned Unit Development – Current Assessments (ALTA 5.1-06) Private Rights – Current Assessments – Lender's Certificate (ALTA 9.6.1-06) Single Tax Parcel (ALTA 18-06) Single Tax Parcel and ID (ALTA 18.3-06) Street Assessments (ALTA 1-06) Subdivision (ALTA 26) Usury (ALTA 27) Utility Access (ALTA 17.2-06) Utility Facilities Variable Rate Mortgage – Negative Amortization (ALTA 6.2) Variable Rate Mortgage (ALTA 6) Water – Buildings/Improvements/Described Improvements/Land Under Development (ALTA 41-06, 41.1-06, 41.2-06, ALTA 41.3-06) Zoning – No Zoning Classification (ALTA 3.4) Zoning (ALTA 3)
>500k - \$1M	\$100		
>\$1M - \$10M	\$150		
>\$10M	\$200		

Coverage Amount	Endorsement Fee		
<500k	\$100	Comprehensive – Improved Land/Unimproved Land	Interest Rate Swap – Direct Obligation/Direct Obligation-Defined Amount*/Additional Interest/Additional Interest – Defined Amount* (ALTA 29-06, 29.1-06, 29.2-06, 29.3-06)
>500k - \$1M	\$200	Condominium – Assessments Priority (ALTA 4) Construction Loan – Direct Payment/ Guaranteed's Direct Payment (ALTA 32, 32.1, 32.2)	Mezzanine Financing (ALTA 16-06)
>\$1M - \$10M	\$300	Covenants, Conditions, and Restrictions – Improved Land – Owner's Certificate (ALTA 9.2-06)	Non-Imputation – Full Equity Transfer/Additional Guaranteed/Partial Equity Transfer (ALTA 15-06, 15.1-06, 15.2-06)
>\$10M	\$400	Covenants, Conditions, and Restrictions – Land Under Development – Owner's Certificate (ALTA 9.8-06)	Planned Unit Development – Assessments Priority (ALTA 5-06)
		Covenants, Conditions, and Restrictions – Lender's Certificate (ALTA 9.3-06)	Private Rights – Lender's Certificate/Owner's Certificate (ALTA 9.6-06, 9.9-06)
		Easement – Damage or Enforced Removal (ALTA 28-06)	Restrictions, Encroachments, Minerals – Lender's Certificate/Land Under Development/ Current Violations - Lender's Certificate (ALTA 9-06, 9.7-06, 9.10-06)
		Encroachments – Boundaries and Easements – Described Improvements/Land Under Development (ALTA 28.1-06, 28.2-06, 28.3-06)	Same as Portion of Survey (ALTA 25.1-06)
		Foundation	Same as Survey (ALTA 25-06)
		Gap Coverage	Standard Exception Waiver
		Identified Exception & Identified Risk Coverage (ALTA 34.1)	Tax Credit – Defined Amount – Owner's Certificate* (ALTA 40.1-06)
		Identified Risk Coverage (ALTA 34-06)	Tax Credit – Owner's Certificate (ALTA 40-06)
			Zoning – Completed Structure/Land Under Development/Completed Improvement Non-Conforming Use (ALTA 3.1, 3.2, 3.3)

Special Endorsements	Disbursement (ALTA 33-06)	Date Down – Owner's Certificate/Lender's Certificate
		\$350

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IOWA TITLE GUARANTY RESIDENTIAL PREMIUM RATES

EFFECTIVE JULY 1, 2023

PRODUCT	COVERAGE AMOUNT	PREMIUM	
		PURCHASE	REFINANCE
Lender-Only Coverage Available for in-house, conventional, FHA, VA, one-time close construction, subordinate financing, and installment contract refinancing.	\$0 – \$750,000	\$175	
	over \$750,000	\$175 + \$1 per \$1,000 over \$750,000	\$175 + \$1 per \$1,000 over \$750,000
Owner-Only Coverage Available for cash, contract and financed purchases with no lender coverage.	\$0 – \$750,000	\$175	N/A
	over \$750,000	\$175 + \$1 per \$1,000 over \$750,000	
Simultaneous Coverage Lender and Owner Coverage.	\$0 – \$750,000	\$175	N/A
	over \$750,000 One or more certificates.	\$175 + \$1 per \$1,000 over \$750,000 Based upon the certificate with the higher coverage amount.	
Additional Concurrent Coverage Available for junior and home equity lines of credit (HELOC) when issued in conjunction with a lender certificate.	N/A	\$35	\$35
Closing Protection Letter	N/A	NO ADDITIONAL PREMIUM	NO ADDITIONAL PREMIUM

Residential coverage is available for any single-family dwelling or multi-family dwelling consisting of four (4) units or less. This includes primary residences and non-primary residences, including but not limited to, second homes, vacation homes, investment or rental properties.

