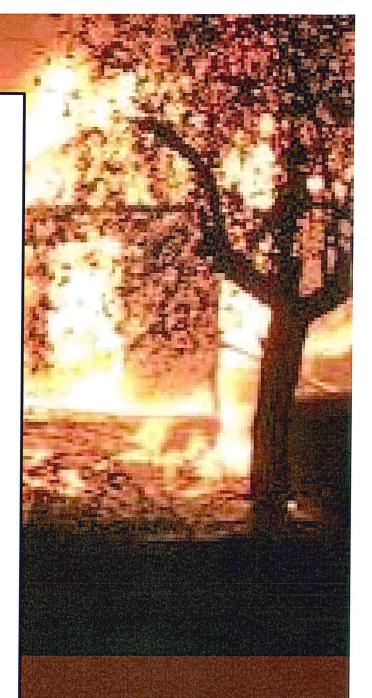
# Disaster Assistance 2018

County of Nevada
CalHome Program
Disaster Assistance
Application Round 1



**JUNE 2018** 



### **EXHIBIT A: ATTACHMENT CHECKLIST**

Please tab each attachment required by the application and place the attachments behind the completed application in a three ring binder according to the corresponding attachment number listed below.

Check if Included	Att. No.	Attachment Title
<b>✓</b>	2	Owner Occupied Rehabilitation Program (Including Manufactured Housing)
<b>✓</b>	3	Proposed Activities and Administration
<b>✓</b>	4	Payee Data Record (STD204 is located at <a href="http://www.hcd.ca.gov/grants-funding/nofas.shtml">http://www.hcd.ca.gov/grants-funding/nofas.shtml</a> )
<b>✓</b>	5	Exhibit B: Legislative Representatives
<b>✓</b>	6	Copy of Resolution authorizing this application. As a time-saver, the Resolution may also authorize execution of the contract and other documents needed to process a loan
In addition, nonprofit		corporations must also provide the following documentation
	7a	IRS approval of 501(c)(3) status
	7b	Copy of current certification of 501(c)(3) status with Secretary of State that is less than one year old
	7c	Copy of Articles of Incorporation
	7d	Copy of Bylaws
	7e	List of officers and Board of governing body of Applicant
	7f	Financial Statements (one of the last 2 years must be audited)

Available funding amounts for counties are as follows:

County	Allocation for Round 1 NOFA
Sonoma	\$2,000,000
Napa	\$1,000,000
Mendocino	\$1,000,000
Lake	\$500,000
Yuba	\$500,000
Nevada	\$500,000
Butte	\$500,000
Total	\$6,000,000

After the application deadline, if one of the counties is undersubscribed and there are remaining CalHome funds, those remaining funds will be put back towards the remaining total of CalHome funds for the second round of CalHome Disaster funding. Eligible local jurisdictions and nonprofit applicants are encouraged to apply for as much funding as each may reasonably use.

	SECTION I: APPLICATION SUMMARY				
	Applicant Contact Information				
A.	Name		County of Nevada		
	Applicant Street Address		950 Maidu Avenue		
	City		Nevada City		
	State	CA			
	Zip		95959		
1	Authorized Representative Name & Title	Mic	hael Heggarty, Health and Human Services Agency Director		
C.	Contact Person Name & Title		Rob Choate, Administrative Services Associate		
D.	Phone No.	(530) 265-1645			
	Fax	(530) 265-9860			
	Email	rob.choate@co.nevada.ca.us			
	Proposed Activity	Housing Rehabilitation			
E.	Proposed Grant Amount	\$	500,000		

F. Activity:	Proposed No. of Assisted Units:	County(ies) of Activity:
Owner-Occupied Rehabilitation	6	Nevada County
Manufactured Housing: Owner Occupied Rehabilitation		

G. Provide a brief description on a separate sheet of the proposed activity(ies) and a description of how the applicant will comply with the requirements for local program administration set forth in Section 7721. Label it "Proposed Activities and Administration," and attach as Attachment 3.

# PROPOSED ACTIVITY & ADMINISTRATION ATTACHMENT 3

## County of Nevada Owner Occupied Rehabilitation Program

### Proposed Program:

The County of Nevada is proposing to implement a Owner-Occupied Rehabilitation Disaster Assistance(OORDA) program within the unincorporated areas of the County. This program is designed to provide assistance to eligible disaster affected homeowners for correction of health and safety items, code violations, or total replacement for units located within the program's eligible area.

### Administration:

The County of Nevada programs are in compliance with 25 CCR §7721 and per the guidelines (attached) the County has inserted the requirements of the program to ensure compliance. Additionally, the County has successfully operated and manages CalHome programs and Program Income over multiple years. Policies and procedures have been established to meet these requirements including loan administration.

# 2018 COUNTY OF NEVADA CALHOME DISASTER HOUSING REHABILITATION PROGRAM GUIDELINES

The County of Nevada Disaster Housing Rehabilitation Program, partially funded by the State CalHome Program, is designed assist in the repair or reconstruction of housing units impacted by the fire disaster in the County areas of Nevada County. The program will provide a supply of decent, safe, sanitary and affordable housing by correcting health and safety hazards in the affected housing units through rehabilitation and replacement activities. The intent of this program is to extend the useful life of existing affordable housing units. Loans are available to achieve cost-effective repairs for low-income households within Nevada County's unincorporated areas. In operating the rehabilitation program, Nevada County will endeavor to draw upon leverage funds from other funding sources. All insurance proceeds and all other financing and disaster assistance provided for the purpose of repair or reconstruction must be utilized on the unit prior to the CalHome funds being included in the project. CalHome funds is only to be used a gap funding.

### **FAIR HOUSING**

This program will be implemented with the County's commitment to Fair Housing. No person shall be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity funded in whole or in part with CalHome Funds on the basis of his or her religion or religious affiliation, age, race, color, ancestry, national origin, sex, marital status, familial status children), physical or mental disability, sexual orientation, or other arbitrary cause. Marketing and outreach efforts are outlined under Loan Approval and Construction Process Section of the Guidelines.

### **INCOME ELIGIBILITY**

### **Income Limits:**

In order to be eligible for CalHome assistance, the cumulative gross annual income(s), as determined by HUD's (U.S. Department of Housing and Urban Development) Technical Guide for Determining Income for all persons age 18 years and over, of applicants occupying the residence must not exceed 80% of the county's median income as annually published.

