

Grantee: Texas - TDHCA

Grant: B-11-DN-48-0001

April 1, 2016 thru June 30, 2016 Performance Report



Grant Number:

B-11-DN-48-0001

Obligation Date:**Award Date:****Grantee Name:**

Texas - TDHCA

Contract End Date:**Review by HUD:**

Original - In Progress

Grant Award Amount:

\$7,284,978.00

Grant Status:

Active

QPR Contact:

No QPR Contact Found

LOCCS Authorized Amount:

\$7,284,978.00

Estimated PI/RL Funds:

\$0.00

Total Budget:

\$7,284,978.00

Disasters:

Declaration Number

NSP

Narratives

Summary of Distribution and Uses of NSP Funds:

This document is a substantial amendment to the Action Plan for FFY 2010 submitted by the State of Texas. The Action Plan is the annual update to the Consolidated Plan for FFY 2010 through 20152014. This amendment outlines the expected distribution and use of \$7,284,978.00 through the Neighborhood Stabilization Program (NSP), which the U.S. Department of Housing and Urban Development (HUD) is providing to the State of Texas. This allocation of funds is provided under Section 1497 of the Wall Street Reform and Consumer Protection Act of 2010 (Pub. L. 111-203, approved July 21, 2010) (Dodd-Frank Act).

The Texas Department of Housing and Community Affairs (TDHCA or Department) issued a competitive Notice of Funds Availability pursuant to which it has awarded funding to eligible subgrantees, LifeWorks in Austin and Community Development Corporation of Brownsville in Brownsville.

The census tracts where awards will be used are 48453000801 in Travis County, Texas and 48061014100 in Cameron County, Texas. The allocation of funds total \$6,556,480.20 in project funds and \$728,497.80 in administrative funds to assist approximately 75 households.

AREAS OF GREATEST NEED

The Federal Register Notice (Docket No.FR-5321-N-03), specifies that funds be used in the areas of greatest need. Need is determined by the HUD Foreclosure Need website located at <http://www.huduser.org/nspgis/nsp.html>

Texas has identified census tracts with a score of 16 or greater as being the census tracts with the HUD-estimated greatest need. Eligible applicants within these census tracts will be able to apply for NSP3 funding.

ELIGIBLE ENTITIES AND USES OF FUNDS

Eligible applicants for rental properties are nonprofit organizations as described in Section 501 (c)(3) or (c)(4) of the Internal Revenue Code who are required by federal rules to follow 24 CFR Part 84. Eligible applicants for homebuyer properties are units of general local government (including public housing authorities) who will follow are required by federal rules to follow 24 CFR Part 85, nonprofit organizations as described in Section 501(c)(3) or (c)(4) of the Internal Revenue Code who are required by federal rules to follow 24 CFR Part 84, and Housing Finance Corporations authorized under the provisions of the Texas Housing Finance Corporation Act, Texas Government Code, Chapter 394.

In accordance with NSP guidelines, activities under NSP3 may include the establishment of financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties, purchase and rehabilitation of homes and residential properties that have been abandoned or foreclosed, and the redevelopment of demolished or vacant properties.

SELECTION CRITERIA AND PRIORITIES

The State of Texas (State) has established the priorities and scoring that will be used in the application review process and are described below. While the criteria are important to demonstrate a successful proposal, the scoring structure is also designed to ensure that the State complies with the requirements of the HUD Notice designed to prioritize areas of greatest need, meets applicable CDBG regulations, meets Department priorities, and efficiently and effectively expends the funds. Each applicant is required to submit a properly completed application. Each applicant's organizational and financial capacity will be evaluated. The application will be available on the Department website after the TDHCA Governing Board approves a Notice of Funding Availability. All applications must contain the address of the target property. The Department expects to accept applications beginning on



March 14, 2011, the initial round of applications on April 15, 2011. Applications with the highest scores were presented to the Department's Governing Board of Directors on June 30, 2011, for possible approval.

a) All initial round applications must meet a minimum threshold total score of 38 points to be considered for funding. Subsequent round Application considered for award after April 15, 2011, must meet a minimum score of 33 points. Should applications meeting this minimum score threshold exceed available funding, such eligible applications will be retained regardless of date of submission until such a time that funding is available in sufficient amounts to fund the applications or a subsequent Texas NSP NOFA covering NSP3 funds is released.

i) Maximum Total Score = 55 Points (initial application period) or 50 points:

1. Greatest Need (20 Points); Minimum Score 16 points.
2. Rental Property (10 Points) or (5 Points after Initial Application)
3. Prior experience with Texas NSP and TDHCA (Up to 5 Points)
4. Local at Risk Priorities (10 Points)
5. Low-Income Households (Up to 5 Points)
6. Low Poverty Area (1 Point)
7. Transit Area (1 Point)
8. Education Opportunities (1 Point)
9. Special Needs/Hard to Serve Populations (Up to 2 points)

ii) Greatest Need (20 Points): NSP3 activities must be completed in eligible census tracts, as determined by HUD under the Neighborhood Stabilization 3 NOFA. Applicants are required to provide evidence that activities will meet a Neighborhood Stabilization purpose, in a census tract with a threshold foreclosure needs score of 16 or more. The HUD data and mapping tool may be found on the HUD website, here: <http://www.huduser.org/nspgis/nsp.html> These areas may change as the data is updated, and the target score will be determined as that which was in place as of the date of application.

iii) Rental Properties (10 Points till April 15th, 5 points thereafter): The NSP3 allocation included statutory language requiring the establishment of procedures to create preferences for the development of affordable rental housing for properties assisted with NSP3 funds. Texas NSP3 is demonstrating this preference through a points system.

iv) Local At-Risk Priorities: (10 Points) The identified cities listed in Table 1, as attached to the NOFA, are communities at risk of losing affordable units with existing or former funding through the Department. Eligible applications that are located and willing and able to commit to minimum unit, affordability term and amount of non-federal funds for each specified city, as identified in the chart in Addendum 1 will receive points under this scoring item. The Applicant must be willing to execute a Texas HOME LURA and be able to meet all of the conditions of the federal requirements of aHMEfnded developmet inonuction with the requirements of this NOFA. These areas may change as the data is updated, and the points will be determined as that which was in place as of the daefpplcation. ∓bp;

v) Previous Participation with Texas NSP and TDHCA funds (5 Total Points): An Applicant will receive two points for having prior State of Texas NSP experience and three points for experience with other TDHCA funds. The experience must have been completed with the same type of construction as the Application is proposing (single family, multifamily, new construction, rehabilitation, etc.) and have acquired their experience in connection with a development with at least 80% as many units as the Units in the development for which Application is being made. The experience will be documented as outlined in the most current QAP plan, as applicable.

vi) Assistance to Low-Income Households at or Below 50% AMFI (5 Total Points): In order to emphasize affordability for households at or below 50% of AMFI, the State will give up points to proposals that will serve households in this income category. Each household served in this income category will receive a point, up to five points.

vii) Low Poverty Area (1 point): The development is in a census tract that has no greater than 10% poverty threshold population according to the most recent census data as of the date of the application.

viii) Transit District (1 point): The development or unit is in a mixed-use residential and commercial area, located within a radius of one-quarter mile from an existing or proposed transit stop, designed to encourage pedestrian activities and maximize access to public transportation.

ix) Educational Opportunities (1 point): The development or unit will serve families with children (at least 70% of the Unit or units must have an eligible bedroom mix of two bedrooms or more) and is proposed to be located in an elementary school attendance zone that has an academic rating of "Exemplary" or "Recognized," or comparable rating if the rating system changes. An elementary attendance zone does not include magnet school or elementary schools with district-wide possibility of enrollment or no defined attendance zones. The date for consideration of the attendance zone is that in existence as of the received date of the application and the academic rating is the most current rating determined by the Texas Education Agency as of that same date.

x) Special Needs or Hard to Serve Populations (1 point per category up to 2 points): At least 51% of the NSP assisted unit or units are designed to serve, Elderly, Persons with Disabilities, Transitioning out of Homelessness, Victims of Domestic Violence, Veterans, Transitioning out of Foster Care, Prisoner Reentry, or Migrant Farmworkers.

xi) Tiebreaker: In the event that two or more Applications receive the same priority based upon the scoring and are both practicable and economically feasible, the Department will utilize the factors in this section, in the order they are presented, to determine which Development will receive a preference in consideration for an awarded of funds.

(1) Applications involving any Rehabilitation or Reconstruction of existing Units will win this first tier tie breakerover Applications involving solely New Construction or Adaptive Reuse.



(2) The Application with the least amount of Texas NSP funds per Texas NSP restricted unit will win this second tier tie breaker.

xii) Department Priorities: The Federal NSP3 NOFA contains a requirement that at least 25% of the awarded funds be spent on housing for households at or below AMFI. The Department will fund the highest scoring, complete application that meets this requirement even if other applications scored higher. This determination will be made in the sole discretion of the Department.

How Fund Use Addresses Market Conditions:

MARKET ANALYSIS

Each applicant will be required to demonstrate how their proposal addresses their local needs and how, if applicable, it coordinates with their community consolidated plan. In addition, multi-family properties will go through an underwriting process to ensure that the area market can support the proposed rental project.

