



TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS

Building Homes. Strengthening Communities.

Texas Neighborhood Stabilization Program NSP1-Program Income Application



Applicant Information

1. Applicant Entity Information

Entity Legal Name

Department

Division

This section for TDHCA use only:

Date Received:

Application Number:

2. Address

Street

City

State

Zip Code

3. Applicant Contact

First Name

Last Name

Phone

Fax

Email

4. Employer Identification Number (EIN)

5. Organizational DUNS Number

6. Registration in Central Contract Registration (CCR)

7. Type of Applicant

Local Property Tax Levying Authority

8. Applicant Fiscal Year End

9. Applicant Financial Statements

Audited Financial Statements attached

Single Audit Attached

10. Previous Participation –

Has the Applicant Entity, any related Entities, any individual Principal of the Applicant or Board Member previously participated in a TDHCA-funded activity?

yes – complete the Previous Participation section

No, the Applicant, Principals and Board Members have not previously participated in a TDHCA-funded activity

Consultant Information (if applicable)

11. Company

First Name

Last Name

Phone

Fax

Email

12. Form of Tax Exemption

14. Executive Director

First Name

Last Name

13. Date of Legal Formation

Phone

Fax

Email

15. Governing Board complete the roster form provided

Nonprofit Applicants must attach a copy of their IRS Determination letter, Articles of Incorporation and Bylaws

Applicant:

Certification

I hereby apply to the Texas Department of Housing and Community Affairs for approval to participate in the application activity as the Applicant. I certify that:

Initial

The "Previous Participation" exhibit contains a listing of every development activity that received TDHCA funding, in which the Applicant has participated.

No principal of the Applicant is currently or has been barred, suspended, or terminated from procurement in a state or federal program or listed in the list of parties excluded from federal procurement or non-procurement programs

No principal of the Applicant has been convicted of a State or Federal felony crime involving fraud, bribery, theft, misrepresentation or material fact, misappropriation of funds, or other similar criminal offenses within fifteen years preceding the application deadline.

At the time of Application, no principal of the Applicant is currently or has been suspended, debarred, or subject to an enforcement or disciplinary action under State or Federal securities law or by the NASD; subject to a Federal tax lien; subject of an enforcement proceeding with any governmental entity; or other wise restricted by any department or agency of Federal or State government from doing business with such department or agency.

The principals of the Applicant have no previous funding contracts or commitments that have been partially or fully de-obligated due to failure to meet contractual obligations during the 12 months prior to the submission of the application; an exception may be made at the discretion of the department if the de-obligation was voluntary, part of the project close-out or the remainder was completed on a subsequent contract.

The principals of the Applicant have not been, during the five-year period preceding the date of the submission of the application, convicted of violating a federal law in connection with a contract awarded by the Federal government for relief, recovery or reconstruction efforts as a result of Hurricane Rita, as defined by Section 39.459, Utilities Code, Hurricane Katrina or any other disaster occurring after September 24, 2005; or has been assessed a penalty in a Federal civil or administrative enforcement action in connection with a contract awarded by the Federal government for relief, recovery, or reconstruction efforts as a result of Hurricane Rita, as defined by Section 39.459, Utilities Code, Hurricane Katrina, or any other disaster occurring after September 24, 2005.

For the period beginning ten years prior to the date of this certification:

The principals of the Applicant have not been arrested, indicted, convicted, or imprisoned for a felony during the last ten years, and are not presently the subject of a complain or indictment charging for a crime of moral turpitude.

The principals of the applicant have not defaulted on an obligation covered by a surety or performance bond and have not been the subject of a claim under an employee fidelity bond.

For the period beginning ten years prior to the date of this certification, during participation in the developments listed in the "Previous Participation" exhibit, there has not been:

A mortgage in default, assigned or foreclosed, nor has mortgage relief by the lender been given;

To the best of my knowledge, unresolved findings raised as a result of departmental or HUD audits, management reviews or other governmental investigation concerning me or my developments, or contract;

Any breach by the Owner of any agreements relating to the construction or rehabilitation, use, operation, management, or disposition; or

A suspension or termination of payments under any state or federal assistance contract.