*Survey or Real Property Inspection Report (RPIR) required for lender coverage amounts exceeding the FHFA conforming loan limit in effect at Commitment Date.

ENDORSEMENTS AVAILABLE FOR NO ADDITIONAL PREMIUM

Assignment (ALTA 10)	Leasehold—Owner's Certificate (ALTA 13-06)	Single Tax Parcel and ID (ALTA 18.3-06)
Balloon Mortgage	Location (ALTA 22-06)	Standard Exception 1 Waiver
Comprehensive—Improved Land	Manufactured Housing Unit (ALTA 7-06)	Standard Exception 2 Waiver
Condominium—Assessments Priority (ALTA 4)	Manufactured Housing—Conversion—Lender's Certificate (ALTA 7.1)	Standard Exception 3 Waiver
Condominium—Current Assessments (ALTA 4.1)	Mortgage Modification (ALTA 11)	Standard Exception 4 Waiver
Encroachments—Boundaries and Easements (ALTA 28.1)	Multiple Tax Parcel (ALTA 18.2)	Standard Exception 5 Waiver
Endorsements Against Loss—Lien	Planned Unit Development—Assessments Priority (ALTA 5-06)	Variable Rate Mortgage (ALTA 6)
Environmental Protection Lien (ALTA 8.1)	Planned Unit Development—Current Assessments (ALTA 5.1-06)	Variable Rate Mortgage—Negative Amortization (ALTA 6.2)
Future Advance—Priority (ALTA 14)	Restrictions, Encroachments, Minerals—Lender's Certificate (ALTA 9-06)	Zoning (ALTA 3)
Future Advance—Reverse Mortgage (ALTA 14.3)	Single Tax Parcel (ALTA 18-06)	

ENDORSEMENTS ISSUED APART FROM ORIGINAL TRANSACTION AVAILABLE FOR \$50

Modification (ALTA 11-06)

APPENDIX H

LEAD BASED PAINT REQUIREMENTS

The HOME and NHTF programs are 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".

Lead-based paint requirements do not apply to new construction projects.

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

[Childhood Lead Poisoning Prevention Resources | Health & Human Services](#)



APPENDIX I

HOME and NHTF 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 where 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	<p>4) Environmental assessment and attenuation required for new construction 5) Attenuation strongly encouraged for major rehabilitation</p> <p>Note: An environmental impact statement is required if the project site is largely undeveloped or will encourage incompatible development.</p>
Unacceptable	Above 75 dB	<ul style="list-style-type: none"> - 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.



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)



APPENDIX K CHOICE LIMITING ACTIONS

Once an application has been formally submitted, the project is considered “federalized” and has officially started its “environmental review period” making it subject to all of HUD’s Part 58 environmental regulations. During this period, the applicant must ensure that no activities related to the project, in any capacity, are committed per **24 CFR Part 58.22**. The environmental review period does not end until IFA sends a formal release of funds letter to the primary developer.

Any action that occurs between the submittal of an application and the receipt of the “Release of Funds” letter from IFA can be considered a choice-limiting action. A choice-limiting action is any activity related to the development process of a project that occurs during the environmental review period. Choice-limiting actions are explicitly activities that commit federal or non-federal funds to the development process or limit the choice of reasonable alternatives for a project. Committing a choice-limiting action may result in a forfeiture of all federal funding for a project. If a choice-limiting action occurs on a project site, **it can result in the forfeiture of all federal funding, including other federal grants.**

Choice-limiting actions can be committed by anyone, not just the developer or the property owner. The applicant must stay cognizant of what is occurring on the site at all times.

Examples of common choice-limiting actions are:

- Purchase or transfer of a property, even if it is from an individual owner to an LLC that they own or are a part of. Any transfer of property is choice-limiting.
- Purchase of any construction materials, dirt, lumber, tools, etc.
- Platting and subdividing property.
- Any actual construction-related activities. Digging a hole or moving dirt to a site is considered choice-limiting.
- Bringing construction equipment to a site.
- Acquiring construction permits or any other related permits. Final legal processes are considered choice-limiting.
- Signing any contracts. Subcontractor agreements or option agreements or purchase agreements are considered choice-limiting. If these actions are committed during the environmental review period, project funding will be pulled.
- Any demolition, rehabilitation, or construction, even if committed by a third-party owner with no affiliation with the project.
- Commitment of any private or federal funding to a project. Spending any kind of funds on a project (aside from planning activities) will be considered choice-limiting. A commitment of HUD funds during the environmental review period will not only result in a forfeiture of the current federal grant but will also bar a project from receiving federal funds in the future.