When determining income eligibility, the current published income limits will apply. All persons in residence are considered household members for purposes of income eligibility. The current California Department of Housing and Community Development (HCD) income limits, categorized by household size, are listed in Attachment A.

### Determining Income for households:

Annual gross household income will be used to evaluate and determine the household's income status. Annual gross household income shall be compared to the published low-income limit to determine program eligibility. Income is defined as the total gross income before any and all deductions and any deduction that are anticipated to be received by all household members during the succeeding twelve-month period.

All persons 18 years of age or older living in the household are required to provide proof of current income. Income must be verified no earlier than six months from the date of loan inception. If all or partial income is derived from irregular employment or includes earnings

from occasional overtime work, such income received during the preceding calendar year will be used as a basis to anticipate income for the following calendar year. The CalHome Gross Income Worksheet will be completed to determine the borrower's Program Eligibility. See Attachment B.

### Gross Income Inclusions and Exclusions: See Attachment C

### Credit Worthiness:

Credit reports of applying individuals will be required for all loans. The County will review all credit reports obtained through Trans Union for payment history and past due/collections analysis. Excessive past dues and derogatory payment history may negatively affect the applicants' ability to receive funding.

### PROPERTY ELIGIBILITY

The owner must have been an eligible owner occupant of the affected housing unit at the time of the disaster. The property must be in need of repair or replacement due to the declared disaster, as determined by a Housing Specialist/Representative. It must be economically feasible to correct all health and safety hazards through rehabilitation of the property or if the cost to rehabilitate the structure is excessive, then reconstruction will be considered.

### **Evidence of Ownership:**

"Ownership" is defined by any of the following interests in residential real property:

- Fee simple interest
- 50-year leasehold interest in the property
- Ownership or membership in a condominium or cooperative or mutual housing project.

The County shall request proof of ownership by obtaining a copy of the deed, HUD closing statement or a mortgage payment statement and preliminary title report. There cannot be any restrictions or encumbrances that would unduly restrict the good and marketable nature of the ownership interest.

### **Property Types:**

Structures may be detached or attached. The housing unit must be the primary residence of income eligible occupants. The types of eligible residential property may include:

- Traditional single-family housing
- Condominiums
- Manufactured/Mobile Homes. Repairs will be considered and made in accordance with State mobile home repair and replacement codes. Eligible mobile home units must be on private property. Mobile Home in parks will not be eligible for funds.

### **Property Location:**

The housing structure must be located within the un-incorporated boundaries of Nevada County.

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### REHABILITATION STANDARDS

### Rehabilitation Standards:

Every loan made in this program shall be used to finance rehabilitation activities and achieve rehabilitation program standards. Applicable codes may include, but not limited to, the Uniform Building Code, the National Electrical Code, the Uniform Plumbing Code, the Uniform Mechanical Code, and Chapters 5-10 of the Uniform Housing Code, ADA, Section 504 and relevant sections of Titles 24 which pertain to disability access.

In addition, the Program may require additional project specific upgrades. All work performed must comply with the CalHome Rehabilitation Standards. These include:

- Upgrade of electrical equipment grounding and bonding system
- GFCI replacement in kitchen, bathroom and exterior areas
- Smoke detector upgrade to current Uniform Building Code
- Installation of carbon monoxide detectors when gas fired equipment is present.

### Prioritization of Rehabilitation Needs:

- 1. Health and safety: Examples include correcting plumbing, electrical, structural, and mechanical and roof deficiencies, and room additions to resolve overcrowding. Lead hazard evaluation and reduction activities will be addressed under health and safety issues.
- 2 ADA access and egress needs.
- 3. Energy conservation: Examples include adding insulation, reducing air infiltration through window and door replacement, weather-stripping and caulking, and replacing inefficient water heaters, ovens, furnaces, and air conditioning appliances.
- 4. Extension of unit's useful life: Examples include repairing siding and sheetrock, interior and exterior painting, replacing worn flooring, cabinets, interior doors, gutters, foundation upgrades, retaining walls, and other repairs that can extend the useful life of the property.
- 5. Conversion to current Uniform Building Code (UBC) standards: Examples include moving bathroom access to hallways or off of kitchen; stairs and porch upgrades. (Overcrowded conditions will be considered to exist when parents and children must share a bedroom, when children of the opposite sex must share a bedroom, and when a disabled person is required to share a room.)

### Replacement Housing:

The County may consider reconstruction or replacement housing where health and safety repairs would be ineffective to reconcile the most serious deficiencies and where the cost of new construction is less than rehabilitation to achieve UBC standards.

### **General Property Improvements:**

General property improvements are normally not eligible. Examples include landscaping security systems; television antennas; remodeling (including additions for family rooms, dens, or additional bedrooms when not addressing overcrowding) or non-energy efficient improvements.

### Resiliency Standards and Requirements:

All rehabilitated or reconstructed units located in designated Fire Hazard Sensitivity Zones shall meet the applicable laws set forth in the California Building Code, Chapter 7a, Materials and Construction Methods for Exterior Wildfire Exposure.

### Other Provisions:

Unit rehabilitation or reconstruction shall comply with the CEQA 15302. Replacement or Reconstruction Regulations as follows:

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

- (a) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.
- (b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
- (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
- (d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

### LOAN CONDITIONS

### Maximum Loan Amount:

In all cases the maximum CalHome loan amount shall be \$100,000 per low-income household.

### Terms:

Principal and interest payments shall be deferred for the term of the loan. The loan will be an owner-occupied rehabilitation loan bearing a simple interest over 30 years based on the income categories for home rehabilitation projects as follows:

Income Category for Household	Interest Rate
Extremely Low (30% or below Area Median Income)	1%
Very Low Income (50% or below Area Median Income)	2%
Lower Income (80% or below Area Median Income)	3%

### Loan Security:

A Deed of Trust and Promissory Note will secure all CalHOME rehabilitation loans. All owner-occupants listed on the benefiting property title are required to sign a Deed of Trust, Promissory Note, rehabilitation contract documents, and all other related loan documents. All County loans, which are not in first position on title, will require a Notice of Default to be recorded as part of the encumbrance transaction. No financing, junior or senior to the CalHome loan, may have a balloon payment due before the maturity date of the CalHome loan. Any "cash out" transactions during escrow are strictly prohibited.