Initial	<p>To the best of my knowledge, the Applicant's principals have demonstrated fiscal, programmatic, and contractual compliance on previously awarded department contract or loan agreements and resolution of any previous audit findings and outstanding monetary obligation with the department per 10 TAC Section 53052I(2) and (3).</p>
	<p>As required by Section 2306.257 of the Texas Government Code, an Applicant may not receive funds or other assistance from the Department unless the Applicant certifies that it is on compliance with the housing laws described below. To satisfy that requirement, I hereby certify that the developments listed in the "Previous Participation" exhibit are in compliance with:</p>
	<p style="padding-left: 40px;">State and Federal housing laws, including but not limited to Chapter 301, Property Code, the Texas Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. Section 3601 et seq.); and the Fair Housing Amendments Act of 1988 (42 U.S.C. Section 3601 et seq.), The Civil Rights Act of 1964 (42 U.S.C. Section 2000A et seq.) The Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.), and The Rehabilitation Act of 1973 (29 U.S.C. Section 701 et seq.)</p>
	<p>Financial Records for the proposed project will be kept at an officially designated site, accessible by the public, and will be adequately managed on a timely basis using generally accepted accounting principles.</p>
	<p>It is understood that the Applicant will be held to the requirements of: Title III, Sec. 2301 of the Housing and Economic Recovery Act , Title 24 of the Code of Federal Regulations (CFR) Title 49 of the Code of Federal Regulations (CFR) Title 92 of the Code of Federal Regulations (CFR) Title 42 of the United States Code (USC) Title 10, Chapter 2306 of the Texas Government Code Title 10, Part 1, of the Texas Administrative Code, as applicable The Substantial Amendment to the State of Texas 2008 CDBG Action Plan for the Neighborhood Stabilization Program, and The Texas Neighborhood Stabilization Program – NSP1-Program Income NOFA</p>
	<p>To the best of my knowledge and belief, all data in this Application is true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded</p>
	<p>By signing this document, Applicant is affirming that all statements made in this government document are true and correct under penalty of Chapter 37 of the Texas Penal Code, titled Perjury and Other Falsification, and subject to criminal penalties as defined by the State of Texas. Texas Penal Code Ann. Section 37.01 et seq. (Vernon 2003 & Supp. 2007)</p>
Authorized Representative	
First Name	Middle Initial
	Last Name
Title	
Phone	Email
Signature of Authorized Representative	Date
<p><i>The Board Resolution authorizing application to the Texas NSP1-PI must name the person executing the Certifications by name and/or title.</i></p>	

Applicant:

Texas NSP1-PI Application Completion Checklist Form

Completed Texas NSP1-PI Application Checklist Form

Completed Texas NSP1-PI Application Form

Attachments

9. Audited Financial Statements

Single Audit (if available)

10. Previous Participation Exhibit (if applicable)

12. Nonprofit IRS Determination Letter, Articles of Incorporation and Bylaws (if applicable)

15. Board Roster Exhibit (if applicable)

17. Printout(s) from HUD GIS User website

19. Relocation Plan (if applicable)

Original Resolution from the Lead Applicant's direct governing body

Section 3 Plan

Affirmative Marketing Plan

Limited English Proficiency Plan

Procurement Policy

Rehabilitation Guidelines (if applicable)

Applicant:

Previous Participation Section (if applicable)

If the Applicant Entity, executive director or any individual governing Board members have previously participated in a TDHCA-funded activity or project, the section below must be completed. Attach a separate sheet for each individual.

- a. Enter the legal name for the entity or individual submitting the previous participation information.
- b. If the previous participation information is submitted by an organization, provide their employer ID number
- c. Enter contact information for the individual who can provide any necessary additional information about the previous participation
- d. TDHCA ID is the contract or application number assigned by TDHCA
- e. Enter the project name
- f. Indicate the program under which the project was funded
- g. Enter the contract term

Previous Participation				
a. Entity Legal Name		b. Entity EIN		
a. Individual Name				
c. Contact				
First Name				
Last Name				
Phone				
Email				
d. TDHCA ID	e. Project Name	f. TDHCA Program	g. Contract Term	
			Start	End

NSP1-PI Application Instructions

In addition to the application form, Texas NSP1-PI Applicants are required to provide additional documents as described in these instructions, on the application form, and/or in the Notice of Funding Availability.

Submission Instructions

One hard copy of the entire application package, with an original signature on the certifications, must be submitted bound in a 3-ring binder. Attachments in support of the application should be tabbed behind the application forms, with the tabs numbered to match the application item they support.

An electronic copy of the entire application and all attachments must be submitted as bookmarked PDF Files on a recordable compact disk (CD-R). To protect the integrity of the data on the disk, the disk should not be rewriteable (CD-RW). Each file on the disk should be labeled in the following format 2011_APPLICANT NAME_NAME OF DOCUMENT PER APPLICATION CHECKLIST.pdf Due to storage concerns, electronic files submitted in other formats, including flash drives, will not be accepted.