Ensuring Continued Affordability:

The Texas NSP will adopt the HOME program standards for continued affordability for rental housing at 24 CFR 92.252 and homeownership at 24 CFR 92.254. The Texas NSP will follow the Single Family Mortgage limits under Section 203(b) of the National Housing Act which are allowable under HOME program standards. The ability of TDHCA to enforce this requirement for the full affordability period will be secured with a recapture provision in the loan documents.

Definition of Blighted Structure:

The Texas NSP will use local code to determine the definition of a blighted structure except that moral blight is not eligible. If there is no local definition, blighted structure shall mean that a structure exhibits objectively determinable signs of deterioration sufficient to constitute, in the Department's sole and reasonable judgment a likely threat to human health, safety, or the public welfare.

Definition of Affordable Rents:

The Texas NSP will adopt the HOME program standards for affordable rents at 24 CFR 92.252(a), (b), (c), (d), (e), (f) and (j).

Housing Rehabilitation/New Construction Standards:

Single Family Housing

i) All housing that is constructed or rehabilitated with NSP3 funds must meet all applicable local codes, rehabilitation standards, ordinances, and zoning ordinances at the time of project completion. In the absence of a local code for new construction or rehabilitation, the housing must meet the International Residential Code and the National Electrical Code, as applicable. In addition, housing that is rehabilitated with NSP3 funds must meet all applicable energy efficiency standards established by §2306.187 of the Texas Government Code, and energy standards as verified by RESCHECK.

ii) If a Texas NSP3 assisted single-family or duplex is newly constructed and reconstructed, the applicant must also ensure compliance with the universal design features in new construction, established by §2306.514 of the Texas Government Code, and as implemented by TDHCA.

iii) All NSP3 assisted properties must meet all applicable State and local housing quality standards and code requirements, which at a minimum must address Universal Physical Condition Standards (UPCS) or the housing quality standards (HQS) in 24 CFR §982.40, but only if HQS is required for another funding source. If there are no such standards or code requirements, the housing must meet Universal Physical Condition Assessment guidelines, unless HQS is required for another fund source. When NSP3 funds are used for rehabilitation the entire unit must be brought up to the applicable property standards, pursuant to 24 CFR §92.251(a)(1).

iv) All NSP3 assisted ownership units must pass inspection by a licensed Texas Real Estate Commission inspector prior to occupation.

Multifamily Rental Housing

i) Housing that is constructed, reconstructed or rehabilitated with NSP funds must meet all applicable local codes, rehabilitation standards, ordinances, and zoning ordinances at the time of project completion. When NSP funds are used for rehabilitation, the entire unit development must be brought up to the applicable property standards, pursuant to 24 CFR §92.251(a) (1). In the absence of a local code for new construction, reconstruction, or rehabilitation, NSP-assisted new construction, reconstruction or rehabilitation must meet, as applicable, International Residential Code and the National Electrical Code. In addition, housing that is rehabilitated with NSP3 funds must meet all applicable energy efficiency standards established by §2306.187 of the Texas Government Code, and energy standards as verified by RESCHECK.

ii) To avoid duplicative inspections when Federal Housing Administration (FHA) financing is involved in an NSP-assisted property, a participating jurisdiction may rely on a Minimum Property Standards (MPS) inspection performed by a qualified person. Gut rehabilitation, reconstruction or new construction of residential buildings up to three stories must be designed to meet the standard for Energy Star Qualified New Homes. All gut rehabilitation, reconstruction or new construction of mid-or high-rise multifamily housing must be designed to meet American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2004, Appendix G plus 20 percent. Other rehabilitation must meet these standards to the extent applicable to the rehabilitation work undertaken.

iii) Multifamily Housing must meet the accessibility requirements at 24 CFR Part 8, which implements Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and covered multifamily dwellings, as defined at 24 CFR §100.201, must also meet the design and



construction requirements at 24 CFR §100.205, which implement the Fair Housing Act (42 U.S.C. 3601–3619) and the Fair Housing Act Design Manual produced by HUD. Additionally, pursuant to the current Qualified Allocation Plan as of the date of the application QAP 10 TAC §50.9(h)(4)(H), Developments involving New Construction (excluding New Construction of nonresidential buildings) where some Units are two-stories and are normally exempt from Fair Housing accessibility requirements, a minimum of 20% of each Unit type (i.e. one bedroom, two bedroom, three bedroom) must provide an accessible entry level and all common-use facilities in compliance with the Fair Housing Guidelines, and include a minimum of one bedroom and one bathroom or powder room at the entry level. A certification will be required after the Development is completed from an inspector, architect, or accessibility specialist. For rehabilitation developments, the scope, specifications and costs associated with complying with accessibility requirements must be identified in the Property Condition Assessment.