### **Eligible Loan Costs**:

The loan amount may include:

 Construction contract (the accepted bid price for the cost of materials and labor)

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- Construction contingency
- Drafting and engineering fees
- Appraisal and termite inspection charges
- Credit report review fees
- Permit fees and related building fees
- Site preparation for replacement housing
- Escrow closing and recording fees, title report, title insurance, title updates and/or related non-recurring costs.

### Prohibited Uses of Funds:

- Refinancing existing loans with CalHome loan funds.
- Costs associated with the rehabilitation or repair of property owned by a mobile home park owner.

### Title Insurance:

Recipients must obtain title insurance in the amount of the CalHome Program loan by close of escrow.

### Fire Insurance:

Fire and flood insurance (if applicable) are required to be maintained in the amount equal to the replacement value of the improvements and the County must be named as an additional insured/additional loss payee.

### **Property Taxes:**

Property taxes paid status will be checked on an annual basis to ensure payments are current.

### Transfer of Interests:

CalHome Program loans shall be repayable upon sale or transfer of the property, when the property ceases to be owner-occupied, upon the loan maturity date, or upon repayment.

The following transfers of interest shall *not* require the repayment of the loan:

- a. Transfer to a surviving joint tenant by devise, descent, or operation of law on the death of a joint tenant;
- b. A transfer in which the transferee is a person who occupies or will occupy the property which is:
  - (i). A transfer where the spouse becomes owner of the property
  - (ii). A transfer resulting from a decree of dissolution of marriage, legal separation agreement, or from an incidental property settlement agreement by which the spouse becomes an owner of the property
  - (iii). A transfer into an intervivos trust in which the borrower is and remains the beneficiary and occupant of the property.

If it is determined by the County of Nevada that repayment of the CalHome Program loan at the maturity date causes a hardship to the homeowner; the County of Nevada will consider (one-time only for each loan):

a. Amending the note and deed of trust to defer repayment of the amount due at loan maturity, that is the original principal and the accrued interest, for up to an additional 30 years (at 0% interest); or

b. Converting the debt at loan maturity, that is the original principal balance and any accrued interest, to an amortized loan, repayable in 15 years at 0% interest.

### LOAN PAYMENT AND ASSUMPTION POLICIES

### Loan Payments:

The County will maintain a financial record-keeping system to record payments and file payment status or may choose to hire a loan payment servicing contractor. Loan payments will be accepted from borrowers prepaying deferred loans and from borrowers making payments in full upon sale of the property or change in title without penalties. All loans are payable to the County of Nevada - Housing Division, 950 Maidu Avenue, Nevada City, CA 95959, or its designated agent.

### **Assumption Policy:**

CalHome Program loans are not assumable.

### **Subordination Requests:**

The County of Nevada will only consider subordination requests in cases of rate or term refinances that are advantageous to the homeowner, such as a lower interest rate. Subordination requests that include a cash out from the property or a balloon payment on the new loan will not be allowed. For a subordination request to be allowed, the new loan must be amortized for the entire period of the loan and cover at least the period for the time remaining on the CalHome loan. The new loan must mature concurrently or after the CalHome lien.

### Loan Default Policy:

If an owner defaults on a loan in which foreclosure procedures are instituted, the foreclosure shall be carried out according to the CalHome Loan Servicing Plan adopted by the County of Nevada (See Attachment C).

The County of Nevada may allow forgiveness of all or a portion of the interest if CalHome loan recipients are able to demonstrate financial hardship in repayment of the loan. However, loan principal shall not be forgiven except as allowed by statute.

### CALHOME REUSE FUNDS

All loan payment proceeds received on behalf of CalHome loans made by the County Nevada shall be utilized to support future CalHome eligible activities, as defined by California State regulations and in accordance with the CalHome Program Reuse Plan.

### RESIDENCY REQUIREMENTS

<u>Annual Eligibility Documentation</u>: Owner occupants will be required to annually submit to the County each year for the term of the loan (generally will be collected between January 1 and 15):

- Proof of occupancy in the form of a current utility bill.
- Statement of unit's continued use as a residence.

### LOAN COMMITTEE

### Committee Composition:

The loan committee shall consist of four members, but only three members will be required to approve each loan request. The Housing and Community Services Director, the Deputy County Executive Officer, the Treasurer Tax Collector, and the Health and Human Services Chief Administrative Services Officer collectively and or their representatives will be the "Loan Committee."

### Committee Role:

The Loan Committee will review each CalHome loan application and will decide the appropriateness of the borrower as a candidate for the rehabilitation loan. If the decision is to decline the loan request, the County, as program operator, will provide the applicant with written explanation of the decline decision. If appropriate, referrals to other organizations will be made. Strict client confidentiality shall be maintained at all times and personal financial records and information will not be made available to the public at any time.

### Conflict of Interest Requirements:

In accordance with Title 24, Section 570.611 code of Federal Regulations, no member of the governing body and no official, employee or agent of the local government, nor any other person who exercises policy or decision-making responsibilities (including members of the loan committee and officers, employees, and agents of the loan committee, the administrative agent, contractors and similar agencies) in connection with the planning and implementation of the CalHome program shall directly or indirectly be eligible for this program. Exceptions to this policy can be made only after proper public disclosure and formal approval by the Nevada County Board of Supervisors.

### LOAN APPROVAL AND CONSTRUCTION PROCESS

### Outreach:

- Community members are informed of the details of the rehabilitation program and eligibility requirements through area newspapers, advertisements, public meetings, direct mailings, private interviews, program flyers that are distributed throughout the County, and other fair marketing efforts.
- Written information is provided in English and the primary language of any significant portion of target area residents.
- Bilingual personnel are available to conduct or assist with outreach and community meetings as needed.
- Pre-qualification and marketing criteria will focus on income eligibility and rehab needs.

### Applications/Interview:

- Applications will be accepted until the goals of the program have been met and/or all funds have been committed.
- Only completed applications will be processed on a first-come, first-serve basis.
- When the number of applications exceeds loan funds, the County will rank them according to rehabilitation and/or income need. Units with the greatest rehab need will be ranked first. Then, priority will be given to the lowest income households among applicants with similar rehab needs. All ranking will be completed in compliance with Fair Housing Act standards.

