

COUNTY OF MORRIS



HOME INVESTMENT PARTNERSHIPS PROGRAM

2024 APPLICATION PACKAGE

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DEADLINE DATE: February 28, 2024



PROGRAM DESCRIPTION

The HOME Investment Partnership Program (HOME) is designed to assist communities - often in partnership with local, not-for-profit, individual, corporation and publicly owned entities - to fund a wide range of HOME projects, including building, acquiring and/or rehabilitating affordable housing units for rental or homeownership. The primary objectives of the HOME program are to provide safe, decent, affordable housing to low-income households, expand the capacity of non-profit housing providers, and strengthen the ability of the local government to provide housing and leverage private-sector participation. The affordable housing units created will serve low-income persons at or below 80% of the Newark, NJ HUD Metro Area Median Income (AMI) Limits. For affordable housing development projects with units designated for homeless households, all tenants must come from the County's Coordinated Entry (CE) system that prioritizes homeless persons in the County of Morris.

PROGRAM GUIDELINES

The HOME Investment Partnership Program (HOME) is a Gap Funding Program. When applying for HOME funds, the applicant must have secured other sources of funding before applying to the Morris County HOME Program.

CONSOLIDATED PLAN

Although many types of activities are eligible under the federal HOME Investment Partnership Program (HOME) regulations, applications for funds must be in conformance with the housing priorities in the County's approved 2020 – 2024 Consolidated Plan, which support the creation of new rental units through new construction or rehabilitation.

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IMPORTANT INFORMATION

- ☒ **AN APPLICANT MAY SUBMIT A TOTAL OF ONE APPLICATION.**
- ☒ **PLEASE READ ALL OF PARTS I THROUGH IV (INCLUDING *HOME APPLICATION GUIDE*) AND THE *APPLICATION INSTRUCTIONS* BEFORE COMPLETING THIS APPLICATION.**
- ☒ **PLEASE DO NOT STAPLE THE ORIGINAL.**
- ☒ **PLEASE SUBMIT ONLY ONE ORIGINAL APPLICATION.**
- ☒ **FAIR HOUSING NOTICE.**

Morris County takes fair housing responsibilities very seriously. All participating municipalities must adopt the attached sample Municipal Council Resolution that reinforces your municipality's commitment to federal and state fair housing regulations and must post the Fair Housing Notice on your website.

PART I

HOME APPLICATION GUIDE

This guide is designed to provide important information about the HOME Program as well as to assist with the preparation of HOME application documentation. This does not relieve the applicant from reading the entire application or submitting all information required within the application or as requested from the Office of Community Development or Community Development Revenue Committee (CDRS).

Application Requirements

- ☐ **Grant Application** – Review for completeness according to the Application Instructions provided in Part IV. All applications must be signed and dated, include the Municipal Certification signed by an authorized official, include all exhibits and be submitted by the published Application Deadline Date. All copies should be single-sided (no double-sided copies) and must not be stapled. Include required Federal identification numbers:
 - Unique Entity Identifier (UEI)
 - SAMS/CAGE number
 - Tax ID (EIN) number
- ☐ **HOME Program Compliance** - Applicant must meet the HOME program and activity eligibility requirements as defined in 24 CFR Part 92. Also refer to Part II herein for Criteria and Activities Eligibility information.
- ☐ **Municipal Council Authorizing Resolution** – Applications must be discussed at a public meeting and be approved by your Governing Body. Provide evidence of the public meeting (Agenda) along with a copy of the Resolution.
- ☐ **Confidentiality Policy** – Confidentiality Policy must ensure that any Personally Identifiable Information (PII) of persons being served by HUD Programs is safeguarded when it comes to recordkeeping and that any PII information is redacted in documents released to the public or anyone outside of the applicant(s) household. A copy of your Confidentiality Policy must be provided.
- ☐ **Code of Conduct/Conflict of Interest** – Federal law prohibits employees and public officials from exercising any functions or responsibilities with respect to HUD funded activities in which they may obtain a financial interest or benefit, either for themselves or for any person with whom they have a business or immediate family ties. Provide a copy of your Code of Conduct/Conflict of Interest Policy applicable for all officers, employees, agents, consultant or elected or appointed official per 24 CFR 92.356. Sample is attached for reference.
- ☐ **Section 3 Compliance** – Construction projects where the total amount of HUD-assisted funds exceeds \$200,000, must comply with the Section 3 requirements as defined in 24 CFR Part 75. The threshold is \$100,000 where the assistance is from the Lead Hazard Control and Healthy Homes programs.

