



Harris County Community Services Department Affordable Housing Policy and Procedures Table of Contents

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Harris County Community Services Department

Affordable Housing Policy - Rental and Sales



References:

24 CFR 92.251 HOME Investment Partnerships Program
24 CFR 570 Community Development Block Grant Program
24 CFR 983.6(b) New construction site and neighborhood standards
Section 504
Uniform Federal Accessibility Standards (UFAS)

Introduction:

Harris County, as a recipient of federal funding, must administer its HOME Investment Partnerships Program (HOME) and Community Development Block Grant Program (CDBG) in a manner that provides housing that is suitable from the standpoint of promoting greater choice of housing opportunities and facilitating and furthering full compliance with regulations established by the U.S. Department of Housing and Urban Development for the aforementioned programs.

Intent and Purpose:

To provide policies that establishes the minimum standard for the use of HOME Investment Partnerships Program (HOME) and Community Development Block Grant Program (CDBG) in the creation of affordable rental and single family housing developments for eligible residence of Harris County. HCCSD is responsible for ensuring appropriate utilization of the HUD entitlement funds allocated for housing and community development activities.

Harris County, in order to ensure compliance with federal guidelines, has created the Affordable Housing Policies and Procedures to address rental rates, compliance period, site and neighborhood standards, as well as local and state development standards, such as unit specification, public notice, and building code requirements. The Affordable Housing Policies and Procedures set the standard for all affordable housing projects, regardless of funding source.

It is the responsibility of the HCCSD to review each project funded to ensure conformity with the Affordable Housing Policies and procedures.



Rental and Sales Requirements



Rental Development

Community Development Block Grant (CDBG) Program

The *primary* objective of the CDBG program is the development of viable urban communities through the provision of the following, principally for low-income persons:

- decent housing
- a suitable living environment
- economic opportunity

HCCSD has established the following policy with regard to the use of CDBG funds in the development of affordable rental housing.

I. Minimum Standards

For eligible rental housing development projects using CDBG Program funds to acquire, construct or rehabilitate rental housing, the following minimum standards must be met:

- All multifamily rental rehabilitation projects and new construction of elderly multifamily are required to provide a minimum of 51 percent of the total project units as assisted units. Of the total assisted units, 100 percent must serve households at or below 80 percent of Median Family Income (MFI).
- Projects including the new construction of non-elderly multifamily rental housing may provide a minimum of 20 percent of the total project units as assisted units so long as the proportion of assisted units is greater than the proportion of CDBG funding to the total cost of project development. Of the total assisted units, 100 percent must serve households at or below 80 percent of Median Family Income (MFI).
- The property owner or its representative must verify the income of each tenant occupying a CDBG assisted unit. The method used will be the *Section 8 Part 5* income verification.

II. Rental Limits

- CDBG-assisted Single Room Occupancy (SRO) unit rents shall be no higher than 75 percent of the Fair Market Rent (FMR) for an efficiency unit as established by HUD.
- The maximum rents for CDBG-assisted rental developments shall be established by using the most current HOME Program rent schedule. The HCCSD Director shall reserve the right to adjust rent schedules on a project-by-project basis to best serve the low-income residents of Harris County and/or ensure project feasibility.



2008 HOME Rents Schedule

Percentage of income	Efficiency	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5 bedroom
50% or below	\$535	\$573	\$687	\$794	\$886	\$978
80% or below	\$631	\$702	\$852	\$999	\$1094	\$1189

Source: HOME Rents 2008-www.hud.gov/offices/cpd/affordablehousing/programs/homes/limits/rent/2008/tx.pdf

- Rent schedules include the cost of utilities in the rent amount. All projects shall use utility allowances published by the Harris County Housing Authority unless located in another jurisdiction and then that jurisdiction's allowances will be used.
- For properties with both assisted and non-assisted units, the program administrator must select "fixed" or "floating" units at the time of project commitment. When CDBG-assisted units are "fixed", the specific units that are CDBG-assisted are designated and never change. When CDBG-assisted units are "floating", the units that are designated as CDBG-assisted may change over time as long as the total number of CDBG-assisted units in the project remains constant.