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Program representatives, such as the Rehab Program Administrator, will conduct confidential meetings with the applicant to discuss the requirements of the program, review the documentation requirements, obtain required signatures and explain the rehabilitation processes. When necessary, staff may assist applicants with completing the application form, and discuss the unit's rehabilitation needs. Additional documents may be obtained through the mail or follow-up visits.

### Loan Eligibility Determination:

- The Rehab Program Administrator shall conduct the income qualification process and perform property eligibility analysis. Components of the loan eligibility determination process may include, but not limited to, ordering a preliminary title report to determine evidence of ownership and existing encumbrances, property valuation (i.e., property profile, comparable market analysis, and appraisal), verification of income and obtaining credit reports.
- The total outstanding principal of the CalHome loan cannot exceed 105% loan to value of the post rehabilitated property value. The post rehabilitation property value may be determined by a licensed appraiser, real estate agent, or online services such as Zillow. The CalHome Program does not require an appraisal for the rehabilitation of manufactured houses without a permanent foundation.

### <u>Initial Inspections / Work Write-Ups / Cost Estimates:</u>

- Initial Inspections: Once income has been qualified and the property deemed eligible, the Housing Inspector/contractor shall inspect the house and prepare a detailed work write up which includes an in-house cost estimate. Construction and material costs are determined by the County's experienced licensed contractor/Building Inspector
- Notice of the pre-bid conference shall be delivered to licensed contractors included in the County's interested contractor list developed for the CalHome program.
- A bid walk-through will be conducted by the Housing Inspector/licensed contractor to ensure the bids is complete. The Housing Inspector/licensed contractor will review the bid results with the home owner(s). The project's cost reasonableness will be determined by comparing the initial in-house estimate with each bid submitted. After the borrower selects a contractor, an award notice will be sent out to each contractor who submitted a bid on the project. All general contractors and subcontractors selected by the borrower shall be licensed by the Contractors State License Board and maintain Workers Compensation and Employer Liability insurance to the extent required by State Law.
- The homeowner may be allowed to do his/her own work if he/she has a valid California Contractor's license and is performing activities allowed under his/her license. However, the homeowner will only receive CalHome loan funding for supplies and sub-contract costs. Any labor performed by the homeowner will not be reimbursed with the CalHome loan funding.

### <u>Determination of CalHome assistance</u>:

The determination and level of CalHome assistance will be based on the following:

- The final construction bid price.
- Eligible loan processing costs.
- Current household expenses expressed as a percentage of household income over the availably of equity in the unit.

CalHome assistance will be determined in addition to other sources of financing, so that adequate CalHome funds are available for the necessary repairs and any eligible loan processing charges.

### Loan Approval:

A loan package will be prepared by the Rehab Program Administrator. The Rehab Program Administrator will confirm and document the applicant's eligibility and the eligibility of the property; document the real estate equity and any encumbrances on the property; list the loan and construction costs; and include any additional information specific to the loan. The loan document package shall include the loan amount, rates and terms of the CalHome loan, which is outlined and prepared for review by the CalHome Loan Committee.

<u>Document Signing</u>: After the applicant has been approved and notified by the County, the borrower shall sign the appropriate loan documents and Deed-of-Trust, to be recorded. The County will utilize the services of a reputable Title and Escrow Company to assist with the recording of all appropriate legal documents and issuance of title insurance.

### Work Commencement, Interim Inspections, and Progress Payments:

- The homeowner and the contractor shall sign the Rehabilitation Construction Contract.
- A Notice to Proceed shall be issued by the Rehab Program Administrator.
- The contractor shall be responsible for securing all necessary building permits.
- Rehabilitation disbursements and change orders shall be established and recorded by the Housing Specialist/Representative in order to track all disbursements.
- Change orders must be in writing.
- The Housing Contractor shall review all disbursements and change order requests between progress inspections.
- Construction disbursement or change order funds cannot be released without the signatures from the homeowner, contractor and Housing Contractor.
- Any necessary inspections with the County's building department will be coordinated by the contractor and reviewed by the Rehab Program Administrator.

<u>Change Orders</u>: All change orders require the approval of the homeowner, the contractor (if a contractor is involved) and the Housing Contractor. All three parties must sign the change order form prior to commencement of the work proposed in the change order.

<u>Work Completion</u>: The Housing Contractor will conduct a final walk through with the homeowner and selected contractor to address any outstanding items or issues. Upon completion of work along with a final inspection by the County building inspector, a Notice of Completion shall be recorded at the County Recorder's Office. The final inspection by the County's Contractor will initiate the final draw request to release remaining funds. Upon completion of work, all Contractors will supply evidence of one-year warranty.

### DISPUTE RESOLUTION/APPEALS PROCEDURE

<u>Program Disputes</u>: Complaints concerning the CalHome Program should be made to the Program Manager. If unresolved in this manner, the complaint or appeal shall be made in writing and filed with the County. The County will then schedule a meeting with the CalHome Loan Review Committee. Their written response will be made within fifteen (15) working days. If the applicant is not satisfied

with the committee's decision, a request for an appeal may be filed with the County Board of Supervisors. Final appeal may be filed in writing with HCD within one year after denial or the filing of the Project Notice of Completion.

<u>Contractor/Homeowner Disputes</u>: Any person/family applying for a rehabilitation loan through the CalHome program has the right to appeal if their application is denied. In addition, during pre-construction, construction or post-construction periods, the applicant/borrower has a similar right to have any disputes heard and resolved.

The Rehab Program Administrator is primarily responsible for assuring that the program is implemented in compliance with State and Federal regulations in a timely and responsible manner. This includes developing accurate and professional files, work write-ups, and contract documents. The Rehab Program Administrator shall attend the meeting with the homeowner and the contractor at the time all contract documents are signed, facilitate clarification communication and/or re-direction of proposed work so a clear understanding is established between all concerned parties.

During construction and after construction has been completed, all work by the contractor shall be monitored for code compliance by the County Building Inspector and the County's CalHOME program representative shall monitor for quality assurance.

The contractual obligation for rehabilitation is ultimately between the contractor and the homeowner. If a situation occurs where the two parties are in conflict, the following procedure will be followed:

Stage 1: Before any intervention occurs, the homeowner or contractor shall communicate perceived problems or complaints directly to the other party. In an attempt to resolve the differences, each will give the other an opportunity to respond or correct the problem.