iv) A single-site development of over 16 units must have all the development amenities listed in 10 TAC §49.4(14) or as defined in the threshold requirements of the Qualified Allocation Plan, current as of the date of application. If a development is requesting a waiver of any threshold amenity the waiver request must be included in the application. Requests will be evaluated using the criteria outlined in 10 TAC§49.4(14).

v) All NSP3 assisted properties must meet all applicable State and local housing quality standards and code requirements, which at a minimum must address Universal Physical Condition Standards (UPCS) or the housing quality standards (HQS) in 24 CFR §982.40, but only if HQS is required for another funding source. If there are no such standards or code requirements, the housing must meet Universal Physical Condition Standards, unless HQS is required for another fund source. When NSP3 funds are used for rehabilitation the entire unit must be brought up to the applicable property standards, pursuant to 24 CFR §92.251(a)(1).

vi) The TDHCA Real Estate Analysis Rules current as of the date of the application, will apply, except that if the Rules and the Federal or Texas NSP guidelines conflict, the provisions described in the HUD notice or described herein will govern.

vii) Any Development proposing New Construction or Reconstruction and located within the one-hundred (100) year floodplain as identified by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps must develop the site so that all finished ground floor elevations are at least one foot above the flood plain and parking and drive areas are no lower than six inches below the floodplain, 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 one-hundred (100) year floodplain. No buildings or roads that are part of a Development proposing Rehabilitation (excluding Reconstruction) with the exception of Developments with existing and ongoing federal funding assistance from HUD or TRDO-USDA, will be permitted in the one-hundred (100) year floodplain unless they already meet the requirements established in this subsection for New Construction, or if the Unit of General Local Government has undertaken mitigation efforts and can establish that the property is no longer within the one-hundred (100) year floodplain.

viii) All applications with multifamily housing units intended to serve persons with disabilities must adhere to the Department's Integrated Housing Rule at 10 TAC §1.15.

ix) Multifamily properties will be restricted under a Land Use Restriction Agreement (LURA), or other such instrument as determined by the Department for these terms. Among other restrictions, the LURA may require the owner of the property to continue to accept subsidies which may be offered by the federal government, prohibit the owner from exercising an option to prepay a federally insured loan, impose tenant income-based occupancy and rental restrictions, or impose any of these and other restrictions as deemed necessary at the sole discretion of the Department in order to preserve the property as affordable housing on a case-by-case basis.

Additional Requirements (Single and Multifamily Housing)

i) NSP assisted new construction or rehabilitation will comply with federal lead-based paint requirements including lead screening in housing built before 1978 in accordance with 24 CFR §Part 92.355 and 24 CFR Part 35, subparts A, B, J, K, M, and R. Lead-based paint requirements, for Multifamily properties must be discussed in the Property Condition Assessment.

Vicinity Hiring:

NSP3 subgrantees, shall, to the maximum extent feasible, provide for the hiring of employees who reside in the vicinity, of projects funded this section or contract with small business that are owned and operated by persons residing in the vicinity of such projects. For the purposes of administering this requirement, HUD has adopted the Section 3 applicability thresholds for community development assistance at 24 CFR §135.3 (a)(3)(ii). The NSP3 local hiring requirement does not replace the responsibilities of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C §1701u), and implementing regulations at 24 CFR Part 135, except to the extent the obligations may be in direct conflict. Vicinity is defined as the census tract where the project is located. Small business means a business that meets the criteria set forth in section 3(a) of the Small Business Act. See 42 U.S.C. §5302(a)(23). All applicants will be required to have a vicinity preference plan in order to meet threshold scoring criteria.

Procedures for Preferences for Affordable Rental Dev.:

The Texas NSP3 Selection Criteria and Priorities includes a preference for Affordable Rental Development through the scoring structure.