III. Unit development and distribution

- For new construction of multi-family rental units, builders, design professionals, and developers must comply with the Americans with Disabilities Act, Federal Fair Housing Act, and Section 504 of the Rehabilitation Act of 1973, particularly in the construction of accessible units and common use areas.
- CDBG-assisted rental housing project must also follow all applicable policies and guidelines stated in the Project Development Section of this Policy.
- CDBG-assisted affordable units must meet or exceed the Minimum Acceptable Standards for Residential Acquisition, Construction and Rehabilitation, as well as, state and local code requirements.
- CDBG-assisted units must be comparable and distributed throughout every unit type.

IV. Affordability and Compliance Periods

The affordability period represents the minimum length of time (beginning upon project completion) a recipient of federal assistance for a rental housing project must be in compliance with programmatic as well as Harris County established rules and regulations regarding maximum rent limits, tenant income, and other applicable requirements. When the recipient fails to comply with the program regulations during the designated affordability period, the action triggers repayment of the direct federal subsidy to the County.



- The affordability period of CDBG-assisted rental developments shall be a minimum of 5 years and will be based on the amount of federal funds provided. The affordability period begins following the date of completion as entered into IDIS.
- Tenants occupying CDBG-assisted units must be recertified annually from the start of assistance or their last recertification date and recertification should begin 60 to 90 days prior to that time. Recertification shall be completed in accordance with HOME Program rental housing recertification requirements.
- Records must be kept by property owner or its representative to show that all program regulations have been met. Record retention will be determined in the Harris County sub-recipient contract. The property owner or their representative will submit all required annual reports to Harris County on a timely basis. Annual monitoring and inspections by HCCSD will be conducted for each CDBG-assisted unit.

Home Investment Partnerships Program (HOME)

HOME funds may be used to acquire land or existing rental housing and/or rehabilitate or construct affordable rental housing. Unlike other federal grant programs, HOME distinguishes between the units in a project that have been assisted with HOME funds and those that have not. "HOME-assisted units" is a term that refers to the units within a HOME project for which rent and occupancy restrictions apply. The number of units designated as HOME-assisted affects the maximum HOME subsidies that may be provided to a project.

I. Minimum Standards

For eligible rental housing development projects using HOME funds to acquire, construct or rehabilitate rental housing, the following minimum standards must be met:

- The minimum number of assisted units will be determined based on the amount of subsidy provided per assisted unit. Per current HCCSD policy, one unit must be allocated for each \$40,000 in subsidy provided. Of total assisted units, 100 percent must serve households at or below 80 percent of Median Family Income (MFI).
- The program funds rule requires that at least 90 percent of HOME-assisted units must be reserved for residents whose income does not exceed 60 percent of the area median income.
- For rental properties of which five or more units will be HOME-assisted, at least 20 percent of the units must be reserved for families who meet the threshold as very-low income (at or below 50 percent median income). The balance of rental units must assist tenants with incomes that do not exceed 80 percent of the area median income.
- The property owner or its representative must verify the income of each tenant occupying a HOME-assisted unit. The method used will be the *Section 8 Part 5* income verification.



II. Rental Limits

- The maximum rents for HOME-assisted rental developments shall be established by using the most current HOME Program rent schedule.
- Every HOME-assisted rental unit is subject to rent limits designed to help make rents affordable to low-income households. These maximum rents are referred to as “HOME rents.” HUD publishes the rent schedule each year based on changes in area income levels or market conditions. There are two HOME rents used in the HOME program:

High HOME Rents are the lesser of:

- The Section 8 Fair Market Rents (FMRs) for existing housing; OR
- Thirty (30) percent of the adjusted income of a family whose income equals 65 percent of median income.

Low HOME Rents – For properties with five or more HOME-assisted units, at least 20 percent of HOME-assisted units must have rents which are no greater than:

- Thirty (30) percent of the tenant’s monthly adjusted income; OR
- Thirty (30) percent of the annual income of a family whose income equals 50 percent of the median income.

In units receiving Federal or State project-based rental assistance in which the very low-income family pays not more than 30 percent of the family’s adjusted income, the maximum rent allowable may be determined by the Federal or State program.

2008 HOME Rents Schedule

	Efficiency	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5 bedroom
Low HOME rents	\$535	\$573	\$687	\$794	\$886	\$978
High HOME rents	\$631	\$702	\$852	\$999	\$1094	\$1189

Source: HOME Rents 2008-www.hud.gov/offices/cpd/affordablehousing/programs/homes/limits/rent/2008/tx.pdf

- Rent schedules include the cost of utilities in the rent amount. All projects shall use utility allowances published by the Harris County Housing Authority unless located in another jurisdiction and then that jurisdiction’s allowances will be used.