Note that Federal labor standards provisions including the Davis-Bacon Act apply to any contract for the construction of 12 or more HOME-assisted units.

Records must be maintained and provided showing labor hours worked by Section 3 and Targeted Section 3 workers as well as total labor hours worked by all workers.

- ☐ **Beneficiaries** – The HOME-assisted funds must create housing opportunities for low-income households.
- ☐ **Match Funds (Leveraged Funds or “In Kind” Services) (24 CFR 92.218 – 92.222)** – HOME activities must match no less than 25% of the awarded HOME funds. Generally, investments from state or local governments or the private sector qualify as matching contributions, whereas federal funds (such as CDBG) do not qualify. For more information on Match requirements, refer to the Application *Match Requirements* section.
- ☐ **Other Funds Sources** – Letters of Commitment, or other acceptable documentation, are required to document all other project funds, including Match funds. *The other funding sources must be secured before submitting a HOME Application.*
- ☐ **Budget** – Provide a total project budget or in construction proposed budget with breakdown of Sources and Uses of Funds and how funds needed are to be used.
- ☐ **Developer Funding** – The Developer must have funds available to implement the project as the County uses a reimbursement process.
- ☐ **Public Orientation Meetings** – There will be public orientation meetings scheduled to review the process and to answer questions. All Applicants are encouraged to attend. Dates and times will be published.
- ☐ **Pre-Application Orientation** – This pre-application orientation is mandatory for all those intending on submitting an Application. Contact the Office of Community Development to schedule an orientation meeting.
- ☐ **Presentations** – Applications must be presented to the CDRS Committees. Applicants will be notified of scheduling availability.

What to Expect if the Grant is Awarded

If the grant is approved, the Applicant will be provided with a *Conditional Commitment Letter* indicating the project, the amount of the committed funds as well as any other conditions that must be met.

- ☐ **Environmental Review** – An environmental review (ERR) is required and shall be completed by the County after the County has conditionally committed the HOME funds and prior to the execution of any Grant Agreement. Any requested documentation to complete this environmental review (including information required by NEPA) must be provided in a timely manner.
- ☐ **Affirmative Fair Housing Marketing Plan** - A copy of your Affirmative Fair Housing Marketing Plan will be required if the project involves 5 or more housing units, if applicable. The following link may be used to develop a Plan:
<https://www.hud.gov/sites/dfiles/OCHCO/documents/935-2A.pdf>

- ☐ **Subsidy Layering** - All projects being considered for funding must undergo an underwriting and subsidy layering analysis to ensure that it does not invest any more HOME funds (alone or in combination with other funds) than are necessary to the project and to ensure that the owner's/developer's profit or return on their investment is appropriate and reasonable, given the size, type and complexity of the project.

A Certification of Government Assistance will need to be signed as part of this underwriting review.

- ☐ **Grant Agreement** – No work can commence prior to the issuance of a fully executed Grant Agreement or the Applicant may jeopardize the grant. When a Grant Agreement is provided, the Applicant must sign and return as soon as possible to avoid any delays on the project. ***Please return as single-sided copies (not double-sided).***

- ☐ **Section 3 Pre-Procurement Meeting** – A pre-bid meeting is mandatory for all Section 3 projects to review goals and outreach efforts.

- ☐ **Procurement** – When applicable, all State of New Jersey procurement laws and federal procurement regulations (2 CFR Part 200.317 – 343) must be adhered to.

Projects awarded HOME funding must demonstrate cost reasonableness through use of a competitive bidding process and/or cost estimation approach. A separate *Compliance Package* with competitive bidding and proposals information and forms will be provided.

- ☐ **Davis-Bacon Wages** – Federal labor standards provisions including the Davis-Bacon Act apply to any contract for the construction of 12 or more HOME-assisted units. The stricter of the Federal labor standards, when applicable, or New Jersey Department of Labor and Workforce standards (including the NJ Prevailing Wage Act N.J.S.A 34:11-56.25 et seq) will apply. For contracts with fewer than 12 HOME-assisted units, please defer to the NJ Prevailing Wage Act for wage compliance requirements.