Stage 2: If Stage 1 efforts fail, the homeowner or contractor may ask the County's CalHOME program representative to informally intervene. This intervention might include telephone conversation with the contractor or homeowner, meeting(s) at the job site or in the office, or other actions as deemed appropriate, including such things as the establishment of written working guidelines, or other post-contractual agreements.

Stage 3: If the County's CalHome program representative is unable to satisfactorily resolve the homeowner/contractor differences, the homeowner or contractor will contact the responsible County's CalHome program representative in writing, detailing the problem. In the cases of building code compliance issues or issues concerning construction quality, the building inspector will be contacted to be involved in the dispute resolution process.

It must be recognized that the homeowner has additional options which they may choose to implement, including contacting the Contractors State Licensing Board to submit a complaint.

Any controversy or conflict between parties that cannot be settled through an informal intervention process that is outlined above shall be submitted to binding arbitration authorities. Costs for the arbitration will be borne by the loser, or subject to the terms of the arbitration agreement.

Each party shall attempt to agree on a single arbitrator to hear the dispute. If each party cannot agree on an arbitrator, it will be the sole responsibility each party to appoint their own arbitrator.

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If the two arbitrators cannot agree then they shall appoint a third arbitrator whose decision shall be final and binding. The cost of the arbitration shall be borne by the losing party, unless the deciding arbitrator otherwise deems differently.

The arbitration shall be conducted in accordance with the rules of the American Arbitration Association then in force. The parties expressly agree that the arbitration shall be subject to and governed by, the Federal Arbitration Act, Title IX, and USC 1 et seq.

### **CONTRACTING REQUIREMENTS**

### Role of the Local Government:

The County of Nevada is an equal opportunity, fair housing lender, providing affordable financing for housing rehabilitation performed in accordance with the adopted Program Guidelines. The County does not warrant any construction work, or provide any insurance coverage.

### **Contracting Process:**

Contracting will be done on a competitive bid basis. The homeowner will be the responsible agent, however the local government and/or its agent will prepare and advertise the bid package and assist the owner in negotiating the contract. Only the owner can select the contractor of their choice.

### **Approved Contractors:**

All contractors will be checked with HUD's federally debarred list of contractors; no award will be granted to a contractor on this list. Contractors are required to be licensed with the State of California and be active and in good standing on the Contractor's License Board list. Contractors must also have public liability insurance and when necessary, Workman's Compensation insurance. Contractors must agree to comply with all state regulations.

### Acceptance of Work:

Final payment will be made to the contractor when the building inspector has accepted and approved the rehabilitation work, as evidenced by a final sign-off on the building permit, and items on the final punch list approved by the participant has been completed. At the time of the request for the final 10% retention payment, the contractor will provide both: 1) lien releases from all subcontractors, labors, materials and equipment rental; and 2) a copy of a recorded Notice of Completion. The final 10% retention will be held for 35 days after receipt of the recorded Notice of Completion to ensure that all unconditional liens have cleared.

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### **EXHIBIT B: LEGISLATIVE REPRESENTATIVES**



Indicate all Legislators who represent any portion of the proposed service area. If you have vacancies in your legislative seats, please list your district number and district address. Please complete the information on this form and submit as **Attachment 5**.

### A. Members of the State Assembly:

District number	1	District number	
Name	Brian Dahle	Name	
District		District	
Street Address		Street Address	
City		City	,
Zip Code		Zip Code	

### B. Members of the State Senate:

District number	2	District number
Name	Ted Gaines	Name
<b>strict</b>		District
Street Address		Street Address
City		City
Zip Code		Zip Code

### C. Members of the U.S. House of Representatives:

District number	1	District number	4
Name	Doug LaMalfa	Name	Tom McClintock
District		District	
Street Address		Street Address	
City		City	
Zip Code		Zip Code	

# APPLICANT INFORMATION Section IV

The County of Nevada is a Government Agency and this section does not apply as the County is not a Nonprofit Corporation.

# ATTACHMENT 2: OWNER-OCCUPIED REHABILITATION PROGRAM (INCLUDING MANUFACTURED HOUSING)

**Attachment 2** is required for all applicants proposing to use CalHOME funds for loans to owner-occupants for rehabilitation of substandard properties, including manufactured housing. An applicant may only apply for funds under this attachment when it will be providing the services required in Section <u>7733</u> and Section <u>7735</u> of the program regulations.

SECTION 1: APPLICANT INFORMATION			
Identify the applic	ant organization:		
Name:	County of Nevada		
	ON II: OWNER-OCCUPIED REHABILITATION PROGRAM PERIENCE (INCLUDING MANUFACTURED HOUSING)		

A. Provide information regarding applicant's prior experience in owner-occupied rehabilitation program operation for 12 consecutive months, for each of the four calendar years. Applicant organizations should only list those rehabilitated units for which they provided rehabilitation financing assistance. If needed, create a separate chart and attach as Exhibit 2-A.

YEAR	Funding Sources(s)	No. of Rehabs Completed	No. of Escrows Closed by Applicant	Avg. Amount of Assistance Provided Per Owner
2017	HPG	1	1	12,258
2016	HPG	1	1	20,000
2015	CalHome/HPG	6	6	26,153
2014	CalHome/HPG	7	7	26,153
2013*	CalHome/Housing Preservation Grant (HPG)	8	8	26,153

<sup>\*</sup>Number of rehab units for 2013 is for assessing tiebreaker points if needed

**B.** For the years beginning in January 2013 through December 2017, attach a narrative of applicant's history and experience with the proposed activity, including evidence of program operation for each year listed: e.g., board resolution authorizing the program; award letters; program financial pages from annual audit, annual reports or other evidence that will demonstrate program operation. (Attach as Exhibit 2-1)

### SECTION III: LOAN UNDERWRITING EXPERIENCE

**A.** For the years beginning January 2014 through December 2017, identify the total number of homeowner rehabilitation loans applicant has underwritten and closed (including preparation of loan documents and escrow instructions).