This list is not all-inclusive and there may be other activities that could be considered choice-limiting. If you have any questions or concerns, please contact Robert Jonet at robert.jonet@iowaeda.com.



APPENDIX NHTF-A NHTF RENTAL WITH LIHTC REQUIREMENTS

Eligible to Apply: Non-profit and For-profit entities.

Eligible Activities: New Construction

Adaptive Reuse

Acquisition/Rehabilitation

Gut Rehabilitation

Cap per project: \$500,000.00

Total Available: \$2,700,000.00*

New construction, Adaptive Reuse, Acquisition/Rehabilitation, and Gut Rehabilitation of rental Units are eligible activities.

Adaptive Reuse is defined as the conversion of an existing structure from a non-housing use to a housing use in which the existing building had not provided residential housing space for a minimum of three years prior to the date of HTF application submission.

Gut Rehabilitation is defined as extensive alteration work to an existing structure including the reconfiguration of space of over 50 percent of the total building area of an entire occupancy classification within the building.

For HOME and/or NHTF applications, the developer on a HOME or NHTF application may not have an open HOME or NHTF project at date of application submittal. This means that any existing funded HOME or NHTF project(s) the developer is associated with must have submitted its final draw with approved completion documentation. The LIHTC applications have other open projects limitations for existing and new Developers and General Partners/Managing Members. Please refer to the LIHTC QAP for further information.

Developers will only be eligible for up to one (1) NHTF project per funding round.

All NHTF-assisted Units shall be rented to households with incomes at or below 30% of the Area Median Income (AMI). A link to the AMI levels by county is on the IFA website.

All NHTF-assisted Units must rent at or below the NHTF Rent Limits; the total housing expense (Monthly Rent + Utility Allowance) must not exceed the NHTF Rent Limit. If a unit receives Federal or State project-based rental subsidy, and the tenant paid portion is not more than 30% of the tenant's adjusted income, the maximum rent is the rent allowable under the Federal or State project-based rental subsidy program.

NHTF-assisted Units must remain affordable for 30 years. Long-term affordability for rental activities must be secured by covenants and deed restrictions.

The maximum amount of NHTF assistance per rental Unit is the NHTF Maximum Per-Unit Subsidy Limit found on the IFA website. The maximum amount of NHTF assistance per Project is \$500,000. The minimum amount of NHTF available this round is \$1,000. A LIHTC project can utilize the NHTF within incorporated areas of the State of Iowa.

Guidance provided by HUD concerning utility allowances for NHTF-assisted Units requires that IFA approve the utility allowance for any NHTF-assisted Unit that is not required to utilize a utility allowance from another federal source. NHTF does allow the use of utility allowances provided by a local PHA, the HUD Utility Schedule Model (HUSM) or other methods approved by HUD. 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 NHTF utility allowance shall be approved prior to issuance of the NHTF Contract.

The NHTF 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.

An Applicant, nor anyone on the Applicant's behalf, shall not contact any IFA staff or Board members in order to unduly influence IFA's determination related to the award of NHTF funds. If it has been determined by IFA that a staff member or Board member has been improperly contracted by the Applicant or a party on behalf of the Applicant, then IFA will reject the Application.

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 included in Exhibit NH-23 – NHTF Requirements 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. NHTF 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. 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.

National Standards for the Physical Inspection of Real Estate (NSPIRE):

The NSPIRE final rule (published May 11, 2023) establishes a new approach to defining and assessing housing quality called the National Standards for the Physical Inspection of Real Estate (NSPIRE). The purpose of NSPIRE is to strengthen HUD's physical condition standards and improve HUD oversight through the alignment and consolidation of the inspection regulations used to evaluate "HUD housing," as defined in 24 CFR 5.701(c), across multiple programs. Implementation of NSPIRE ensures that residents of HUD housing live in safe, habitable dwellings, and the items and components located inside, outside, and within the units of HUD housing are functionally adequate, operable, and free of health and safety hazards. Implementation is October 1, 2026.

Housing Opportunity Through Modernization Act (HOTMA)

On July 29, 2016, the Housing Opportunity through Modernization Act of 2016 (HOTMA) was signed into law. HOTMA makes numerous amendments to Sections 3, 8, and 16 of the United States Housing Act of 1937, including changes to income calculations and review. HUD finalized HOTMA rulemaking in 2023 to put Sections 102, 103, and 104 into effect through revisions to HUD's regulations found in 24 CFR Part 5 and 24 CFR Part 891.