- ☐ **Pre-Construction Meeting** – A pre-construction meeting is mandatory and must be scheduled with the Contractor and Community Development Coordinator in order to provide pertinent information to include federal employee rights, wages, employee interviews, payroll reporting forms.

- ☐ **Payrolls** – When Davis-Bacon wages apply, weekly payroll reports must be provided on Form WH-347 including the Statement of Compliance.

- ☐ **Section 3 Labor Hours** – Records must be maintained and provided showing labor hours worked by Section 3 and Targeted Section 3 workers as well as total labor hours worked by all workers.

- ☐ **Progress Reports** – Monthly progress reports may be required during the construction project and must be provided when requested.

Acknowledgements

The Applicant acknowledges that they will comply with all of the following:

- ☒ No work will commence prior to the issuance of a fully executed Grant Agreement.
- ☒ The funds provided under the HOME Program will not be utilized for inherently religious activities.
- ☒ Low- and moderate-income levels as defined herein are acknowledged.
- ☒ All reporting requirements will be met, and monthly progress reports will be provided, as requested, for construction projects.
- ☒ All labor standards laws will be met including the Davis-Bacon Act and NJ Prevailing Wage Act, as applicable.
- ☒ Section 3: For projects with \$200,000 or more in HUD-assisted funds (\$100,000 for Lead Hazard Control and Healthy Homes programs), Section 3 employment opportunities will be provided as outlined in 24 CFR Part 75, Section 3 requirements will be included in all bidding documents and records showing labor hours worked by Section 3 and Targeted Section 3 workers as well as total labor hours worked by all workers will be maintained.

NOTE: Any missing or requested items from this office must be submitted by March 11, 2024. This includes the Certification from the Municipality.

PART II

ELIGIBILITY CRITERIA AND ACTIVITIES

Funds are available through the HOME Program to develop affordable housing for both rental and homeownership opportunities through the following activities:

A. Eligible Activities

- Acquisition:
 - For Development
 - For First-time homebuyers
 - For Rehabilitation
- Construction
- Rehabilitation

Allowable expenses under these activities include:

- Acquisition costs
- Property site improvements
- Conversion costs (*e.g., from business to residential*)
- Demolition
- Financing costs
- Development related soft costs:
 - Legal fees
 - Architectural
 - Engineering
- Construction/rehabilitation hard costs (*e.g., painting, window replacement, building*)

B. Income Targeting

1. Rental: 90% of households must have incomes less than 60% of median income and 10% of households may have incomes up to 80% of median income.
2. Owner: Households must have incomes less than 80% of median income. In addition, the maximum mortgage value of a single-family home cannot exceed \$489,000.
3. The table below shows the current HOME program income guidelines for Morris County.

Percentage Category	Maximum Income Limit by Number of Persons in Household							
	1	2	3	4	5	6	7	8
60% AMI	\$51,180	\$58,500	\$65,820	\$73,080	\$78,960	\$84,780	\$90,660	\$96,480
80% AMI	\$66,300	\$75,750	\$85,200	\$94,650	\$102,250	\$109,800	\$117,400	\$124,950

HUD Income Limits as of June 15, 2023

C. Maximum Investment and Initial Rents Per Unit Size

1. HOME Program guidelines establish a maximum subsidy of HOME funds based on number of bedrooms.
2. Rental properties must follow the HOME Program Rent guidelines established by HUD which are also based on number of bedrooms.
3. The minimum grant request from HOME funds is \$1000.
4. The table below shows the current maximum subsidy levels as well as the Low/High rents amounts. Low HOME rents apply to 20% + units in a project with 5 or more HOME assisted units.

# BEDROOMS/ UNIT SIZE	MAXIMUM SUBSIDY/UNIT		LOW HOME RENT	HIGH HOME RENT
	NON- ELEVATOR	ELEVATOR		
0 Bedroom	\$164,400	\$173,011	\$1,066	\$1,129
1 Bedrooms	\$189,559	\$198,331	\$1,142	\$1,338
2 Bedrooms	\$228,614	\$241,176	\$1,371	\$1,606
3 Bedrooms	\$292,636	\$312,004	\$1,583	\$2,024
4 Bedrooms	\$326,008	\$342,484	\$1,766	\$2,239

Effective Date: April 7, 2023

Effective Date: June 15, 2023

D. Period of Affordability

Completed projects must meet affordability requirements for a number of years based on the total amount of HOME funding invested. The length of affordability is enforced by mortgage, note and/or deed restrictions.