Number of loans:	15
------------------	----

### **SECTION IV: LOAN SERVICING EXPERIENCE**

Experience	No. of years
A. For the years 2014 through 2017, identify the total number of all types of homeowner rehabilitation loans closed for which the applicant was the named beneficiary on the loan documents.	15
B. As of the CalHome NOFA issuance date, identify the total number of homeowner rehabilitation loans in the applicant's portfolio.	125
C. Number of loans identified in B above that are being directly serviced by the applicant.	125
D. Number of loans identified in B above that are being serviced by a third party on behalf of the applicant.	0
E. As of the CalHome NOFA issuance date, the total number of homeowner loans the applicant is servicing for another entity.	0

- **F.** If there are <u>zero</u> loans identified in C, D <u>and</u> E, submit a narrative identifying how loans will be serviced, how the servicing activities will be funded or provided and the procedures for implementing loan servicing operations. In addition to the narrative, attach either:
  - 1. A budget that provides an identified source of financing, for a period of at least 5 years, for contracting loan servicing with a third party who is in the business of loan servicing; or
  - 2. A commitment letter from a third party, who is in the business of loan servicing, willing to provide loan servicing at no cost to the applicant; or 3) the résumé of a current employee(s) of the applicant that describes the employee(s)'s experience in homeowner loan servicing. (Attach as Exhibit 2-2)

-	SECTION V: PROGRAM TARGETING								
-	OLOTION V. I NOCITAMI TANCETING								
A. E	A. Enter the number of homeowners to be assisted with this application for CalHome funds:								
1	Number of assisted homeowners:6								
(	B. Will the program be operated entirely within a federally defined Qualified Census Tract(s) as identified in Appendix B in the CalHome Application Training Manual?  (ONLY MARK YES IF <u>ALL</u> HOMES TO BE ASSISTED WITH CALHOME FUNDS SHALL BE LOCATED IN THE AREA(S) IDENTIFIED IN APPENDIX B):								
	Yes No V								
ld	Identify the federally defined Qualified Census tract(s) below:								
N/A	*			(-)					
					_				
C. A nonprofit shall operate its program or project within a county in which it has developed a project or operated a housing program within the past four years.  Nonprofits must list the name of the county or counties for the past four years below N/A									
			SECTION VI:	FINANCING					
			ture for any subo		to be provided	in addition to			
	Source of Financing					Proposed Lien Position*			
	None					N/A			
					3,20				
	Maria de la consta								
				- 24					
*Note	e: Assume	the existence of	a first mortgage.		•				

# PROGRAM HISTORY & EXPERIENCE EXHIBIT 2-1

### Program History & Experience:

The County of Nevada has operated their Housing Programs with staff over the past 10 years. Rob Choate, Administrative Services Associate (ASA), has provided implementation from 2005-2018. The County has been successful in providing multiple funding sources to the residents of the County for Owner Occupied Rehabilitation of Homebuyer Programs. Please find attached as Exhibit 2-1 Grant Agreements from Housing Preservation Grant and CalHome for Owner Occupied Rehabilitation program funding.

As outlined in the attached Program Experience Attachment 2, the County of Nevada has provided more than 23 rehabilitation projects from 2013- current. Additionally, of the 125 loans currently managed on the County of Nevada Loan Portfolio a total of 26 are CalHome program loans. A total of 12 CalHome loans have been paid in full for a total of 38 CalHome program loans being funded beginning in 2000.

The current disaster has impacted more than 31 housing units and the focus of these funds will be to address their needs and funding gaps.

### AMENDMENT TO HOUSING PRESERVATION GRANT AGREEMENT

This amendment between \_County of Nevada herein called the "Grantee," and the United States of America acting through the Rural Development, Department of Agriculture, herein called "Rural Development," hereby amends the Housing Preservation Grant Agreement originally executed by said parties on September 30, 2014

Said grant agreement is amended by extending the ending date of the grant agreement to December 31, 2017 'and/or by making the following changes noted in the attachments hereto (list and identify proposal(s) and any other documents pertinent to the grant agreement which are attached to this amendments).

The grantee has caused this "Amendment To Housing Preservation Grant Agreement" to be executed by its duly authorized Executive Director properly attested to and its corporate seal affixed by its duly authorized n/a.

Attest:

Michael Heggarty, Director of Health and Human

Services Agency

(Title)

Date of Execution of Amendment to Grant Agreement by Grantee:

5/5/17

United States of America

Rural Development:

LORNA LOREA

Digitally signed by LORNA LOREA Date: 2017.05.17 14:41:57 -07'00'

MFH, Loan Specialist

(Title)

Date of Execution of Amendment to Grant Agreement by Rural Development:

05/17/2017

000

### STATE OF CALIFORNIA STANDARD AGREEMENT

STD 213A (Rev 06/03)

\* CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED

2 PAGES

AGREEMENT NUMBER 06-CALIIOME-0188 AMENDMENT NUMBER

7

REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below: STATE AGENCY'S NAME DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

CONTRACTOR'S NAME

County of Nevada

2. The term of this

11/05/2007 through 01/31/2016

Agreement is:

3. The maximum amount of this Agreement after this amendment is:

\$1,000,000.00 - (Am. 7 increased the contract amount by \$0.00

4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

Item No. 2, Term of this Agreement, 11/05/2007 through 08/28/2015 is hereby deleted and replaced with a new Item No. 2, Term of this Agreement, Amendment No. 5, 11/05/2007 through 01/31/2016.

Exhibit A, "Authority, Purpose and Scope of Work", is hereby replaced with a new Exhibit A, "Authority, Purpose and Scope of Work", (Rev. 08/15).

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)

County of Nevada

BY (Authorized Signature)

Edward C. Scofield, Chair - Board of Supervisors

**ADDRESS** 

950 Maidu Avenue, Nevada City, CA 95959

STATE OF CALIFORNIA

SEP 2 9 7015

California Department of General Service

Use Only

AGENCY NAME

Department of Housing and Community Development

BY (Authorized Signature)

DATE SIGNED (Do not type)

ERSON SIGNING

Lindy Suggs Contracts Manager, Business & Contract Services Branch

ADDRESS

2020 W. El Camino Ave, Sacramento, CA 95833

X Exempt per:SCM 4.04.A.3 (DGS Memo dated 6/12/81)

### **RESUMES & CAPACITY BIOGRAPHIES**

Rob Choate, Administrative Services Associate (ASA)

Mr. Choate's duties for his position include:

- Coordination of oversight and operation of the County Housing Programs to ensure that the projects and programs are in compliance with funding program requirements.
- Key liaisons between funding resources, owners and the County.
- Develop and review program policies and procedures,
- Interpret and apply provisions of law and rules related to programs,
- Correspond with internal officials and representatives of various grantee organizations,
- Provide technical and professional consultation on complex program matters,
- · Prepare grant materials for submission to grantees, and
- Coordinate with community organizations to ensure participation from community partners to enhance the success of the County's grants.
- Responsible for coordinating marketing and operation of the housing rehabilitation and first-time homebuyer programs. This involves liaison among the different stakeholders including contractors, constructions specialists, homeowners, title companies, county staff and state and federal agencies.
- Ensure the completion of income screening, loan packaging and loan servicing, and
- Ensure the completion of the following tasks:
  - a. Establishment of loan files
  - b. Completion of self-certification process
  - c. Tracking of job creation/retention when applicable
  - d. Packaging loans
- Managing and compliance of the Loan Servicing for the County Loan Portfolio

Mr. Choate has more than 29 years of government agency experience. Mr. Choate has an Associate of Arts degree from Yuba College and has completed the majority of his course work toward a Bachelor's degree from Chico State University. He has worked at the County of Nevada for 13 years during which time he has implemented the County Housing Program including more than 20 CalHome projects and manages the County active loan portfolio of 125 units with a balance of \$4,378,500. The funding sources include HOME, CDBG, CalHome, and Housing Preservation Grant (HPG). Currently the County received approximately \$1,316,209 in annual grant revenue and an annual principal loan repayments total approximately \$250,000 per year.

### **Tex Ritter**

### **Director, HHSA Housing & Community Services**

Tex Ritter is an attorney and a Real Estate Broker, licensed in the State of California. Tex has worked for municipal governments since 1991 on various programs, focusing on low income families with children. He has managed the Department of Housing for Nevada County for the past four years. He has also been the Director of Public Health and Director of Child Support Services. Tex speaks Spanish, French and English.

Tex has worked on housing projects and Community Development Block Grants for the past 3 years. He has supervised up to 90 staff and has a lot of experience in finance, bankruptcy, municipal government, litigation and appeals, health care and health care financing. Tex has a Bachler from the University` de Bretagne Occidentale, Accademie de Rennes, France, a B.A. in Health Service Administration from St. Mary's College of California and a juris doctorate from University of Houston Law School in Texas.

Tex will provide project and State contract oversight on behalf of the County.

### Ryan Gruver

### **HHSA Chief Fiscal Administrative Officer (CFAO)**

HHSA's Chief Fiscal Administrative Officer oversees the \$101 million HHSA budget, and the fiscal and administrative —management of eight County Departments/Divisions under the HHSA umbrella including the Housing & Community Services Division. His focus is ensuring financial sustainability of operations and compliance with financial regulations.

Mr. Gruver has over 11 years of government experience. Previously, he worked in the County Executive Office where he oversaw approximately two thirds of Nevada County's \$229 million budget as the lead Analysts who coordinate the entire county budget process under the general direction of the County Fiscal Officer. Programs that he oversaw included the Behavioral Health program and the Housing & Community Services programs. Mr. Gruver has background in ensuring compliance with financial requirements of multiple complex programs, including oversight of federal grant programs, federal entitlement programs, and state, local and privately funded programs. Mr. Gruver has a Bachelor's Degree from the University of California, Berkeley.

### **Brendan Phillips**

### Housing Resources Program Manager

Mr. Phillips coordinates with County departments and programs that deal directly with housing and/or provides services related to homelessness. Mr. Phillips has 15 years of experience working on issues of poverty, housing and homelessness in nonprofits and government agencies. In his role for Nevada County, Mr. Phillips represents the County on the Homeless Resource Council of The Sierra, the joint Continuum of Care between Nevada and Placer County's as well working to coordinate Nevada County's CoC committee. Mr. Phillips is the lead coordinator for the county's Coordinated Entry systems, oversees the planning for the yearly Point in Time

### LOAN SERVICING EXPERIENCE

homeless count, and works directly with county housing providers to develop and implement HUD grants related to homelessness and housing.

Prior to excepting his current position, Mr. Phillips spent two years at Turning Point Community Programs as the Forensics Mental Health Specialist, overseeing outreach and intervention activities across the county. In this role, he worked with county services and nonprofits to streamline service provisions for chronically homeless and mentally ill individuals and was the lead coordinator for the County's Crisis Intervention Team.

Mr. Phillips holds a Master's Degree in Social work from Portland State University and Bachelors in Political Science from Evergreen State College. Suzanne Doyle, HHSA Administrative Services Officer (ASO)

Ms. Doyle has over 6 years of government experience and has held her current position for over five years. As Administrative Services Officer for HHSA's Public Health Department and Housing and Community Services Division for the past 2 years, Ms. Doyle oversees budgets totaling \$9 million. For more than three years prior, she oversaw the \$27 million budget for HHSA's Behavioral Health Department. Her focus is ensuring financial sustainability of operations and compliance with financial and administrative regulations. Previously, she worked in the County Executive Office, where she oversaw approximately one-third of Nevada County's \$173 million budget as one of the Analysts coordinating the entire county budget process under the general direction of the County Fiscal Officer. Ms. Doyle's background includes ensuring compliance with financial requirements of multiple complex programs, including oversight of federal grant programs, federal entitlement programs, and state, local and privately funded programs.

Ms. Doyle holds a Masters in Accountancy from Golden Gate University, and a Bachelor of Arts with a major in Biology from the University of California, Santa Cruz. She is a California Certified Public Accountant.

# James Kraywinkel

### Accountant

The Accountant is responsible to provide the required fiscal and reporting for the Housing & Community Services Division under the oversight of the ASO. This includes preparing financial reports, monitoring the fiscal aspects of the County as program operator, requesting funds, preparing for audits and monitoring, and making recommendations to the program based on fiscal issues. The ASA plans, organizes, prepares and monitors budgets, compiles fiscal reporting and required grant financial reports, advises ASA & ASO on financial grant matters, expense and revenue allocations; develops implements, and monitors systems and procedures to address department administrative needs, and respond to problems, prepares correspondence, reports, forms, records, and other documentation. The ASA performs the following tasks:

- Prepares fiscal/performance reports
- Performs loan servicing and accounting
- Collects monthly loan payments
- Completes quarterly statements on loans