- For properties with both assisted and non-assisted units, the program administrator must select “fixed” or “floating” units at the time of project commitment. When HOME-assisted units are “fixed”, the specific units that are HOME-assisted are designated and never change. When HOME-assisted units are “floating”, the units that are designated as HOME-assisted may change over time as long as the total number of HOME-assisted units in the project remains constant.

III. Unit development and distribution

- For new construction of multi-family rental units, builders, design professionals, and developers must comply with the Americans with Disabilities Act, Fair Housing Amendments Act, and Section 504 of the 1973 Rehabilitation Act regulations, particularly in the construction of accessible units and common use areas.
- HOME-assisted rental housing project must also follow all applicable policies and guidelines stated in the Project Development Section of this Policy.
- HOME-assisted affordable units must meet or exceed the Minimum Acceptable Standards for Residential Acquisition, Construction and Rehabilitation, as well as local code requirements.
- HOME-assisted units must be comparable and distributed throughout every unit type.

IV. Affordability and Compliance Periods

The affordability period represents the minimum length of time (beginning upon project completion) a recipient of federal assistance for a rental housing project must be in compliance with programmatic and County established rules and regulations regarding maximum rent limits, tenant income, and other applicable requirements. The period is based on the amount of federal funds provided per federally-assisted unit. When the recipient fails to comply with the program regulations during the designated affordability period, the action triggers repayment of the direct federal subsidy to the County.

The HOME Program requires a minimum affordability period for all rental projects receiving HOME funds, depending on the average amount of HOME funds invested in each unit and the type of activities performed using HOME funds. The chart below shows how the activity and per-unit subsidy determine the HOME required affordability period.



Activity	HOME Subsidy	Unit Must Remain Affordable for at Least
Rehabilitation or acquisition of existing housing	Less than \$15,000/unit	5 years
	\$15,000-\$40,000/unit	10 years
	Greater than \$40,000	15 years
Rehabilitation with refinancing	Any amount	15 years
New construction or acquisition of new housing	Any amount	20 years

- The affordability period will begin following the date of completion as entered into IDIS.
- Tenants occupying HOME-assisted units must be recertified annually at least one year from the start of assistance or their last recertification date and should begin 60 to 90 days prior to that time. Recertification shall be completed in accordance with HOME Program rental housing recertification requirements.
- Records must be kept by property owner or its representative to show that all program regulations have been met. Record retention will be determined in the Harris County sub-recipient contract. The property owner or their representative will submit all required annual reports to Harris County on a timely basis. Annual monitoring and inspections by HCCSD will be conducted for each HOME-assisted unit.

Single Family Home Development

Community Development Block Grant Program

CDBG funds can be used for the development of affordable single family homes, by certified Community Based Development Organizations (CBDO) as a part of neighborhood revitalization, community economic development, or energy conservation project. Under this option, the CBDO can acquire existing units, renovate and sell to an eligible homebuyer below market price. CBDOs can also purchase large tracts of land and use the land to develop an entire neighborhood or subdivision.

HCCSD has established the following policy with regard to the use of CDBG funds in the development of affordable single family housing.

I. Minimum Standards

- Per HCCSD Policy, the purchase price of an existing or newly constructed single family home cannot exceed \$120,000.
- CDBG-assisted homebuyer/single family home units carry occupancy restrictions for varying lengths of time, known as the affordability period. The occupancy restrictions of



CDBG-assisted single family developments shall be established by using the HOME Program requirements.

II. Unit development

- CDBG-assisted single family home developments must follow all applicable policies and guidelines stated in the Project Development Section of this Policy.
- CDBG-assisted single family home developments must meet or exceed the Minimum Acceptable Standards for Residential Acquisition, Construction and Rehabilitation, as well as, state and local code requirements.

III. Affordability and Compliance Periods

The affordability period represents the minimum length of time (beginning upon project completion) a recipient of federal assistance for homeownership assistance must maintain and reside in the property as his/her primary residence. When the homebuyer sells or fails to reside in the property as his/her primary residence during the affordability period, the action triggers repayment of the direct federal subsidy to the County.