HOME Investment per Project	Length of Affordability Period
Less than \$15,000	5 years
\$15,000 - \$40,000	10 years
More than \$40,000	15 years
Development of new <i>rental</i> housing	20 years

E. Expenditure and Commitment Guidelines

- HOME projects have a total of four years from date of award to expend all HOME funds.
- HOME funds must be committed to the project within TWO years from award date. However, if construction is a part of the project, the actual construction must begin within 12 months of commitment.
- A Community Housing Development Organization (CHDO) whose project is recommended may receive up to 10% of the CHDO allocation for pre-development costs.
- All funding sources listed in the application must be accompanied by letter of commitment.

- All applicants must have site control established at the time of application.
- All projects being considered for funding must undergo an underwriting and subsidy layering analysis. Projects awarded HOME funding must demonstrate cost reasonableness through use of a competitive bidding process and/or cost estimation approach.

PART III

APPLICATION PROCESS

1. **Applications must be completed and submitted to the Office of Community Development by 4:00 P.M. Wednesday, February 28, 2024. A drop box (please advise if using this option) is located at 1 Medical Drive, Suite 100, Morris Plains. The mailing address is County of Morris, Office of Community Development, P.O. Box 900, Morristown, NJ 07963-0900. Mailed applications must be received by the above-listed deadline to be considered for funding.**
2. All applications will be reviewed by the Office of Community Development for completeness and eligibility. All eligible applications will be assigned to the appropriate subcommittee of the Community Development Revenue Sharing Advisory Committee (CDRS). The subcommittees are **Public Facilities, Public Housing, Public Services, Public Improvements, and Human Services Advisory Committee (HSAC)**, for ESG applications only.
3. Applicants of eligible activities will have the opportunity to present their application to the appropriate subcommittee **via Webex. Please note that the presentations will be held during the day, one subcommittee at a time. You will be given instructions prior to your timeslot and meeting access links.**
4. Each subcommittee will prioritize activities and determine funding levels after all presentations have been heard for that group.
5. The Regional Coordinators of the CDRS Committee will recommend funding allocations for each subcommittee category and identify activities for 2024 funding.
6. The list of proposed activities will be reviewed at a Public Hearing, presented to the Board of County Commissioners and the full CDRS Committee membership for their approval.
7. The Annual Action Plan will be submitted to HUD.
8. HUD is expected to approve the Annual Action Plan. Funding for each approved activity will be available upon completion of an Environmental Assessment and a fully executed Grant Agreement.
9. **You cannot obligate, commit, or disburse these *anticipated* funds until there is an executed Grant Agreement with the County of Morris. Costs incurred prior to this will not be eligible for program reimbursement.**

PART IV
2024 APPLICATION INSTRUCTIONS
HOME INVESTMENT PARTNERSHIPS PROGRAM

SECTION I - GENERAL

- A. Insert grant request to the nearest \$100.
- B. The Applicant is the agency proposing the activity.
- C. Applicant's address.
- D. Person to contact for questions.
- E. UEI, Federal Tax ID (EIN) and SAMS Cage Code are **required**.

SECTION II - ACTIVITY

- A. Use a title such as "Construction of Family Rental Housing" or "Group Home Acquisition".
- B. Specific location by street or geographic area, e.g., "Smith Street between First and Third Avenue" (*indicate street address, if appropriate*).

SECTION III - IMPLEMENTATION SCHEDULE

- A. Activities for acquisition only.
- B. Activities involving new construction.
- C. Activities for rehabilitation of existing housing.

SECTION IV – ACTIVITY INFORMATION

- A. Check only one *Type of Activity* category. Complete additional *Housing* page for the appropriate activity.
- B. Check only one category.

SECTION V - OTHER INFORMATION

- A. Provide location map which clearly identifies the project site.
- B. Indicate all Environmental Factors that apply. If permits or approvals are required, Applicant must document contact with the NJ Department of Environmental Protection or other government agency(ies) prior to submission of application.

SECTION VI – BUDGET AND REQUIRED ATTACHMENTS

Provide the documents and information as listed. Note that it is mandatory that specific budget information be provided with the Application.

SECTION VII – MATCH REQUIREMENTS

Select the type(s) of match sources to satisfy the match requirement.

SECTION VIII - ACKNOWLEDGEMENTS

Applicant acknowledgement of program requirements.