### LOAN SERVICING EXPERIENCE

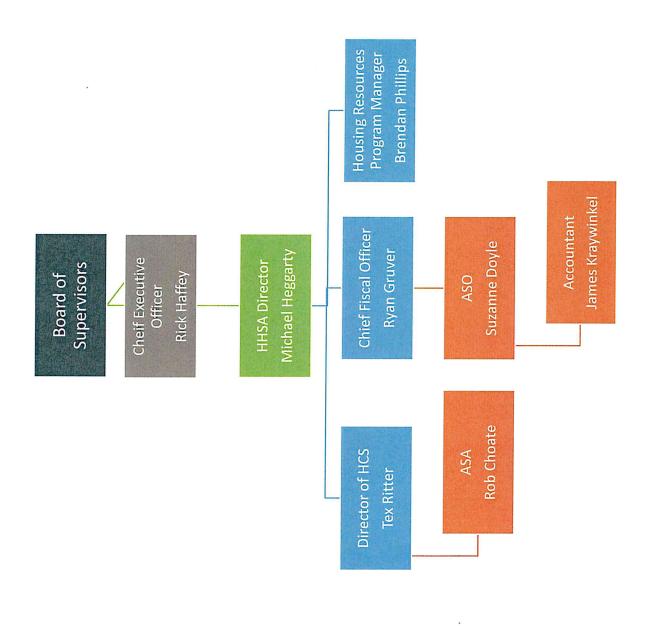
Exhibit 2-2

- Implements collection and foreclosure
- Monitors loan and general compliance
- Prepares and signs all HCD reports
- Prepares fund requests.
- Provide all loan servicing duties including payment verification, reporting, and referring late/defaulted loan payments to the CFAO.

Mr. Kraywinkel has an Associate degree in Accounting and US History, with upper division work in Economics. He has over twenty-five years of fiscal experience as a business/restaurant manager, and over ten years of experience working in fiscal/accounting for county government.

Mr. Kraywinkel has extensive experience in preparing, tracking and reconciling budgets; auditing time sheets and payroll reports; monitoring purchases and expenditures; preparing reports for county operated programs; and acting as liaison with program staff, grantors, the State, external auditors and others.

# 2018 Department Responsibility Chart



# SECTION VI: APPLICANT CERTIFICATION AND COMMITMENT OF RESPONSIBILITY

As the official designated by the governing bod	y, I hereby certify that if approved by HCD for a
CalHome Program funding allocation, that	the County of Nevada
(Applicant name) assumes the responsibilities	specified in the CalHome Program Regulations
and certifies that:	

- A. It possesses the legal authority to apply for the allocation and to execute their proposed program or project;
- B. Before committing funds to a homeowner, it will evaluate the funding eligibility in accordance with CalHome Program Regulations and will not invest any more CalHome funds in combination with other governmental assistance than is necessary to provide affordable housing;
- C. The Applicant <u>does not</u> have any unresolved audit findings for prior HCD or federally-funded housing or community development projects or programs;
- There are <u>no</u> pending lawsuits that would impact the implementation of this program or project;
- E. It will comply with all requirements as set forth in the Notice of Funding Availability and the statutes and regulations governing the CalHome Program including, but not limited to, Housing Element, Climate Adaptation, Long-Term Resiliency Standards and Fire and Flood Requirements;
- F. The information, statements, and attachments contained in this application are, to the best of my knowledge and belief, true and correct;
- G. It has the ability to perform the duties for the activity(s) applied for in accordance with Section 7718 of the CalHome Program Regulations;
- H. Construction work has not begun, and will not begin, prior to the date that HCD makes an award of CalHome funds.

I authorize the Department of Housing and Community Development to contact any agency, whether or not named in this application, which may assist in determining the capability of the Applicant. All information contained in this application is acknowledged to be public information. (This certification must be signed by the person authorized in the Resolution)

*Signature: Mul	al Kyroits	Title: Health and Human Services Direct	ctor
Type Name:	Michael Heggarty	Date: 5/1/18	

<sup>\*</sup>Must be signed by authorized signatory per the resolution.

STATE OF CALIFORNIA-DEPARTMENT OF FINANCE **PAYEE DATA RECORD**(Required when receiving payment from the State of California in lieu of IRS W-9 or W-7) STD 204 (Rev. 4/2017)

										74		
01	INSTRUCTIONS: Type or print the information. Complete all information on this form. Sign, date, and return to the state agency (department/office) address shown in Box 6. Prompt return of this fully completed form will prevent delays when processing payments.  Information provided in this form will be used by California state agencies to prepare Information Returns (Form1099). See next											
	page for more information and Privacy Statement.  NOTE: Governmental entities, i.e. federal, state, and local (including school districts), are not required to submit this form.											
PAYEE'S LEGAL BUSINESS NAME (As shown on your income tax return) COUNTY OF NEVADA												
	SOLE PROPRIETOR OR INDIVIDUAL- ENTER NAME AS SHOWN ONA				PN SSN (Last, First, M.I.) E-MAIL ADDRESS ROB.CHOATE@CO.NEVADA.CA.US							
	MAILING ADDRESS 950 MAIDU AVENUE				BUSINESS ADDRESS 950 MAIDU AVENUE							
				CITY STATE CA					ZIP CODE 95959			
3	ENTER FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN):				9 4 - 6 0	0 0	5	2	6	NOTE: Payment will not		
PAYEE ENTITY TYPE	□ PARTNERSHIP       CORPORATION:       be processed without an accompanying taxpayer							without an accompanying taxpayer				
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ONE BOX	SOLE PROPRIETOR OR INDIVIDU	JAL					T		7			
	Enter social security number (SSN)  Or Individual taxpayer identification number (ITIN)  (SSN required by authority of California Revenue and Tax Code sections 18646 and 18661)											
4 PAYEE RESIDENCY STATUS	<ul> <li></li></ul>											
5	I hereby certify under penalty of perjury that the information provided on this document is true and correct. Should my residency status change, I will promptly notify the state agency below.											
-	1 2 20 0 1				TITLE HEALTH & HUMAN SERVICES DIR (530) 265-1645							
	Muhael Vegant			DA	SILLIS	E-MAIL ADDRESS  ROB.CHOATE@CO.NEVADA.CA.US						
	Please return completed form to:											
6	DEPARTMENT/OFFICE ADMINISTRAIVE SERVICES ASSOCAITE				UNIT/SECTION							
	MAILING ADDRESS 950 MAIDU AVENUE				TELEPHONE (include area code) (530) 265-1645 (530) 265-986				65-9860	)		
	CITY STATE ZIP CODE CA 95959				E-MAIL ADDRESS ROB.CHOATE@CO.NEVADA.CA.US							