- The affordability period of CDBG-assisted single family unit shall be established by using the HOME Program affordability requirements. The affordability period will begin following the date of completion as entered into IDIS.

Affordability Periods* for Homeownership Activities

CDBG benefit to homebuyer	Minimum period of affordability
Under \$15,000	5 years
\$15,000 to \$40,000	10 years
Over \$40,000	15 years

Home Investment Partnerships Program (HOME)

HOME funds may be used to finance new construction and/or the acquisition of land for the construction of homes for homebuyers, as well as programs that provide down-payment and closing cost assistance.

I. Minimum Standards

- Per HCCSD Policy, the purchase price of an existing or newly constructed single family home cannot exceed \$120,000.



- HOME-assisted homebuyers/single family development units carry occupancy restrictions for varying lengths of time, known as the affordability period. The occupancy restrictions shall be established by using the HOME Program requirements.

II. Unit development

- HOME-assisted single family home developments must also follow all applicable policies and guidelines stated in the Project Development Section of this Policy.
- HOME-assisted single family home developments must meet or exceed the Minimum Acceptable Standards for Residential Acquisition, Construction and Rehabilitation, as well, as state and local code requirements.

III. Affordability and Compliance Periods

The affordability period represents the minimum length of time (beginning upon project completion) a recipient of federal assistance for homeownership assistance must maintain and reside in the property as his/her primary residence. When the homebuyer sells or fails to reside in the property as his/her primary residence during the affordability period, the action triggers repayment of the direct federal subsidy to the County.

- The affordability period will begin following the date of completion as entered into IDIS.

Affordability Periods* for Homeownership Activities

HOME benefit to homebuyer	Minimum period of affordability
Under \$15,000	5 years
\$15,000 to \$40,000	10 years
Over \$40,000	15 years



**Project Development Requirements for
New Construction of Affordable Housing Projects including
Site & Neighborhood Standards**



Project Development Requirement Policy

To ensure compliance with the Project Development Requirements, HCCSD evaluates all new construction of affordable housing based on individual unit characteristics and amenities, the condition of the surrounding neighborhood, including the appropriate environmental and aesthetic conditions, proximity to retail, medical, neighborhood, educational facilities, and employment centers. The site's appearance to prospective occupants and its accessibility via the existing transportation infrastructure and public transportation systems will also be evaluated. Unacceptable sites include, without limitation, those containing a non-mitigable environmental factor that may adversely affect the health and safety of the residents.

To be considered for funding, all applicants submitting proposals for new construction of affordable housing must adhere to HCCSD's Project Development Requirements. Many of the provisions contained herein are intended to mirror provisions in the Qualified Allocation Plan ("QAP") of the Texas Department of Housing and Community Affairs ("TDHCA"). To the extent that any provisions contained conflict with the QAP, the provisions of the QAP shall control unless such change would violate HUD requirements (this applies to projects applying for tax credits only).

Minority Concentration Policy

Multi-family project sites must not be located in areas of minority concentration, except as permitted under paragraph (i) of this section, and must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area.

- (i) A project may be located in an area of minority concentration only if:
 - (A) Sufficient, comparable opportunities exist for housing for minority families, in the income range to be served by the proposed project, outside areas of minority concentration (see paragraph (ii) of this section for further guidance on this criterion); or
 - (B) The project is necessary to meet overriding housing needs that can not be met in that housing market area.
- (ii) (A) "Sufficient" does not require that in every locality there be an equal number of assisted units within and outside the areas of minority concentration. Rather, application of this standard should produce a reasonable distribution of assisted units each year that over a period of several years will approach an appropriate balance of housing choices within and outside areas of minority concentration. An appropriate balance in any jurisdiction must be determined in light of local conditions affecting the range of housing choices available for



low-income minority families and in relation to the racial mix of the locality's population.

(B) Units may be considered “comparable opportunities” if they have the same household type (elderly, disabled, family, large family) and tenure type (owner/renter); require approximately the same tenant contribution towards rent; serve the same income group; are located in the same housing market; and are in standard condition.

(C) Application of this sufficient, comparable opportunities standard involves assessing the overall impact of HUD-assisted housing on the availability of housing choices for low-income minority families in and outside areas of minority concentration, and must take into account the extent to which the following factors are present, along with other factors relevant to housing choice:

(1) A significant number of assisted housing units are available outside areas of minority concentration.