SECTION IX - APPLICANT SIGNATURE

Authorized signature of person preparing the application.

SECTION X – CERTIFICATION

Mayor/authorized official certifies that the Application has been discussed at a public meeting.

2024 HOME APPLICATION

I. GENERAL						
Grant Request (Round to nearest \$100)	\$					
Applicant						
Address	Street:					
	Municipality:	Zip Code:				
Contact Person						
Contact Phone/Ext						
Contact Fax						
Contact Email						
Federal ID #'s	UEI	SAMS/CAGE	TAX ID			
II. ACTIVITY						
Title						
Location						
III. IMPLEMENTATION SCHEDULE						
<p>In the space below, outline an anticipated implementation schedule for the proposed activity. Attach separate sheet if necessary. If this activity cannot commence between 7/1/24- 6/30/25 the applicant should not consider submitting the activity at this time.</p> <p>A. If the proposed activity is for acquisition alone, provide a detailed schedule indicating when you expect to expend all the funds.</p> <p>B. If the proposed activity involves new construction, provide a detailed schedule of anticipated stages for development including pre-construction work, actual hard construction and occupancy date.</p> <p>C. Proposed rehabilitation activities require the same type of detailed schedule as new construction above.</p>						

IV. ACTIVITY INFORMATION																				
Type of Activity	<input type="checkbox"/> Acquisition Standard units or assistance to homebuyers <input type="checkbox"/> New Construction Hard or soft costs (may include acquisition costs for a specific construction project). <input type="checkbox"/> Rehabilitation Substantial (Over \$25,000 per dwelling unit) Other Rehabilitation																			
Category	<input type="checkbox"/> Renter <input type="checkbox"/> Owner																			
V. OTHER INFORMATION																				
MAP	Attach a location map which clearly identifies the project site.																			
ENVIRONMENTAL FACTORS		<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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• Is activity located in floodplain or Special Flood Hazard Area?																				
• Is activity located in the NJ Highlands Preservation or Planning Area?																				
• Will activity have an impact on a sole source aquifer?																				
• Is activity located in a Category 1 watershed?																				
• Is activity located in or near a wetland or transition area?																				
• Is activity located within a one-mile radius of a hazardous waste site?																				
• Will activity impact a historical or archeological structure, district or site?																				
• Are there any known impediments to the prompt implementation of the activity? (Including but not limited to requirements for State permits or any local action)?																				
<i>Note that funds cannot be committed to a project prior to completion of an environmental review record (ERR). Applicant will provide all necessary information to complete the NEPA checklist and must respond in a timely manner to any requests for additional information.</i>																				
VI. BUDGET INFORMATION AND OTHER REQUIRED ATTACHMENTS																				
Please provide the following information for the proposed activity:																				

- A. Sources and Uses Budget (Line-Item budget and must include the grant request).
- B. Letters of Commitment for all other sources of funds.
- C. Development Budget and Pro Forma. An updated Development Budget will be requested upon Commitment of Funds.
- D. Architect and/or Engineer's costs estimates.
- E. Municipal Council Resolution supporting fair housing regulations.
- F. Municipal Council Resolution approving submission of application and evidence of presentation at public meeting (agenda)
- G. Design Approval – Submit plans, elevations, renderings and photos of the project site.
- H. Provide a copy of your Affirmative Fair Housing Marketing Plan if the project involves 5 or more housing units, if applicable. The following link may be used to develop a Plan:
<https://www.hud.gov/sites/dfiles/OCHCO/documents/935-2A.pdf>.
- I. Provide a copy of your Code of Conduct/Conflict of Interest Policy applicable for all officers, employees and agents per 24 CFR 92.356. Sample is attached for reference.
- J. Provide a copy of your Confidentiality Policy regarding the safeguarding of any Personally Identifiable Information (PII) for persons served by HUD programs.
- K. Rental projects must provide annual operating budget and projected pro forma for the minimum required affordability period. The pro forma must include the gross income from the proposed rental of the property based upon current HOME rent limits and inclusive of all utility allowances for any tenant paid utilities.
- L. Sale Projects must provide proposed sale price as well as a description of how the housing will be made affordable to households in the targeted income groups.
- M. Organization registration and CAGE number on SAM.gov

ANY MISSING OR REQUESTED ITEMS FROM THIS OFFICE MUST BE SUBMITTED BY MARCH 15, 2024. This includes certification from the Municipality below (if applicable).

