

HOME Investment Partnerships Program

- 24 CFR Part 92, Complete rules and requirements for HOME program

Audit Requirements

- 24 CFR Part 44; State and Local Government audit requirements
- 24 CFR Part 45; Institutions of Higher Education and Other Non-profit investor Institutions

Uniform Administrative Requirements 92.505; financial standards, internal control, use of federal funds

- 24 CFR Part 85; OMB Circular A-87, Government Entities financial and accounting compliance
- OMB Circular A-122; CFR Part 84, Nonprofit entities financial and accounting compliance
- 24CFR Part 84.21, Both entities, financial and accounting compliance

Affirmative Marketing Plan

- 24 CFR.200.625, Regulations regarding outreach to those least likely to apply

Fair Housing and accessibility

- Fair Housing Act 24 CFR Part 100, Restricts discrimination or access or participation under any program or activity receiving federal financial assistance

Non-Discrimination in Federally Assisted Programs

- Title VI of the Civil Rights Act of 1964, - 24 CFR Part 1, Prohibits discrimination on the basis of race, color, or national origin in all HUD-assisted programs
- Title 41 Public Contracts and Property Management; 41 CFR Part 60, Equal opportunity employment practices.
- Article 104(b) and Article 109 of Title I of the Housing and Community Development Act of 1974 as amended

Discriminatory Conduct under the Fair Housing Act

- Title VI of the Civil Rights Act of 1968, as amended "Fair Housing Act" 2; Requires, to the greatest extent feasible, that recipients of HUD funds (and their contractors and subcontractors) provide jobs and other economic opportunities to low-income persons, particularly public housing residents
- USC 3601; United States Code that enforces the Federal Housing Act
- 24 CFR Part 100; Requires compliance with the non-discrimination provisions of Federal civil rights laws, including Section 504 of the Rehabilitation Act and the Fair Housing Act and implementing regulations regarding Americans With Disabilities Act

Conflict of Interest

- Procurement, 24 CFR 85.36; All procurement procedures must reflect applicable State and local laws and regulations and conform to applicable Federal law and the standards identified in this section
- Codes of Conduct 24 CFR Part 84; Uniform administrative requirements for Federal grants and agreements awarded non-profit organizations

Equal Opportunity in Housing

- Executive Order 11063; Prevention of discrimination
- 24 CFR. Part 107; Equal housing opportunities

Non-Discrimination Based on Age or Handicap

- Subtitle A, Title II, American with Disabilities Act of 1990; Parts 35 & 36, Prohibits discrimination against individuals with disabilities
- Age Discrimination Act of 1975, as amended; 24 CFR Part 146; Prohibits discrimination based on age
- Section 504 of the Rehabilitation Act of 1973; 24 CFR Part 8; Prohibits discrimination based on disability in any program or activity receiving federal financial assistance, including the sale, rental or financing of housing

Employment and Contracting Opportunities

- Section 3 of the Housing and Urban Development Act of 1968, 24 CFR Part 135, Helps create employment for low-income persons and provides contracting opportunities for businesses that are owned by low-income people or that provide employment to low-income people

Minority/Women's Business Enterprise

- Executive Orders 11625; 12138; Outreach to ensure efforts are made to attract minority groups to the procurement process
- 24 CFR Part 85 Subpart C Section 36(e); Procurement code of standards, conflicts of interest