(2) There is significant integration of assisted housing projects constructed or rehabilitated in the past 10 years, relative to the racial mix of the eligible population.

(3) There are racially integrated neighborhoods in the locality.

(4) Programs are operated by the locality to assist minority families that wish to find housing outside areas of minority concentration.

(5) Minority families have benefited from local activities (e.g., acquisition and write-down of sites, tax relief programs for homeowners, acquisitions of units for use as assisted housing units) undertaken to expand choice for minority families outside of areas the minority concentration.

(6) A significant proportion of minority households have been successful in finding units in non-minority areas under the Section 8 certificate and voucher programs.

(7) Comparable housing opportunities have been made available outside areas of minority concentration through other programs.

Boundary Information

A boundary survey of the proposed development site and of the property purchased is required. In cases where more property is purchased than the proposed site of the development, the survey or plat must show the survey calls for both the larger site and the subject site. The survey does



not have to be recent; but it must show the property purchased and the property proposed for development. In cases where the site of the development is only a part of the site being purchased, the depiction or drawing of the development portion may be professionally compiled and drawn by an architect, engineer or surveyor.

Floodplain

No proposed development of new construction of affordable housing may be located within the 100-year floodplain as identified by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps. HCCSD Director may review individual requests on a case-by-case basis and apply a waiver to the policy when the project serves to improve existing housing conditions in a defined area, particularly in the response to natural disasters and areas of slum and blight. In this case, the development must design the site so that all finished ground floor elevations are at least one foot above the base flood elevation and parking and drive areas are no lower than six inches below the base flood elevation, subject to more stringent local requirements. If no FEMA Flood Insurance Rate Maps are available for the proposed development, flood zone documentation must be provided from the local government with jurisdiction identifying the 100-year floodplain.

Neighborhood Standards Criteria

The housing must be accessible to social, recreational, educational, commercial, and health facilities and services, and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents. Sites will be evaluated based on proximity to amenities, the presence of positive site features and the absence of negative site features. Sites will be evaluated based on the criteria below:

Proximity of Site to Amenities

Developments must be located on sites within a two- mile radius of social, recreational, educational, commercial, and health facilities and services, and other municipal facilities and services.

Note: Qualified Elderly Developments¹ must meet the Proximity of Site to Amenities requirements above in addition to being located near a Senior Center.

A map identifying the development site and the location of the services, as well as, written directions from the site to each service is required. The services must be identified by name

¹ Qualified Elderly Development--A Development which meets the requirements of the federal Fair Housing Act and:
(A) is intended for, and solely occupied by, individuals 62 years of age or older; or
(B) is intended and operated for occupancy by at least one individual 55 years of age or older per Unit, where at least 80% of the total housing Units are occupied by at least one individual who is 55 years of age or older; and where the Development Owner publishes and adheres to policies and procedures which demonstrate an intent by the owner and manager to provide housing for individuals 55 years of age or older. (See 42 U.S.C. Section 3607(b)).



on the map and in the written directions. All services must exist, or if under construction, must be at least 50 percent complete by the date the application is submitted.

Transportation

Travel time and cost via public transportation or private automobile, from neighborhood to places of employment must not be excessive. A site should be located 1) within one-quarter mile of public transportation, or 2) within a community that has Demand Response Service¹ transportation. Qualified Elderly Developments are required to provide specialized elderly transportation. Evidence of transportation services must be stated in the HCCSD application to satisfy this requirement.

Proximity to Negative Site Features

Sites with the below mentioned negative characteristics will be ineligible. For the purposes of this policy, the term “adjacent” is interpreted as sharing a boundary with the development site. The distances are to be measured for all boundaries of the development site. Applicants must indicate on a map, the location of any negative site features, with the exception of slope, must be documented with an engineer’s certificate. If an Applicant negligently fails to note a negative feature, the Application may be terminated for projects identified as one or all of the following:

- Developments located adjacent to or within 300 feet of junkyards;
- Developments located adjacent to or within 300 feet of active railroad tracks;
- Developments located adjacent to or within 300 feet of an interstate highway including frontage and service roads;
- Developments located adjacent to or within 300 feet of heavy industrial uses such as manufacturing plants;
- Developments located adjacent to or within 300 feet of a solid waste or sanitary landfills; or
- Developments located adjacent to or within 100 feet of high voltage transmission power lines.