Please contact the Office of Community Development for technical assistance.

VII. MATCH REQUIREMENTS

The Home Program requires that HOME funds be matched with non-federal forms of subsidy. The matching requirement is .25 cents for every \$1 in HOME funds. The premise of the “match” is that the provision of affordable housing is a community responsibility and, as a result, the local community should make a financial contribution to “match” the federal HOME funds. It is important to note that an owner, an investor or anyone who the County may determine has an interest in the activity may not provide the match.

This is a “program rule” rather than an “activity rule” meaning HUD reviews the County’s program and not each activity for compliance. However, the County must impose a matching requirement on activities to meet the program rule. As such, HOME activities should make an effort to provide as many matching dollars as possible. Activities providing matching funds will receive a higher priority.

Eligible matches are described below. It is important to note that the match can be a direct contribution which lowers an activity development cost (e.g., NJHMFA housing grant or a bank waiving closing costs) or a contribution which lowers the operating cost of the activity in the future (e.g., a low-interest loan from a local utility company or a partial tax waiver from the municipality). Direct contributions should be noted on the HOME Application.

Match obligations can be met with:

- Permanent cash contributions from non-federal funding programs such as NJHMFA Housing programs and Federal Home Loan Bank Affordable Housing programs.
- Grant equivalent of below-market interest rate loans.
- Non-profit equity.
- The value of waived taxes, fees, or other charges normally imposed by local jurisdictions.
- The value of land or real property donated or provided at less than appraised value.
- Cost of infrastructure improvements not made with federal resources.
- Reasonable value of donated site-preparation, construction materials and voluntary labor.
- Homeowner sweat equity (not investor sweat equity).

Ineligible forms of match include:

- Contributions made with or derived from federal funds.
- Interest rate subsidy attributable to federal tax-exempt financing or the value of federal tax credits.
- Owner equity or investment in an activity. Investor sweat equity.
- Cash or other forms of contributions from applicants or recipients of HOME funds, or investors who own, are working on, or are proposing to apply for, assistance for a HOME-assisted activity. This includes private bank mortgages.

HOME has a dollar MATCH requirement of 25% from a non-federal source. Please select the anticipated form of eligible match from the list below:

- ☐ Cash contributions from nonfederal sources
- ☐ Waiver of fees, e.g., state and local taxes, charges or fees
- ☐ Donated real property
- ☐ The reasonable value of donated site-preparation and construction materials, not acquired with Federal resources.
- ☐ The value of donated or voluntary labor or professional services in connection with the provision of affordable housing.
- ☐ The value of sweat equity.
- ☐ The direct cost of supportive services provided to families residing in HOME-assisted units during the period of affordability or receiving HOME tenant-based rental assistance. The supportive

services must be necessary to facilitate independent living or be required as part of a self-sufficiency program.

- ☐ The direct cost of homebuyer counseling services provided to families that acquire properties with HOME funds, including ongoing counseling services provided during the period of affordability.

Please call the Office of Community Development at (973) 285-6060 for validation and eligibility of match and additional explanation on satisfying any of these forms of match.

VIII. ACKNOWLEDGEMENTS

The applicant acknowledges and agrees to the following responsibilities if the application for funding is accepted:

- ☒ No work will commence prior to the issuance of a fully executed Grant Agreement.
- ☒ The funds provided under the HOME Program will not be utilized for inherently religious activities.
- ☒ Low- and moderate-income levels as defined herein are acknowledged.
- ☒ All reporting requirements will be met, and monthly progress reports will be provided, as requested, for construction projects.
- ☒ All labor standards laws will be met including the Davis-Bacon Act and NJ Prevailing Wage Act, as applicable.
- ☒ Section 3: For projects with \$200,000 or more in HUD-assisted funds (\$100,000 for Lead Hazard Control and Healthy Homes programs), Section 3 employment opportunities will be provided as outlined in 24 CFR Part 75, Section 3 requirements will be included in all bidding documents and records showing labor hours worked by Section 3 and Targeted Section 3 workers as well as total labor hours worked by all workers will be maintained.

IX. APPLICANT SIGNATURE

I certify that the information in this application is correct to the best of my knowledge.