Applicant Information Section

1. Provide the Applicant Entity legal name, as it would appear in a contract. The Department and Division may be entered, if applicable.
2. Enter the physical and mailing addresses for the Applicant Entity.
3. Enter the contact information for the staff member at the Applicant Entity responsible for the NSP1-PI Application. The person entered must be employed by, or a Board member of, the Applicant Entity. Consultant information will be entered in #11 below.
4. Enter the Applicant's Employer Identification Number
5. Enter the Applicant's DUNS number www.dnb.com
6. Indicate if the Applicant is registered in the Central Contractor Registration (CCR) www.ccr.gov
7. Select the type of Applicant organization from the pull-down list. Note that for-profit organizations are not eligible to apply for the Texas NSP1-PI. If the Applicant is a Property Tax Levying entity, check yes in the box.
8. Enter the date that the Applicant Fiscal Year ends
9. Check the appropriate boxes and attach the Applicant's audited financial statements and single audit (if available). Note that under the Texas NSP1-PI NOFA, Applicants must submit an audit with the application.
 - a. Audits may be copied double-sided, or submitted electronically in order to conserve resources.
10. Check the appropriate box for previous participation in TDHCA-funded activities. If you have checked yes, complete the Previous Participation Section of the Application.
11. Enter contact information for the Consultant to the Applicant for this application, if applicable.
12. If the Applicant is a nonprofit organization, enter the form of tax exemption. A copy of the IRS determination letter must be attached to the Application.
13. Enter the year of formation if the Applicant is a nonprofit organization.
14. Enter contact information for the Executive Director if the Applicant is a nonprofit organization.
15. If the Applicant is a nonprofit organization, complete the Board Roster section of the Application.

Funding Description

16. Complete the section to describe the planned projects to be completed with NSP1-PI funds

- a. Enter the NSP Eligible Use for the projects contemplated for NSP1-PI, descriptions are found below and in the NOFA
- b. Enter the projected number of households to be served, properties purchased or demolished with NSP1-PI funds.
- c. Enter the projected total costs for each household or unit.
- d. Describe the property acquisition, rehabilitation, construction or demolition planned to be completed with NSP1-PI.
- e. Describe any other potential funds sources that will be accessed to complete the project(s) and include a sources and uses budget
- f. Provide a timeline for project completion using the dates in the NSP1-PI NOFA
- g. Photos of interiors/exterior (if applicable)
- h. A list of common amenities (for a single-site development of over 16 units)
- i. A copy of any LURAs or other deed restrictions for the property

NSP Eligible Use Categories (refer to the NSP1-PI NOFA for complete descriptions)

NSP Eligible Use A. Financing Mechanisms –

- a. This is a stand-alone category for Applicants that will be offering NSP financing to eligible homebuyers to purchase foreclosed properties or for financing tools for rental properties.
- b. Applicants should carefully review and be familiar with the NSP Homebuyer Financing Guidelines, available on the NSP website, here: <http://www.tdhca.state.tx.us/nsp/docs/NSPHomebuyerFinancingGuidelines.pdf> prior to application.
- c. Amounts planned for this category should not duplicate the proposed NSP investment in properties to be purchased under other Eligible Uses. Funds invested in properties through other NSP eligible uses may convert to homebuyer financing at the final eligible use of the property, in accordance with the NSP1-PI NOFA and federal regulations.
- d. Activity Delivery costs are reimbursed separately from the Eligible Use loan structure, and are limited to the percentage of hard costs set out in the NSP1-PI NOFA. Homebuyer Education is considered an Activity Delivery cost, as are other project soft costs listed in the NSP1-PI NOFA. Activity Delivery for rental properties will be available as described in the NSP1-PI NOFA.

NSP Eligible Use B. Purchase and Rehabilitation –

- e. Some portion of the NSP1-PI investment in properties purchased under Use B. may be “rolled over” into homebuyer assistance and/or permanent financing of the property.
- f. Properties acquired under Use B. must be foreclosed or abandoned, in order to meet regulatory requirements.
- g. Activity Delivery costs are reimbursed separately from the Eligible Use loan structure, and are limited to the percentage of hard costs set out in the NSP1-PI NOFA. Homebuyer Education is considered an Activity Delivery cost, as are other project soft costs listed in the NSP1-PI NOFA. Activity Delivery for rental properties will be available as described in the NSP1-PI NOFA.