Neighborhood Notification

HCCSD highly values quality public input addressing the merits of a development. If input from neighborhood organizations provides evidence of unlawful discrimination against classes of persons protected by Fair Housing law, then the project will not be considered. To protect the integrity of the Department's processes and decisions, evidence of false statements or

¹ Shared use transit service operating in response to calls from passengers or their agents to the transit operator, who scheduled a vehicle to pick up passengers to transport them to their destinations. The service is provided for those living outside the Metro service area. Service is shared ride curb-to-curb service open to the general public by call in reservation on a first come first serve basis. Reservations can be made 30 days to 24 hours in advance. Callers must give name, pick-up address, drop-off address as well as appointment and return times. Demand response service may be used for medical, education, shopping or recreation. Passengers using Demand Response service are usually picked up 1 hour prior to their requested appointment time and return trip is usually within 30 minutes of requested return. Hours of service are usually Monday through Friday with the first pick up at 6:00 am and the last return by 6:30 pm. Demand Response service is fully ADA accessible mode of transportation as required by the FTA.



misrepresentations from applicant representatives, neighborhood representatives, or other persons will be considered for appropriate action, including possible referral to County Attorney's Office.

Applicants must provide written notification to all neighborhood organizations within a 2 mile radius of the development. Applicants must submit evidence of such notifications which shall include a copy of the exact letter and other materials that were sent to the individual or entity and a list of individuals, organizations, and agencies to which notification has been sent. Applicant should receive at least two (2) letters of support from the community in favor of the development. If evidence of these notifications and letters of community support are submitted with the RFP application, and satisfies the Department's initial review of the RFP application, then no additional notification is required from the applicant.

Public notification must include, at a minimum, all of the following:

- The Applicant's name, address, individual contact name and phone number
- The development name, address, city and county
- A statement informing the entity or individual being notified that the Applicant is submitting a request for Harris County HOME or CDBG
- Statement that the developer proposes new construction
- The type of development being proposed (multi-family, senior housing, duplexes, apartments, town homes, high-rise etc.) and the total number of units
- The expected completion date if application is awarded grant entitlement funds.

If the number of neighborhood organizations is limited within the two mile radius of the Development's proposed location, the Applicant must attest to that fact.

Public Hearing

In order to qualify for federal funding from HCCSD, an applicant must:

1. Hold a public hearing for the subject project; regardless of whether such a hearing was required by any state agency or program. Notice must be provided to HCCSD. If public hearing occurs prior to application, provide copy of notice and meeting minutes.
2. Notices must have been sent at least two weeks in advance of the public hearing to all community groups within a two mile radius of the proposed project site and HCCSD representative must attend. If public hearing occurs prior to application, applicant is to provide meeting minutes to HCCSD at the time of application submission.
3. The project must be properly characterized. For example, if a project is described as a "senior affordable housing project," its occupancy must be limited to seniors and such must be contained in its bond covenants or loan documents.



4. Applicant should receive at least two letters of support from the community in favor of development.

To be recommended to Commissioners Court for project approval, an applicant must submit appropriate documentation evidencing that it has performed the required steps enumerated above.

Building Code Requirements

Housing that is constructed with federal funds from HCCSD must meet all applicable local codes and ordinances. All properties shall be constructed to meet the HCCSD Minimum Acceptable Standards and according to the latest edition of the International Residential Code (IRC). Please see [Minimum Acceptable Standards for Residential Acquisition, Construction, and Rehabilitation](#)

Unit Size

The square footage of all of the units in the development, for each type of unit, must be at minimum:

Efficiency	500 square feet
One Bedroom	650 square feet / *550 square feet
Two Bedroom	900 square feet / *750 square feet
Three Bedroom	1000 square feet

(*) Pertains to federally assisted units for the elderly and formerly homeless individuals

Please Note: For one bedroom units, 550 square feet per unit is acceptable for federally assisted units for the elderly and federally assisted units for formerly homeless individuals only. Federally assisted projects serving formerly homeless families must meet the larger minimum square footage requirements.

Section 504 Requirements

HCCSD requires those requesting/or in receipt of federal assistance for multi-family affordable housing to comply with any federal regulations issued pursuant to compliance with Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against the handicapped in any federally assisted program. Dwelling units designed and constructed in accordance with the Uniform Federal Accessibility Standards (UFAS) will be deemed to comply with the Section 504 regulation. Accessible units must be, to the maximum extent feasible, distributed throughout the Project and must be available in a sufficient range of sizes and amenities so as not to limit choice.