Name: _____

Title: _____

Signature: _____ Date: _____

X. CERTIFICATION

NON-PROFIT HOUSING APPLICATIONS - Municipal Certification – *You will need to address this as soon as possible to allow municipalities lead time to place the item on their agenda.*

This application has been discussed at a local public meeting held on _____

(Mayor or Authorized Official Signature)

(Date)

HOUSING - ACQUISITION / NEW CONSTRUCTION

1. (a) Total number of Households (H)/Units (U) in project:

(b) Number to be HOME-assisted with requested funds:

2. Specifically describe the building(s) to be acquired or constructed and the population to be served.
(e.g., 25 1-bdrm units for senior citizens in a 3-story building on municipally owned land).

3. Describe how the requested funds will be used.

4. What is the documented need for this project (e.g., COAH obligation, waiting lists, surveys)?

5. Describe the site (e.g., vacant, wooded, wetlands, structures, etc.) and neighborhood (e.g., rural, residential).

6. Site Information: Exact Project Address (incl. zip code):

a) Block & Lot #:

Size of lot:

b) Site Control: Owned ☐ Option to Buy ☐ Lease ☐ Other ☐

c) Availability of Utilities:

Yes No

Water - at the site

☐ ☐

Sewer - capacity reserved

☐ ☐

d) Are Municipal Approvals Required?

Planning Board

☐ ☐

Zoning Board

☐ ☐

e) Is site fully accessible for activity? (i.e., not landlocked?)

☐ ☐

f) What is the age of the existing building?

g) Are other approvals necessary (e.g., state and county)? If so, what is the status?

7. What is the status of architectural and engineering plans?

8. Have you applied to other funding sources and been denied? Note sources and reason for denial

HOUSING - REHABILITATION

1. (a) Total number of Households (H)/Units (U) in project:

(b) Number to be HOME-assisted with requested funds:

2. Specifically describe the building(s) to be rehabilitated, the type of repair(s) and the population to be served

(e.g., *bringing a single-family home up to code for resale to low to moderate income families*)

3. What is the documented need for this project (e.g., *COAH obligation, waiting lists, surveys*)?

4. What is the status of site control?

Site Control: Owned ☐ Option to Buy ☐ Lease to Purchase ☐ Other ☐

5. Other than building permits, are any other approvals necessary

(e.g., *local or State historic preservation reviews, Board of Adjustment, N.J. DCA*)?

6. Have you applied to other funding sources and been denied? Note sources and reason for denial:

Sample

Municipal Council Fair Housing Resolution

The _____ (name of municipality) supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of _____ (name of municipality) to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The _____ (name of municipality) further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of _____ (name of municipality) do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the _____ (name of municipality) will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the _____ (name of municipality) shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Approved this _____ day of _____ (month), _____ (year)

ATTEST:

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Telephone Number

Fair Housing Information for Your Website

Fair Housing – It's Your Right!

Fair housing refers to free and equal access to residential housing – i.e., housing choice. According to the federal Fair Housing Act, it is illegal to discriminate on the basis of race, color, religion, sex, ancestry, national origin, disability, or familial status in the sale, rental, and/or financing of dwellings. Additionally, New Jersey's Law Against Discrimination prohibits discrimination on the basis of marital/ domestic partnership/ civil union status, gender expression/ identity, military service, sexual orientation, familial status and source or lawful income/ rent payment.

Morris County complies with the federal Fair Housing Act and the Law Against Discrimination. The County is committed to promoting fair housing choice for all persons.

Fair Housing FAQ

What kind of housing is covered by the Fair Housing Act?

Most housing is covered by the Fair Housing Act. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

What are some examples of housing discrimination?

- Refusing to rent or sell housing
- Falsely denying that housing is available for inspection, sale, or rental
- Setting different terms, conditions, or privileges for the sale or rental of a dwelling
- Refusing to let disabled persons make reasonable and necessary modifications to a dwelling or common use area, at the disabled person's expense
- Refuse to provide information regarding loans
- Refusing to rent to a person who has a service animal because of a "no pets" rule
- Steering persons with one or more children and/or persons who are pregnant away from a housing unit. Even asking how many children a person has can be viewed as discriminatory and so should not be asked.
- Not offering to show a person who is in a wheelchair an apartment that is not on the ground floor if the person did not ask to only see ground floor apartments
- Advertising or making any statement indicating a limitation or preference based on race, color, religion, sex, disability, familial status, or national origin. This prohibition against discriminatory advertising applies to single family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

Fair Housing Links

Laws

New Jersey Law Against Discrimination:

https://www.njoag.gov/wp-content/uploads/2021/12/NJ-Law-Against-Discrimination_11.12.21.pdf

Federal Fair Housing Act Link:

<https://www.justice.gov/crt/fair-housing-act-1>

Who can I contact if I believe I've been discriminated against?