NSP Eligible Use C. Land Bank

- h. NSP1-PI Applicants proposing Land Bank activities should be prepared to provide a Land Bank Plan, per the outline posted on the NSP website, at submission of each property for reservation. <http://www.tdhca.state.tx.us/nsp/docs/LandBankPlanOutline.pdf>.
- i. Land Bank properties must be located in an eligible census tract with 51% or more of the households at or below 120% AMI. Applicants will be required to provide NSP Mapping to show that properties are located in an eligible census tract.
- j. Activity Delivery costs are reimbursed separately from the Eligible Use loan structure, and are limited to the percentage of hard costs set out in the NSP1-PI NOFA.

NSP Eligible Use D. Demolition

- k. NSP1-PI funds awarded for stand-alone demolition activities will be provided as a grant.
- l. Blighted structures to be demolished must be located in an eligible census tract with 51% or more of the households at or below 120% AMI. Applicants will be required to provide NSP Mapping to show that properties are located in an eligible census tract.

NSP Eligible Use E. Acquisition and Redevelopment

- m. Applicants should carefully review the requirements and definitions for eligible vacant properties prior to application.
- n. Activity Delivery costs are reimbursed separately from the Eligible Use loan structure, and are limited to the percentage of hard costs set out in the NSP1-PI NOFA. Homebuyer Education is considered an Activity Delivery cost, as are other project soft costs listed in the NSP1-PI NOFA. Activity Delivery for rental properties will be available as described in the NSP1-PI NOFA.

Activity Location

- 17. Enter information describing the area of the proposed NSP1-PI Project. Information regarding eligible Census tracts may be found on the HUD GIS Users Mapping Website <http://www.huduser.org/NSP/NSP3.html>. Printouts confirming the eligibility of each proposed census tract must be attached to the Application.
- 18. Indicate if the locality participates in the National Flood Insurance Program, and enter the Zone

Relocation

- 19. Check the appropriate box to describe the relocation status of the proposed NSP1-PI project. Applicants are cautioned that permanent relocation will likely increase cost to a project and may not be able to be accomplished in the timeframes required for fund expenditure under NSP1-PI.
 - a. If relocation of tenants is anticipated, the Applicant will be required to provide a preliminary relocation plan. The relocation plan should consider all applicable costs, including potential 104(d) payments
 - b. Applicants should consult HUD Handbook 1378, available here: <http://www.hud.gov/offices/cpd/library/relocation/policyandguidance/handbook1378.cfm> for guidance regarding preparation of a plan.

Certification

- 20. Each item in the Certification section should be carefully reviewed and initialed prior to execution
 - a. Enter the contact information for the person authorized by the Governing Board Resolution to execute the Application on behalf of the Applicant.

- b. Electronic signatures, applications signed by an unauthorized individual or on behalf of the authorized representative will not be accepted. The hard copy application submitted to TDHCA must bear the original signature of the representative named by the Board.

Additional Required Attachments for all NSP1-PI Applicants

Section 3 Plan

The Applicant Entity's Section 3 Plan must be attached to the application. Guidance regarding Section 3 requirements, compliance, and additional resources may be found at the NSPhelp website, http://hudnsphelp.info/media/resources/CrosscuttingRegs_Section3.pdf

Affirmative Marketing Plan

Applicant must provide a copy of their Affirmative Marketing Plan. Completion of HUD Forms 935.2a, 935.2b, or 935.2c, as applicable <http://www.hud.gov/offices/adm/hudclips/forms/hud9a.cfm#group3> may be considered to meet minimum requirements. Applicants submitting only the forms without accompanying narrative or supporting information should anticipate that they will be asked to provide further information prior to acquisition of property.

Limited English Proficiency Plan

Applicant must provide a copy of its Limited English Assistance Plan or explain how it will provide meaningful access to its programs. The plan or explanation must follow the requirements outlined in the Final Guidance published in the Federal Register, Volume 72, Number 13, page 2731 <http://www.hud.gov/offices/fheo/promotingfh/FederalRegistepublishedguidance.pdf> For more information see <http://www.hud.gov/offices/fheo/promotingfh/lep.cfm>

Procurement Policy

Applicants must provide a copy of their organization's Procurement Policy. The Policy must be in compliance with 24 CFR Part 84 or 24 CFR Part 85 as applicable, State Law as applicable, and include a clear conflict of interest policy.

Rehabilitation Guidelines

Applicants planning to undertake rehabilitation activities must provide a copy of their Rehabilitation Guidelines.