The project sponsor shall, at its sole expense, furnish the necessary inspection personnel to assure itself of compliance with the requirements of Section 504 and UFAS. The project sponsor shall document and report the results of all inspection activities upon request by HCCSD. To



comply with Section 504, all affordable housing projects consisting of five or more federally assisted units shall designate and maintain five percent (5%) of the federally assisted dwelling units in the Project (but not less than one unit) to be accessible to individuals with mobility impairments. An additional two percent (2%) of federally assisted units (but not less than one unit) must be accessible to individuals with sensory impairments (i.e. hearing or vision impairments), unless HUD prescribes a higher number pursuant to 24 C.F.R. § 8.22(c).

Energy Conservation Requirements

Applicants are encouraged to develop projects that exceed Energy Star specifications. All Applicants applying for funds in support of new construction of affordable housing must have all federally assisted units, at a minimum, meet Energy Star certification.

Please note that an independent third party inspector must conduct on-site verification of home's energy performance compliance. Self or Builder certification will not be allowed.

Unit Characteristics & Amenity Requirements

All affordable housing developments shall be constructed to meet the HCCSD Minimum Acceptable Standards. If fees in addition to rent are charged for amenities, then the amenity may not be included among the federally-assisted units. Any future changes in these amenities, or substitution of these amenities, may result in a decrease in award. All substitutions or changes must be approved, prior to the implementation of the change, by HCCSD. Please see [Minimum Acceptable Standards for Residential Acquisition, Construction, and Rehabilitation](#).



Harris County Community Services Department Project Development Compliance Certification Form Instruction Sheet

In evaluating compliance with the Project Development Requirements, Development staff must complete the Project Development Compliance Certification Form. The Form must be completed prior to making a recommendation to fund a proposed project and the results should be incorporated into the evaluation phase of the Request for Proposal Process or the Unsolicited Application Process.

Multifamily Developments Only

Site & Neighborhood Standard Criteria:

- Request that Planning provide a one-mile radius map of minority concentration and a one-mile radius map of income concentrations to properly respond to questions 1-4.

All Affordable Housing Developments

Site Characteristics:

- Request that Planning provide a one-mile radius map of substandard housing and a one-mile radius map of nearby public facilities, hospitals, schools, etc. to properly respond to questions 5-11. In addition to the maps noted above, maps included in the appraisal, market study and environmental may serve as resources when evaluating the project. If these resources do not exist, additional maps may be printed using Yahoo maps.

Boundary and Flood Plain Information:

- Using survey and map information included in the application for funding, responses should be provided to questions 12-13.

Neighborhood Notification & Public Hearing:

- Verify that documentation was submitted as part of the application for funding to document that the applicant has communicated with neighborhood organizations and proposes to hold public hearings as per question 14.

Unit Size, Characteristics & Amenity Requirements:

- Using plans and other information submitted in the application for funding, confirm that the project meets the required unit size and Minimum Acceptable Standards for Residential Acquisition, Construction and Rehabilitation as per questions 16-19.

Additional Comments:

- Provide additional details that would clarify any of the responses provided throughout the Certification Form. Staff should provide reasons for any missing information required as part of the evaluation.



Harris County Community Services Department Project Development Compliance Certification Form

This form should be completed by HCCSD staff to ensure compliance during review of the application.

Project Name:
Project Type: <input type="checkbox"/> Multi-Family <input type="checkbox"/> Single Family
Date of Review:
Project complies with Project Development Requirements: <input type="checkbox"/> Yes <input type="checkbox"/> No
Reviewed by:
Signature:

Multifamily Developments Only	
Site and Neighborhood Standards Criteria 24 CFR 983.6 and 92.202	Meets Standard (Y/N)
1) Is the site of adequate size to accommodate the number and type of units proposed with adequate utilities (water, sewer, gas and electricity) and streets available to service the site?	
2) Is the site and neighborhood suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Executive Order 11063, and implementing HUD regulations?	
3) Is the site located within an area of minority concentration? If so, does it meet one of the following exceptions: <div style="margin-left: 20px;"> <input type="checkbox"/> A) Sufficient, comparable opportunities exist for housing for minority families, in the income range to be served by the proposed project, outside areas of minority concentration (see page 3, Minority Concentration Policy (ii)(A) of this section for further guidance on this criterion); or <input type="checkbox"/> B) The project is necessary to meet overriding housing needs that can not be met in that housing market area. </div> <p>Is the site located in a racially mixed area where the project will cause a significant increase in the proportion of minority to non-minority residents? (Include a one-mile radius map of minority concentrations around project site.)</p>	Map Attached? <input type="checkbox"/> Yes <input type="checkbox"/> No