Build America, Buy America (BABA)

The Grantee must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Grantee's infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates (August 23, 2024), are subject to BABA requirements, unless excepted by a waiver.

*Contingent upon funding availability



APPENDIX NHTF-B

APPRAISAL INFORMATION – NHTF RENTAL

All NHTF rental projects require an appraisal (typically provided by the participating principal mortgage lender involved). The appraisal must be less than 6 months old and must be provided to IFA prior to closing on the project financing.

New construction projects must submit an as-completed value of the land and improvements.

If the project includes rehabilitation, in addition to the as-is value, the after-rehabilitation value of the property must be determined.

Determination of land value should be provided and well-supported.

All appraisals must present the value as a non-restricted property and the value subject to the covenants and restrictions of all funding sources involved.



APPENDIX HOME-A HOME RENTAL WITH LIHTC REQUIREMENTS

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: Up to \$1,000,000.00 per project.

Project Locations: Regular projects located within a Participating Jurisdiction (PJ) must include PJ HOME funding when requesting IFA HOME funding. CHDO 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.

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 \$50,000 per Unit; 10 years for rehabilitated Units receiving \$25,000 to \$50,000; and 5 years for rehabilitated Units receiving less than \$25,000. 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 minimum amount of HOME available this round is \$1,000. 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 \$1,000,000. 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 provide or approve the utility allowance for any HOME-assisted Unit that is not required to utilize a utility allowance from another federal source. HOME does allow the use of utility allowances provided by a local PHA, HUD Utility Schedule Model (HUSM), or other methods approved by HUD. 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.



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.

For HOME and/or NHTF applications, the developer on a HOME or NHTF application may not have an open HOME or NHTF project at date of application submittal. This means that any existing funded HOME or NHTF project(s) the developer is associated with must have submitted its final draw with approved completion documentation. This does not apply to CHDO's. The LIHTC applications have other open projects limitations for existing and new Developers and General Partners/Managing Members. Please refer to the LIHTC QAP for further information.

An Applicant, nor anyone on the Applicant's behalf, shall not contact any IFA staff or Board members in order to unduly influence IFA's determination related to the award of HOME funds. If it has been determined by IFA that a staff member or Board member has been improperly contracted by the Applicant or a party on behalf of the Applicant, then IFA will reject the Application.

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 included in Exhibit H-22 – HOME Requirements 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.

National Standards for the Physical Inspection of Real Estate (NSPIRE):

The NSPIRE final rule (published May 11, 2023) establishes a new approach to defining and assessing housing quality called the National Standards for the Physical Inspection of Real Estate (NSPIRE). The purpose of NSPIRE is to strengthen HUD's physical condition standards and improve HUD oversight through the alignment and consolidation of the inspection regulations used to evaluate "HUD housing," as defined in 24 CFR 5.701(c), across multiple programs. Implementation of NSPIRE ensures that residents of HUD housing live in safe, habitable dwellings, and the items and components located inside, outside, and within the units of HUD housing are functionally adequate, operable, and free of health and safety hazards. Implementation is October 1, 2026.

Build America, Buy America Act (BABA)

The Build America, Buy America Act (the Act), enacted as part of the Infrastructure Investment and Jobs Act on November 15, 2021, established a domestic content procurement preference for all Federal financial assistance obligated for infrastructure projects after May 14, 2022. The domestic content procurement preference requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects are produced in the United States.



Housing Opportunity Through Modernization Act (HOTMA)

On July 29, 2016, the Housing Opportunity through Modernization Act of 2016 (HOTMA) was signed into law. HOTMA makes numerous amendments to Sections 3, 8, and 16 of the United States Housing Act of 1937, including changes to income calculations and review. HUD finalized HOTMA rulemaking in 2023 to put Sections 102, 103, and 104 into effect through revisions to HUD's regulations found in 24 CFR Part 5 and 24 CFR Part 891.

*Contingent upon funding availability.



APPENDIX HOME-B COMMUNITY HOUSING DEVELOPMENT ORGANIZATION EXPERIENCE

REQUIREMENTS

SECTION 1 – GENERAL INFORMATION

1.1 PURPOSE

To receive CHDO certification the nonprofit must also receive State HOME funds in this LIHTC Application round.

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, designated representative of a low-income neighborhood organizations, designated representative of a local non-profit organization, or a resident that is currently a low-income beneficiary of HUD programs. 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 more than one paid employee 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-26 and Exhibit H-27 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.