Lead Based Paint Poisoning Prevention

- 24 CFR Part 35; Provisions regarding lead based paint abatement and disclosure

Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction

- HUD 4010 Federal Labor Standards Provisions; Wage, payment, overtime, withholding and other payroll Requirements
- Davis Bacon Act 29 CFR Parts 1, 3, 5, 6, and 7; Requirements triggered with 12 or more units
- Fair Labor Standards Act of 1938; Dictates wage and labor standards for federal projects
- Copeland Anti-Kickback Act; Requires employees paid weekly, deductions are permissible and contractors maintain and submit weekly certified payroll
- Contract Work Hours and Safety Standards Act (CWHSSA); Coverage threshold for overtime and health and safety provisions
- 24 CFR 92.354; Regarding construction contracts, volunteers cannot receive direct compensation
- General Provisions, 24 CFR Part 135, Volume 1; Provisions required in contracts
- Relating to the Use of Volunteers, 24 CFR Part 70; Family members who provide labor in exchange for acquisition of a property for homeownership in lieu of, or as a supplement to, rent payments
- 24 CFR 92.354 (a)(2); Davis-Bacon requirements when HOME funds provide down payment assistance to individual homebuyers
- HOME: National Affordable Housing Act of 1990 (NAHA) Section 286; Use of prison inmate labor
- 24 CFR Part 24; Contractor expectations, regarding use of disbarred, suspended or ineligible contractors
- 29 CFR 5.12(a)(1); Requires verification that contractors are eligible to work on projects
- Wage Decision; Identifies prevailing hourly wage requirements for all laborers working on a project

Lobbying

- 24 CFR Part 87; Compliance and restrictions on lobbying

Displacement, Relocation Assistance and Real Property Acquisition

- 49 CFR Part 24; Relocation and acquisition requirements
- 24 CFR Part 42 Regulations that implement section 104(d); Replacement, on a one-for-one basis, of demolished or converted low-moderate income dwellings and provision of relocation assistance

National Flood Insurance

- Flood Disaster Protection Act of 1973; Insurance requirements for properties located in flood hazard areas
- 42 U.S.C. 40001; Congressional findings on the necessity for flood insurance program
- National Environmental Policy; Requires consideration of environmental impacts of proposed federal projects
- 24 CFR 58; Requires property be free of hazardous materials, contamination, or substances that could affect health and safety of occupants

Environmental Review

- 24CFR58; Environmental procedures and policies for all federal projects

Uniform Relocation Act

- 49 CFR Part 24, 24 CFR Part 42, (www.fhwa.dot.gov/realestate/act.htm). Relocation requirements and policies
- 104(d) (www.hud.gov/offices/cpd/affordablehousing/training/web/relocation/section104d.cfm). Minimum requirements when units are demolished or converted to a use other than low- or moderate-income dwellings

OTHER REQUIREMENTS

1. Upon request by City, Subrecipient shall execute and deliver to City a certificate of compliance with the Architectural Barriers Act of 1968 and Section 504 of the Rehabilitation Act of 1973. City may also require a certificate of compliance from an architect, engineer, or other third party acceptable to City.
2. If requested, Subrecipient shall provide satisfactory evidence that the Property complies with all applicable zoning, building, use and other governmental requirements and that all licenses, permits and agreements necessary for the lawful use and operation of the Property have been obtained. Required evidence may include, without limitation, copies of building permits and/or certificates of occupancy.
3. At City's discretion, City may require that the funds be closed in escrow.
4. This commitment supersedes all prior oral or written negotiations, understandings, representations and agreements between the parties with respect to the Loan and Grant and may not be changed without the written agreement of Subrecipient and City.
5. City may at its option, declare this Agreement to be in default if (a) there is any material adverse change in the financial condition of Subrecipient or in the Property, (b) there is any change in the management or in the ownership or capital stock in Subrecipient, (c) a proceeding under any bankruptcy or insolvency laws is commenced by or against Subrecipient, (d) any material representation or warranty shall prove to have been false when made by Subrecipient, (e) Subrecipient fails to disclose any material facts, or comply with any terms of this commitment, or (f) City discovers any information which City reasonably determines has a negative effect on the proposed transaction.
6. This commitment is solely for the benefit of Subrecipient and City and City's successors and assigns and shall not inure to the benefit of, or be relied upon by any other person or entity.
7. All information, documents and instruments required to be executed, delivered or provided to City shall be in form and substance reasonably satisfactory to City.