Grantee Contact Information:

Texas Department of Housing and Community Affairs
221 E. 11th Street
Austin, TX 78701

Marni Holloway



Overall	This Report Period	To Date
Total Projected Budget from All Sources	N/A	\$7,284,978.00
Total Budget	\$0.00	\$7,284,978.00
Total Obligated	\$0.00	\$7,284,978.00
Total Funds Drawdown	\$0.00	\$6,442,856.54
Program Funds Drawdown	\$0.00	\$6,407,821.49
Program Income Drawdown	\$0.00	\$35,035.05
Program Income Received	\$4,004.58	\$200,260.79
Total Funds Expended	\$0.00	\$6,623,420.18
Match Contributed	\$0.00	\$0.00

Progress Toward Required Numeric Targets

Requirement	Required	To Date
Overall Benefit Percentage (Projected)		0.00%
Overall Benefit Percentage (Actual)		0.00%
Minimum Non-Federal Match	\$0.00	\$0.00
Limit on Public Services	\$1,092,746.70	\$0.00
Limit on Admin/Planning	\$728,497.80	\$728,497.80
Limit on State Admin	\$0.00	\$728,497.80

Progress Toward Activity Type Targets

Activity Type	Target	Actual
Administration	\$728,497.80	\$728,497.80

Progress Toward National Objective Targets

National Objective	Target	Actual
NSP Only - LH - 25% Set-Aside	\$1,821,244.50	\$3,625,662.00

Overall Progress Narrative:

Texas Department of Housing and Community Affairs (TDHCA) continues to work closely with its subrecipients to provide technical assistance and oversight in an effort to guide NSP3 toward successful completion. For the 2nd quarter of 2016, the following Activity had no reportable actions: 77110000110 E2SA.

Project Summary

Project #, Project Title	This Report Period	To Date	
	Program Funds Drawdown	Project Funds Budgeted	Program Funds Drawdown
1, Financing Mechanisms	\$0.00	\$347,820.00	\$45,233.46
2, Redevelopment	\$0.00	\$6,208,660.20	\$5,634,090.23
3, Administration	\$0.00	\$728,497.80	\$728,497.80
4, Program Income	\$0.00	\$0.00	\$0.00
9999, Restricted Balance	\$0.00	\$0.00	\$0.00



Activities

Project # / Title: 2 / Redevelopment

Grantee Activity Number: 77110000105 E2
Activity Title: CDC Brownsville - Redev

Activity Category:

Construction of new housing

Project Number:

2

Projected Start Date:

08/22/2013

Benefit Type:

Direct Benefit (Households)

National Objective:

NSP Only - LMMI

Activity Status:

Under Way

Project Title:

Redevelopment

Projected End Date:

08/31/2015

Completed Activity Actual End Date:

Responsible Organization:

Community Development Corporation of Brownsville

Overall	Apr 1 thru Jun 30, 2016	To Date
Total Projected Budget from All Sources	N/A	\$2,582,998.20
Total Budget	\$0.00	\$2,582,998.20
Total Obligated	\$0.00	\$2,582,998.20
Total Funds Drawdown	\$0.00	\$2,037,428.88
Program Funds Drawdown	\$0.00	\$2,019,526.41
Program Income Drawdown	\$0.00	\$17,902.47
Program Income Received	\$4,004.58	\$200,260.79
Total Funds Expended	\$0.00	\$2,125,136.33
Community Development Corporation of Brownsville	\$0.00	\$2,125,136.33
Match Contributed	\$0.00	\$0.00

Activity Description:

Developer shall conduct the new construction of no less than twenty-one (21) new housing units within the target area(s).

Location Description:

Developer shall carry out the following activities in the target area and specified neighborhoods identified in its Texas NSP3 Application.

Activity Progress Narrative:

CDC Brownsville contracted to build no fewer than 21 households at or below 120% AMI. No fewer than 6 of those 21 households should earn 50% or less of AMI. Construction began during a previous quarter. 9 NSP eligible homebuyers consummated acquisition during a previous quarter. The subrecipient placed one eligible low-income homebuyer into end use this quarter.



Accomplishments Performance Measures

	This Report Period	Cumulative Actual Total / Expected
	Total	Total
# of Housing Units	1	10/21
# of Singlefamily Units	1	10/21

Beneficiaries Performance Measures

	This Report Period			Cumulative Actual Total / Expected			
	Low	Mod	Total	Low	Mod	Total	Low/Mod
# of Households	1	0	1	8/0	2/21	10/21	100.00
# Owner Households	1	0	1	8/0	2/21	10/21	100.00

Activity Locations

Address	City	County	State	Zip	Status / Accept
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Other Funding Sources Budgeted - Detail

No Other Match Funding Sources Found

Other Funding Sources	Amount
No Other Funding Sources Found	
Total Other Funding Sources	

Monitoring, Audit, and Technical Assistance

Event Type	This Report Period	To Date
Monitoring, Audits, and Technical Assistance	0	1
Monitoring Visits	0	70
Audit Visits	0	0
Technical Assistance Visits	0	0
Monitoring/Technical Assistance Visits	0	0
Report/Letter Issued	0	1