<p>4) Does the site promote choice of housing opportunities and avoids undue concentration of assisted persons in areas containing a high proportion of low-income people? (Include a one-mile radius map of income concentrations around project site.)</p>	<p>Map Attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
All Affordable Housing Developments	
Site Characteristics	Meets Standard (Y/N)
<p>5) Is the neighborhood one that is seriously detrimental to family life or in which substandard dwelling or other undesirable conditions predominate? (Include a one-mile radius map of percentage of substandard housing around project site and a map of criminal activity, if available.)</p>	<p>Map Attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>6) Is the housing accessible to social, recreational, educational, commercial, and health facilities and services that are at least equivalent to those typically found in neighborhoods consisting of largely unassisted units. (Include a one-mile radius map of nearby public facilities, hospitals, schools, etc.)</p>	<p>Map Attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>7) Except for new construction of housing for the elderly, is travel time and cost via public transportation or private automobile from the neighborhood to places of employment excessive?</p>	
<p>8) The proposed development meets the outlined Neighborhood Standards Criteria with regard to Proximity to Site Amenities.</p> <p>List 3 site amenities located near development site: 1) _____ 2) _____ 3) _____</p>	<p>Map Attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>9) Access to Transportation (check all that apply)</p> <p>Public Transportation w/in ¼ mile: _____</p> <p>“On Demand” Transportation: _____</p> <p>Transportation to be provided on site: _____</p>	<p>Transportation Documentation Attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>10) For qualified elderly developments, is there evidence of specialized transportation services provided and documented as part of the application?</p>	



<p>11) Proximity to Negative Site Features-List location in feet of proximity of any negative site features to development site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Environmental Phase I included in application?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Boundary and Flood Plain Information</p>	<p>Meets Standard (Y/N)</p>
<p>12) Is the proposed development located in a 100-year flood plain?</p>	
<p>13) Does the survey show the property purchased and the property proposed for development?</p>	<p>Survey Attached?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Neighborhood Notification & Public Hearing</p>	<p>Meets Standard (Y/N)</p>
<p>14) Is the proposed project in compliance with the Neighborhood Notification and Public Hearing requirement?</p> <p>Letters to Neighborhood Organizations: _____</p> <p>Public Hearing Date: _____</p>	
<p>Energy Conservation Requirements</p>	<p>Meets Standard (Y/N)</p>
<p>15) Has the applicant made provisions to comply with HCCSD's Energy Conservation Requirements in the construction of each federally -assisted unit?</p> <p>Will the homes/units be Energy Star Certified by an independent 3rd party inspector?</p>	<p>Inspection or certification attached?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>



<p align="center">Unit Size, Characteristics & Amenity Requirements</p>	<p align="center">Meets Standard (Y/N)</p>
<p>16) Does the proposed development meet the minimum requirements for unit size?</p> <p>Square footage proposed:</p> <p>Efficiency: _____ 1-bedroom: _____</p> <p>2-bedroom: _____ 3-bedroom: _____</p> <p>Is the development a senior only project? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Is the development a homeless project? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>17) Do the plans for the proposed development meet the unit characteristic and amenity requirements outlined in the Minimum Acceptable Standards for Residential Acquisition, Construction and Rehabilitation?</p>	
<p>18) Does the proposed development appear to limit or charge a fee for amenities required as per the Minimum Acceptable Standards?</p>	
<p>19) Does the proposed development meet the minimum accessibility requirements?</p> <p>Total units proposed in the development: _____</p> <p>Five percent proposed accessible (for the mobility impaired) units included in plans: _____</p> <p>Two percent proposed accessible (for the vision and hearing impaired) units included in plans: _____</p> <p>Common areas are designed to be accessible according to Section 504/Fair Housing Act (i.e. sidewalks, parking areas, recreational areas, etc.).</p>	
<p>Additional comments/clarification:</p> <p>_____</p>	