Complaints related to discrimination on the basis of race, color, religion, sex, national origin, disability, or familial status may also be filed directly with the U.S. Department of Housing and Urban Development (HUD).

What information do I need to provide to file a fair housing complaint?

If you suspect that you have been discriminated against with regard to housing, file a complaint as soon as possible because there are time limits on when a complaint can be filed with HUD after an alleged violation.

Try to include the following information, if possible, when filing a complaint:

- Your name and address.
- The name and address of the person(s) or organization your complaint is against.
- The address or other identifying information of the housing or program your complaint is being filed against.
- A brief description of what happened that caused you to file the complaint; and
- The date(s) of the alleged discrimination.

How can I file a fair housing complaint?

Fair housing complaints can be filed with HUD by telephone, online, email and by mail.

Toll Free

1-800-669-9777

1-800-927-9275 for TTY users only

Online

English: <https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action?lang=en>

Spanish: <https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action?lang=es>

Other Languages - Access the link and select desired language from the drop-down menu:

<https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action?lang=en>

(a) Applicability.

(1) In the procurement of supplies, equipment, construction, and services by recipients and by sub recipients, the conflict-of-interest provisions in 2 CFR 200.317 and 200.318 shall apply.

b) **Conflicts prohibited.** No persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to activities assisted with HOME funds or who are in a position to participate in a decision-making process or gain inside information with regard to these activities may obtain a financial interest or financial benefit from a HOME-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to the HOME-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild, and in-laws of a covered person.

(c) **Persons covered.** The conflict-of-interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the subrecipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

(d) **Exceptions.** Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis when it has satisfactorily met the threshold requirements of (d)(1) of this section, taking into account the cumulative effects of paragraph (d)(2) of this section.

(1) **Threshold requirements.** HUD will consider an exception only after the recipient has provided the following documentation:

- (i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- (ii) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

(2) **Factors to be considered for exceptions.** In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d)(1) of this section, HUD shall conclude that such an exception will serve to further the purposes of the Act and the effective and efficient administration of the recipient's program or project, considering the cumulative effect of the following factors, as applicable:

- (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
- (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
- (iii) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to

receive generally the same interests or benefits as are being made available or provided to the group or class;

(iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question;

(v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section;

(vi) Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and

(vii) Any other relevant considerations.

[60 FR 56916, Nov. 9, 1995, as amended at 80 FR 75938, Dec. 7, 2015]

SAMPLE

Conflict of Interest Disclosure

Federal law (24 CFR 92.356) prohibits employees and public officials from exercising any functions or responsibilities with respect to HUD funded activities in which they may obtain a financial interest or benefit, either for themselves or for any person with whom they have business or immediate family ties. This prohibition applies to any person who is an employee, agent, consultant, officer, or elected or appointed official of a recipient, designated public agency, or subrecipient receiving HUD funds through a subaward.

The purpose of this disclosure is to determine if the subrecipient, their staff or consultants, board members, or any elected or appointed official has a potential conflict of interest. A disclosure of the nature of any perceived or actual conflict must be made by each subrecipient receiving a subaward for HUD funding. If it is determined that a conflict of interest may exist, a request may be made to the U.S. Department of Housing and Urban Development (HUD) for an exception. The granting or denial of an exception is in HUD's sole discretion.

Have you or a member of your immediate family, either currently or within the past year, been employed by the **(Insert name of jurisdiction)**, been employed by a consultant or contractor engaged by the **(Insert name of jurisdiction)** in connection with the HUD funded activities, or been a member of an elected or appointed board in the **(Insert name of jurisdiction)**?

☐ **Yes** ☐ **No**

If yes, provide the name and job title of the person with the potential conflict of interest and any additional information relevant to the County's evaluation of the potential conflict of interest (attach more pages if necessary):

By signing below, I acknowledge that I have read the attached HUD regulation regarding conflicts of interest, and I certify that the information contained in this disclosure is, to the best of my knowledge and belief, true, correct, and complete.

Subrecipient Name and Address

Typed Name and Title of Authorized Representative:

Signature:

Date signed:
