



SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM

HOUSING GUIDELINES

This document provides the overarching housing guidelines for implementation of the Single Family Homeowner Rehabilitation Program administered by the Richland County Department of Community Development. This program is funded by the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant—Disaster Recovery allocation as described in Public Law 114-113.





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REVISION DETAIL

(NOTE: Add most recent revision details above previous entry to keep entries in reverse chronological order. This will allow the user to quickly locate and identify the relevant changes to which he or she needs to understand.)

December 28, 2016 Version 0 Drafted

February 8, 2017 Version 1 Drafted

- Reformat document layout.
- Add section 1.11 Ineligible Applications/Properties, 1.12 Certification Requirements to Receive Assistance, 1.13 Type of Assistance Offered, 1.14 General Program Requirements
- Added section 2.1 Threshold Requirements Overview
- Removal of references to modular homes and revised section 5.4
- Rewrote portions of Appendix B

April 19, 2017 Version 2 Drafted

- Updates to Section 2
- Reformatted

May 11, 2017 Version 3 Drafted

- Updated 2017 income limits and tables in section 1.4.
- Specifications for MHU replacement were included.
- Revised response times in section 1.18.

June 9, 2017 Version 4 Drafted

- Revised section 1.6 to include prioritization
- Revised section 1.7 to update prioritization process.
- Update 1.17 to describe Selection Committee review and approval.
-

June 12, 2017 Version 5 Drafted

- Grammatical editing and formatting

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June 30 2017 Version 7 Drafted

- Revisions to the Selection Committee review process throughout Section 1.

July 27, 2017 Version 8 Drafted

- Included added Section 6.3 – Asbestos Mitigation.
- Included Section 5.3 – Asbestos Hazard Identification
- Added revisions page.

November 11, 2017 Version 9 Drafted

- Added reconstruction definition.
- Added references to other policy and procedure documents.
- Updated program for residing in the structure at the time of the storm event vs owning the property.
- Updated program to allow for liens to be placed on MHU unit vs property.
- Updated Section 6.3.

May 3, 2018 Version 10 Drafted

- Updated eligible and ineligible items, removing upgrades paid for by the owner.
- Update 5.3 regarding asbestos testing.
- Updated documents list in section 5.7.
- Included contractor guarantee verbiage in section 5.10.

June 5, 2018 Version 11 Drafted

- Revised federal regulatory references where needed.
- Inserted language regarding Green Building Standards – Section 4.3, Section 6.4
- Indicted that HUD must grant exceptions to conflict of interest provision – Section 1.20
- Clarified process for confirming residents are in the County but not located in the City of Columbia.
- Added program documents
- Clarified funding use for residential properties that also have commercial uses.
- Included language regarding subrogation, 3.14.
- Revised asbestos activities.

July 20, 2018

- Revised Section 2.6 to address military deployment/assignment.

Part 1 Program Overview

1.1 Introduction

The Richland County Department of Community Development (RCCD) is the administrator of a Community Development Block Grant—Disaster Recovery (CDBG-DR) Program (Program) funded by the U.S. Department of Housing and Urban Development (HUD) under Public Law 114-113. RCCD is the agency responsible for the administration of disaster funds allocated to housing, economic development and infrastructure activities. RCCD is administering these programs directly.

The RCCD Single Family Homeowner Rehabilitation Program (SFHRP) will provide housing assistance to those affected by the storms and flooding that occurred in October 2015. RCCD has developed these Housing Guidelines to serve as the basis for the SFHRP program based on the recommendations of the Long Term Recovery Work Group, as presented to the Blue Ribbon Committee and approved by the Richland County Council.

Richland County is currently designating a total of \$21,048,254 from two federal Community Development Block Grant - Disaster Recovery (CDBG-DR) allocations. The first allocation designated \$10,161,000.00 in funding for the SFHRP and the second allocated \$10,888,254 to the SFHRP. Based on the maximum level of assistance, at least two hundred and ninety-three (293) properties will be rehabilitated.

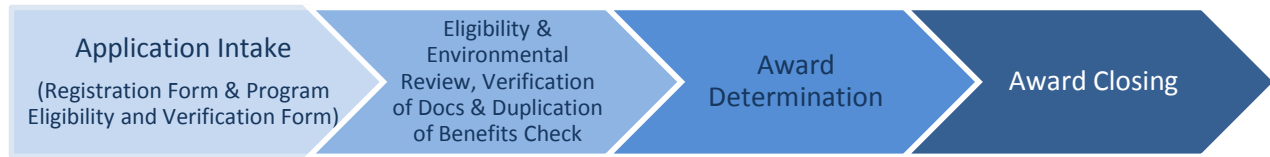
Richland County has established three objectives for the housing programs. The primary objective of the SFHRP is to provide decent, safe, and sanitary housing in the storm and flood-impacted areas through the provision of activities designed to mitigate storm damage that occurred as a result of the October 2015 weather events. Additionally, Richland County seeks to ensure that the housing needs of low, very low and extremely low-income households are assisted with housing. A third objective is to prioritize the provision of decent, safe and sanitary housing in good repair for low to moderate income, elderly (age 62 or older) and disabled populations.

The CDBG funds are provided in the form of a deferred forgivable note. The note is forgiven at the end of the compliance period as long as the owner remains in compliance with the program rules. For each year, post award that the applicant remains program compliant, one fifth (1/5) of the loan balance will be forgiven. If the applicant remains in compliance for the entire five year period, the entire balance will be forgiven and the applicant will owe nothing. If the applicant violates the terms of the loan, the un-forgiven balance of the loan will be owed back to the program.

This is a construction program and will provide construction assistance to qualifying property owners who are owner-occupants of single family homes. The Program will provide construction management and quality assurance services throughout construction activities. The Program will review and verify contractor invoices and disburse payment to contractors. All funds will be paid by the Program, on behalf of the owner, to a program-assigned construction contractor at pre-determined construction intervals. No payments will be made to the property owner directly.

The Federal requirements for the delivery of these programs are complex and will require a multi-step process to comply with all of the cross-cutting regulations and requirements that are tied to the funding source. The process can be thought of as a two stage process where initial documentation and verification requirements result in an award of benefits to applicants who are eligible. The terminal point of the initial documentation phase is the signing of a contract and award agreement.

Figure 1: Initial Application and Documentation Steps



The second phase is the construction and compliance phase where rehabilitation assistance is provided to the property owner through direct construction activities performed by the program and the result is a rehabilitated housing unit. After final construction activities and the completion of the five-year compliance period, the loan will be completely forgiven assuming that the owner has remained in compliance for the entire five-year period.

Figure 2: Construction and Compliance



Benefit to Low to Moderate Income (LMI) and Urgent Need are the two National Objectives that are approved for the SFHRP. Eligible activities are defined as follows: rehabilitation and associated elevation and demolition (where necessary). RCCD may also provide assistance for Individual Mitigation Measures (energy efficiency and storm mitigation activities).

1.2 Program Purpose

The primary focus of this program is to provide funds for rehabilitation of income qualified, single family, owner occupied housing units in areas impacted by the October 2015 storms and flooding events.

The following objectives are provided for the implementation and administration of a successful homeowner rehab program.

- 1) The primary objective of this Program is to provide decent, safe, and sanitary housing, in good repair, in the storm and flood impacted areas of Richland County.
- 2) A second objective is to ensure that the housing needs of low to moderate income households are assisted with housing.

All rehabilitated housing units must be retained in ownership by the applicant during the five year period for which the funds are being forgiven. Exceptions to this are explained further in this document.

1.3 Definitions

Demolition – Clearance and proper disposal of dilapidated buildings and improvements.

Duplication of Benefits – The Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act) prohibits any person, business concern, or other entity from receiving financial assistance from

CDBG Disaster Recovery funding with respect to any part of a loss resulting from a major disaster as to which he has already received financial assistance under any other program or from insurance or any other source.

Family – A household composed of two or more related persons. The term family also includes one or more eligible persons living with another person or persons who are determined to be important to their care or wellbeing, and the surviving member or members of any family described in this definition who were living in a unit assisted under the HOPWA program with the person with AIDS at the time of his or her death.

FEMA Designated High Risk Area – Areas designated by FEMA as vulnerable to significant wind and/or storm surge damage and areas located in 100-year flood zones. These areas will be identified during the environmental review process for each participating jurisdiction.

Household – A household is defined as all persons occupying the same housing unit, regardless of their relationship to each other. The occupants could consist of a single family, two (2) or more families living together, or any other group of related or unrelated persons who share living arrangements. For housing activities, the test of meeting the low to moderate income objective is based on the LMI of households.

HUD – United States Department of Housing and Urban Development.

Increased Cost of Compliance (ICC) – Structures damaged by a flood may be required to meet certain building requirements to reduce the risk of future flood damage before the structure can be repaired or rebuilt. To help cover these costs, the National Flood Insurance Program (NFIP) includes Increased Cost of Compliance coverage for all new and renewed Standard Flood Insurance Policies. ICC is a duplication of benefits if a structure owner requests reimbursement or additional assistance for elevation, demolition, flood proofing or relocation—one of the four options available under ICC—and has already received an ICC benefit under the NFIP.

Individual Mitigation Measures (IMM) – Activities designed to mitigate and/or reduce risk beyond the pre-disaster condition of a housing unit when the activities are above and beyond federal, state, or local construction or code requirements. In accordance with HUD's guidance, repair and rehabilitation of housing units, and the payment of flood insurance are not IMM activities. Examples of IMM activities include elevation above the base flood elevation level, or the addition of storm shutters, disaster proof windows, roof straps, etc. as long as those improvements are not required to comply with local code requirements and did not exist on the housing unit prior to the disaster damage.

Low to Moderate Income (LMI) National Objective – Activities which benefit households whose total annual gross income does not exceed 80% of Area Median Income (AMI), adjusted for family size. Income eligibility will be determined and verified in accordance with HUD Guidance. The most current income limits, published annually by HUD, shall be used to verify the income eligibility of each household applying for assistance at the time assistance is provided.

- Very low: Household's annual income is up to 30% of the area median family income, as determined by HUD, adjusted for family size
- Low: Household's annual income is between 31% and 50% of the area median family income, as determined by HUD, adjusted for family size
- Moderate: Household's annual income is between 51% and 80% of the area median family income, as determined by HUD, adjusted for family size

Manufactured Housing Unit (MHU) – A structure, transportable in one or more sections which, in the traveling mode is eight body-feet or more in width, or forty body-feet or more in length, or when erected

on site, is at least 320 square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. Sometimes referred to as mobile homes.

Reconstruction – Demolition and re-building of a *stick built housing unit* on the same lot in substantially the same footprint and manner. The number of units on the lot may not increase and the total square footage of the original, principal residence structure to be reconstructed may not be substantially exceeded; however, the number of rooms in a unit may be increased or decreased..

Rehabilitation – Repair or restoration of housing units in the disaster-impacted areas to applicable construction codes and standards. Activity also includes replacing an existing substandard manufactured housing unit (MHU) with a new or standard MHU.

Rental Activity – Rehabilitation of affordable rental housing resulting in structures where at least 51% of units are occupied by LMI persons. Income and rent restrictions apply to the rental units assisted with CDBG funds.

Replacement – The demolition and removal of manufactured housing unit followed by the replacement of that unit on the same lot, and in the same footprint as the original unit.

Urgent Need National Objective – An urgent need that exists because existing conditions pose serious and immediate threat to the health or welfare of the community, the existing conditions are recent or recently became urgent, and the grantee cannot finance the activities on its own because other funding sources are not available.

1.4 HUD Income Limits

FY 2017 Income Limits Summary

FY 2017 Income Limit Area	Median Income Explanation	FY 2017 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Columbia, SC HUD Metro FMR Area	\$67,000	Very Low (50%) Income Limits (\$) Explanation	23,450	26,800	30,150	33,500	36,200	38,900	41,550	44,250
		Extremely Low Income Limits (\$)* Explanation	14,100	16,240	20,420	24,600	28,780	32,960	37,140	41,320
		Low (80%) Income Limits (\$) Explanation	37,550	42,900	48,250	53,600	57,900	62,200	66,500	70,800

1.5 Program Requirements

- A. All housing activities for the SFHRP will meet the National Objective required under the authorizing statute of the CDBG program that benefits Low to Moderate Income (LMI) persons, where at least 70% of the funds will benefit these populations.

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- B. RCCD's proposed performance for the SFHRP will require that within a period of no more than twelve (12) months from the date of commencement of the Program, which is the start (effective) date of the contract between RCCD and HUD, RCCD will have identified sufficient eligible beneficiaries to expend all applicable funds within established benchmarks.
 - C. Develop a Program Marketing plan based on the Social Vulnerability Index (SoVI) designed to encourage participation of applicants from socially vulnerable neighborhoods and communities. Marketing Plan details are in Appendix A.
 - D. Applicants applying for disaster assistance are processed by priorities based on the prioritization criteria outlined in these guidelines. The LMI demographic groups will be funded at a minimum level of 70% of total available funds (excluding planning and administration funds). Prioritization criteria are more fully detailed in Section 1.7.

LMI Demographic Groups are:

1. 0%-30% AMFI Very Low
 2. 31%-50% AMFI Low
 3. 51%-80% AMFI Moderate
- E. The applicant must meet certain eligibility standards to qualify for assistance. Eligibility standards are discussed in Part 2 of this document.
 - F. A tiered environmental review process shall be undertaken. A program-wide broad environmental review must be undertaken with a final Request for Release of Funds (RROF). Further, each property assisted must undergo the appropriate level of environmental review prior to any commitment of funds. No work can start on a site until the environmental assessment is complete and applicants must be provided a cease work order on the date of application. Details are noted in Part 4 and subsection 4.4.
 - G. For assistance activities, it must be demonstrated that the damage to structures was the direct result of the storms or flooding of October 2015. Damage details are noted in Part 2 of this document.

1.6 Applications

- All interested individuals who wish to seek assistance through the SFHRP must submit a completed Registration Form.
- Successfully completed Registration Forms found to be eligible will then need to have a Program Eligibility and Verification Form completed and submitted by the applicant. Notification of eligibility and invitation for verification will be conducted in order based on the preliminary prioritization assignment described in Section 1.7.
- 1A applicants will be mailed Notification of Registration Success Form and Program Eligibility and Verification Forms through certified mail on the same day asking to submit all forms and supporting documentation within thirty (30) days. 1B, 1C and 2 priority applicants will be mailed a letter notifying the applicant that their application is on hold until the SFHRP has attempted contact with all applicants in the priority group before them and have been given the opportunity to submit their materials. Once that priority group has been contacted and vetted for eligible

applicants, the following priority group will be notified to send in their application for consideration into the SFHRP.

- Case manager will also call homeowners based on their preliminary subprioritization to set up in-person consultation for eligibility verification. Consultation will be scheduled, to the greatest extent possible, in the order in which the calls are placed. All appointments will be schedule by the SFHRP Case Managers through a calendar program such as Outlook Calendar.
- The in-person consultation will include the submission of all supporting documentation to verify income, ownership, duplication of benefits, citizen status and other required criteria. The required documentation is identified through a form kept on file that is referenced during the in-person consultation. Application verification and the associated documentation includes the following:
 - Identification – Driver’s license, Passport, State ID, Military ID, other state/federal ID
 - Ownership – Deed, Certificate of Title
 - Occupancy - Utility bills, 1040 Federal tax Return, proof of FEMA repair or replacement benefit, certificate of title for vehicle, vehicle registration, receipt of government benefits
 - County Residence - Case managers will access the Richland County website and search the property address and parcel information. If the homeowner lives in the city and is a Richland County resident, the parcel information will display 1CC in the “Tax District.” These properties are ineligible.
 - Disability – Social Security Benefits statement, medical letter verifying disability
 - Elderly – Driver’s License, Passport, State ID, Military ID
 - Life Threatening Conditions – Medical letter combined with on-site inspection verification
 - Income (includes but is not limited to) - 1040 Federal Tax Return (2017), Bank Statements (3 months must be provided), Employer W-2 (2017), Pay Stubs (last 3 pay stubs if no W2), Social Security Benefit Statement (Retirement, Disability, Survivors), Child Support, Quarterly pension statements, Award or benefits letter for federal or state benefits, Unemployment benefits letter and copies of checks, Certificates of deposit for dividend or savings accounts, Form 1099 from financial institution for bank payouts, Broker’s quarterly statement, Rental property checks, IRS schedule E for rental properties, Lottery or gambling payout receipts, Contracts for interest from sale of real property, Will or legal document granting inheritance benefits
 - Duplication of Benefits - FEMA Funding Received, Homeowner Insurance Funding Received, Small Business Funding Received (SBA), Flood Insurance Funding Received, FEMA benefits denial letter, Bank loan documents for repairs, Receipts for repair funds by another party

- Only completion and submission of the official SFHRP Registration Form and the Program Eligibility and Verification Form, including the submission of all supporting documentation, will be considered as application for program benefits.
- Applications will be sent to the SFHRP Selection Committee for application approval based on the date of their completed verification process.
- Any citizen who has submitted a prior application for disaster recovery assistance through a non-profit organization, federal, state or local agency will not automatically become an applicant of the SFHRP.
- Submission of a public comment form or other written documentation of damage during public meetings or hearings does not constitute application to the SFHRP.
- Registration with 2-1-1 does not constitute application for the SFHRP.
- Qualification for assistance must be certified prior to the commitment of any funds to an activity or beneficiary.
- Applicants are not guaranteed assistance, but will be served based on availability of funds and qualification for those benefits.

An Outreach Plan will designate how populations, including existing disaster lists, will be targeted for registration outreach. If the 30 day window is not sufficient to obtain the necessary applications required to expend the funds, RCCD may extend the intake period for an additional 30 days, if needed. The outreach period may be closed prior to the planned thirty day period if the Program reaches an intake level of six hundred (600) registration forms. If 600 registration forms are received prior to the end of intake, all registration forms received on that day will be accepted. The complete outreach, intake and application details will be outlined in a separate document.

Submission of applications through the Hearts and Hands emergency response case management database, along with 2-1-1 registration, and the SoVI will be a starting point for outreach and information-gathering.

Applicants will be served on a priority basis, as described below in Section 1.7.

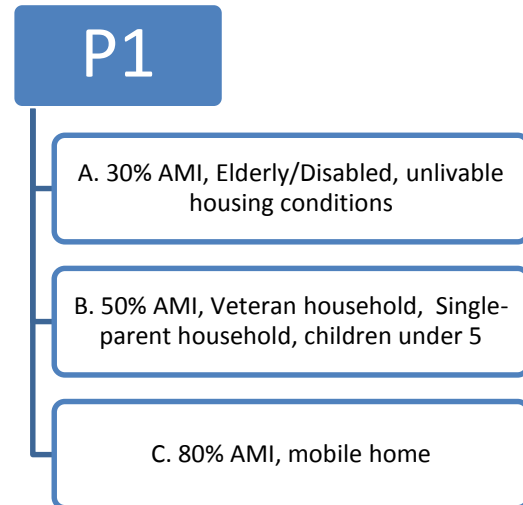
1.7 Priority Schedule

Richland County has created a two-tiered priority system. Where low to moderate income individuals are prioritized over non-LMI applicants. Within the Priority 1 LMI group, additional factors are considered to prioritize sub-groups, allowing the program to serve any LMI individual in order to confer benefits to eligible applicants in the most efficient manner possible.



An LMI individual with a compounding factor will be allowed to move up the line for more expedient consideration. The sub-priorities are characterized by: disaggregated LMI demographic groups; elderly or disabled individuals in the household; single parent households; households with children under age 5; military veteran households; households existing in unlivable or unsafe conditions; and mobile homes. An applicant has to meet only one of the sub-priority characteristics to be classified in each of the three sub-priorities.

The intention is to incorporate both the family and dwelling characteristics of applicants in order to establish a system that gives the households that are less able to address need without public assistance a higher priority.



All registrations will be given a preliminary priority determination. Letters notifying P1As of their eligibility for verification will be sent to all P1As. In person meetings will be scheduled as applicants contact the case managers to set up meetings. Completed verifications will be reevaluated for priority assignment and further prioritized according to the schedule below:

- 1A1 – You must have all four criteria within the household
- 1A2 – You must have 3 of the 4 criteria within the household
- 1A3 – You must have 2 of 4 criteria within the household
- 1A4 – You only have LMI and are living in a life threatening condition within the household
- 1A5 – You only have LMI and Disabled within the household
- 1A6 – You only have LMI and Elderly within the household
- 1A7 – You only have extremely low income within the household

The first set of verified applicants will be sent to the Selection Committee for review and confirmation. Continuation of the specific verified cases will take place based on the sub-prioritization.

As of June 21, 2018 the prioritization process for priority 1s will no longer need to take place since projections indicate that all priority 1s will be served with the available amount of program funds. Therefore, all priority 1s will be approved and processed together as long as they meet all eligibility criteria thereby streamlining the intake process and expediting project construction.

1.8 Application Intake

Limited pre-screening may occur in order to identify persons who may not be in the County or are located in ineligible portions of the County in order to provide them with information needed to apply to their applicable recovery program in a timely manner. County staff may assist applicants with registration completion as requested. Anyone who makes an inquiry about the program will be provided an application package to complete; however, applications will only be accepted during the published intake period (May 15, 2017 to June 15, 2017) or until the day 600 registration forms have been received. Additional intake periods may be opened at a later date depending on funding availability and the need to qualify additional applicants.

1.9 Program Education

Program educational materials will be made available to all applicants. Case managers and other flood recovery staff will be available to explain the details of the program, the application process, qualification and prioritization criteria, impacts of accepting an award, requirements for compliance after completion of activities, and long-term obligations incurred as a result of this funding.

1.10 Eligible Structures

- ✓ Eligible structures for the SFHRP include single unit, single family stick-built dwelling units and manufactured housing units (MHU's). Attached structures are eligible if they are under the common roof of the damaged single structure.
- ✓ Manufactured housing property owners are eligible to apply for assistance in accordance with local zoning and code requirements. The applicant needs to either own the land where the manufactured housing unit (MHU) is or was located or needs to receive permission from the property owner to allow for the replacement of the unit on their land. The applicant must own the MHU being replaced to receive a replacement unit. MHU's will not be eligible for rehabilitation.
- ✓ Residential properties that also have a commercial use will only be permitted to have the residential portion of the residence repaired. The commercial portion will not be eligible except where the residential portion is an inherent component of the commercial structure such as cases where a residence serves as an in-home daycare.
- ✗ No condominiums, co-operatives, townhomes, or other housing units that share any common wall or area will be eligible under the SFHRP.
- ✗ Garage, sheds and outbuildings, not attached to the main dwelling unit are not eligible for repair. Improvements must be physically attached to the house and be permanent in nature.
- ✗ Recreational Vehicles and camper trailers used as a residence are not eligible for the program.
- ✗ Houseboats used as a residence are not eligible for the program.
- ✗ Second homes are not eligible.
- ✗ Housing units located where federal assistance is not permitted by federal regulation or within runway clear zones of either a civil or military airport are not eligible.

1.11 Ineligible Applications/Properties

The following types of ownership are ineligible for assistance under this program:

- ✗ Business entities are not eligible. This includes but not limited to: Limited Liability Corporations, Limited Liability Partnerships, Corporations and other similar entities.

- ✘ Applicants who lost ownership of their properties due to foreclosure are ineligible for assistance.
- ✘ Properties not in compliance with Environmental Code 24 CFR Part 58 are ineligible to participate in the Program.
- ✘ Persons who previously had their homes constructed under Disaster Recovery programs and failed to maintain insurance are ineligible to participate in the program.
- ✘ Second homes are not eligible.
- ✘ No condominiums, co-operatives, townhomes, or other housing units that share any common wall or area will be eligible under the SFHRP.
- ✘ Garage, sheds and outbuildings, not attached to the main dwelling unit are not eligible for repair. Improvements must be physically attached to the house and be permanent in nature.
- ✘ Recreational Vehicles and camper trailers used as a residence are not eligible for the program.
- ✘ Houseboats used as a residence are not eligible for the program.
- ✘ Residential properties that also have a commercial use will only be permitted to have the residential portion of the residence repaired. The commercial portion will not be eligible except where the residential portion is an inherent component of the commercial structure such as cases where a residence serves as an in-home daycare.
- ✘ Housing units located where federal assistance is not permitted by federal regulation or within runway clear zones of either a civil or military airport are not eligible.

1.12 Certification Requirements to Receive Assistance

All applicant(s) must agree to the following to receive assistance:

- 1) Sign a release so that information provided by the applicant(s) can be shared with state and federal agencies and certain third parties in order to verify information given to the program. The applicant and co-applicant are required to sign the release (unless one of the eligible owners has provided power of attorney to the other to represent them, then the eligible owner does not need to sign release).
- 2) Agree to verification of their ownership status, the amount of disaster-related damage to the home, and assistance received by all previous sources.
- 3) All people and/or legal entities listed on the deed as property owners must agree to allow physical rehabilitation to take place on the property and agree to a lien being placed on the property, or on the MHU in the case MHU replacement, for the five year forgiveness period.
- 4) Agree to stop all on-going construction activities at the time of application.
- 5) Agree to maintain homeowner's insurance and flood insurance, if the property is located within a FEMA designated Special Flood Hazard Area, for the full term of the grant. Flood insurance may be required in perpetuity depending on the property. Homeowner's and flood insurance must each individually, at minimum, cover the cost of rehabilitation costs.

- 6) Swear to the accuracy and completeness of all information provided to the program under penalty of law.
- 7) Acknowledge that any overpayment of benefit will be subject to recapture.
- 8) Agree to a lien being placed on their property for the value of the rehabilitation costs to be forgiven at 20% per year for five years. If the property is to be sold within the 5-year forgivable loan period the balance shall be recovered by the County. The County reserves the right to review the situations on a case-by-case basis to determine if exceptions may need to be made or when sales may be occurring within a family or other unique situations.
- 9) In the case of MHUs, a lien will be placed on the MHU for the cost of the MHU to be forgiven at 20% per year for five years. If the MHU leaves the property where the replacement unit was located or if the MHU is sold during the five year forgivable loan period, the balance shall be recovered by the County.
- 10) All applicants must agree to sign a number of documents to receive assistance. These documents are fully explained in later sections and in the legal documents executed at contract signing or closing. This includes revised documents necessary to acknowledge changes post-closing. Failure to comply with this requirement will allow the program to determine the documents are administratively signed (acceptance without homeowner signature). The applicant may challenge the signing under the appeals process.

1.13 Type of Assistance Offered

Rehabilitation may be offered to applicants based on the extent of damage to the home. Replacement of MHUs will be limited to situations where local zoning/building permits, or federal requirements, such as environmental regulations, will allow the replacement of the original, hurricane-damaged structure with a like structure.

Understanding that it may be necessary for applicants to remove themselves and their belongings from their homes during the period of repair, RCCD will consider relocation and personal property storage assistance on a case by case basis. However, as this is a voluntary program, it will be standard practice that the cost for temporary relocation of persons and belongings to allow for rehabilitation activities, will be borne by the applicant.

This Program does not pay for like for like replacement. The Program will offer standard, basic amenities to make a home decent, safe and sanitary and all improvements will be assessed for compliance with HUD Section 8 Existing Housing Quality Standards, and local building codes. Luxury items, including but not limited to, granite (or other high-end) countertops, high-end appliances, stone flooring, garage door openers, security systems, swimming pools, fences, and television satellite dishes are not eligible under the SFHRP.

Where replacement of a MHU is indicated, a replacement mobile home will be offered. If a replacement home is provided, the original MHU must be demolished and/or removed from the site prior to the replacement of that structure.

Additional improvement parameters include:

- Lead-based paint mitigation or stabilization, as needed.

- Asbestos testing, mitigation and abatement, as needed.
- Mold remediation, as needed.
- Accessibility features for documented special needs. Rehabilitated homes inhabited by special needs or elderly (age 62 or older) persons must be analyzed as to the special physical needs of such persons. Improvements such as widened doorways, ramps, level entry and doorways, and grab bars in bath areas may be installed, if appropriate. Hearing and sight impaired adaptations should also be considered. All special needs requirements must be documented prior to approval.
- Standard appliances limited to refrigerator, stove/oven, but will only be considered when repair would not be cost effective.
- Ventilation and energy efficiency items such as ceiling fans, window screens, and screen doors may be replaced if damage is reasonably attributable to storm damage.
- Elevation above the base flood elevation level where the rehabilitation will constitute a substantial improvement.
- All electrical components must be inspected including service, meter, wiring, and fixtures even if no electrical work is being specified. Unsafe components must be replaced. All exposed wiring, switches, and light bulbs in living areas must be encased.
- All homes must be equipped with a smoke detector installed in conformity with code requirements.
- The construction of new housing or replacement housing must include Green Building Standards. Acceptable Green Building Standards include, “an industry-recognized standard that has achieved certification under at least one of the following programs: (i) ENERGY STAR (Certified Homes or Multifamily High Rise); (ii) Enterprise Green Communities; (iii) LEED (NC, Homes, Midrise, Existing Buildings O&M, or Neighborhood Development); (iv) ICC–700 National Green Building Standard; (v) EPA Indoor AirPlus (ENERGY STAR a prerequisite); or (vi) any other equivalent comprehensive green building program, including regional programs such as those operated by the New York State Energy Research and Development Authority or the New Jersey Clean Energy Program” as described in FR 78.
- Energy efficient construction standards and products are encouraged for rehabilitation of units.

Structures which suffered substantial damages may require reconstructed as the most cost effective method to rehabilitate the structure. Any rehabilitation project which exceeds \$70,000 in rehabilitation costs is qualified for a reconstruct. This may occur due to substantial damage caused by the disaster event and/or to ensure that the building is structurally safe to inhabit. A reconstruction will occur in the same footprint or as reasonably close as possible to the previous footprint. This will include a standard floorplan to be presented to and accepted by the property owner before agreements are signed.

1.14 General Program Requirements

Housing assistance funds must satisfy the following:

- a. The property must pass a federally required environmental review. The applicant cannot make any project limiting decisions until the environmental review is approved.

- b. An estimated cost to repair (ECR) inspection must be conducted. The work write up must be completed in sufficient detail to obtain bids or cost estimates. Rehabilitation of the residence must bring the property into compliance with local health, safety and building codes and pass a Housing Quality Standards inspection. The project costs must be reasonable and typical in the current marketplace for projects of similar scope. The program will supply the ECR.
- c. The project must comply with all applicable federal, state and local requirements.

1.15 Construction Standards

Housing that is rehabilitated with CDBG-DR funds must meet all applicable local and state codes, rehabilitation standards, ordinances, and zoning ordinances at the time of project completion. The South Carolina Building Code 2015 must be used as required and where appropriate. All rehabilitation projects must comply with all applicable State and local housing quality standards and code requirements and if there are no such standards or code requirements, the housing must meet Section 8 housing quality standards. All deficiencies identified in the final inspection must be corrected before final payment is released. Construction standards are defined in the county’s Construction Standards Policies and Procedures document.

1.16 Allocation and Housing Assistance Caps

A total of \$ 10,161,000.00 has been set aside for the SFHRP. This allocation may be increased or decreased based on the demand for the Program and with amendment to the Action Plan, as well as approval by the Richland County Council and HUD.

Homeowner Assistance is limited to a maximum cap, less any duplication of benefits. The base unit “bid” amount is the maximum amount of assistance available to rehabilitate a stick built home or replace a MHU. The intent of this rule is to equalize the funding available for different activities and choices. Homeowner Assistance allows for additional costs above the base unit amount including elevation and mitigation measures.

Assistance Funding Levels

Table A: Funding Levels – Maximum Allowable

	Assistance Type	
	Rehabilitation	MHU Replacement
Base Rehab Cost*	\$70,000	\$80,000
Accessibility	\$10,000	\$10,000
Relocation	\$5,000	\$15,000
Totals:	\$85,000 Max	\$105,000 Max

*The Base Rehab Cost will include:

- 15% reserve,
- Environmental review,
- Permitting (Required permits, if any, will be obtained by the contractor at his/her expense and will be included as part of the bid costs),
- Demolition and removal of construction debris,

- Standard appliance replacement limited to refrigerator and/or oven/cooktop (if required),
- Onsite storage containers,
- Onsite toilets,
- Dumpsters,
- Costs of project oversight, monitoring and delivery, and
- Environmental mitigation testing, reporting and remediation.

Projects may fail to move to completion for a variety of reasons, including but not limited to, property owner withdrawal from the program and owner refusal of benefit. The costs listed above are project delivery costs. Should a property undergo environmental review and hazard testing, but then fail to make it through construction, these costs (as well as any other project delivery costs expended) may be moved from activity delivery costs to program administration costs as long as there are administration dollars available, but as HUD's exception for moving such costs applies to housing rehabilitation, the costs may remain activity delivery. Whether or not these costs are moved will depend upon budget availability and need to do so.

1.17 Feasibility of Rehabilitation Analysis

As a recipient of Federal funds, RCCD is charged with ensuring that costs of its activities are reasonable and necessary. Therefore, each property assessed under the SFHRP, will be analyzed for feasibility. The preliminary budget, called the Estimated Cost of Repair (ECR) will be prepared to indicate the potential cost of demolition, elevation, and rehabilitation or replacement, as appropriate. The ECR will include the costs required in the Base Rehab cap described in Section 1.16, along with all additional mitigation and accessibility requirements. The ECR for each project will be submitted to the Selection Committee for cost verification if the total cost of the project is:

- 1) Less than 75% of Rehab Cap, the SFHRP will offer rehabilitation services to the applicant.
- 2) More than 75% of Rehab Cap and less than Total Funding Cap, the Selection Committee will determine if rehabilitation is feasible. If determined to be not feasible, no assistance will be offered and an explanation will be offered in writing.
- 3) More than 100% of total Rehab Cap and Total Fund Cap, SFHRP, the Selection Committee will determine if rehabilitation is feasible based on health, safety and humanitarian factors which may threaten the household. The Selection Committee reserves the right to approve a project for rehabilitation which may exceed the Rehab Cap and Total Fund Cap based on the previously described factors. This may also include an exception to standard design criteria to address specific household issues or needs. If deemed not to be feasible, no assistance may be provided. A written explanation of the determination will be offered.
- 4) More than \$5,000 in rehabilitation costs for a MHU. RCCD has created a presumption that rehabilitation of a MHU is not feasible and replacement is warranted.

1.18 Applicant Responsiveness

During the Application process, an Applicant is required to respond in a timely fashion with requests for information/materials to complete the eligibility process. At no time should a request for additional information go beyond fifteen (15) working days. If the Applicant needs an extension, a clarification, or

assistance, they may request assistance within the fifteen (15) working day window. If the applicant fails to provide the requested information/materials or fails to ask for an extension or assistance, their application will be considered on hold until the information is provided.

If an applicant becomes unresponsive, the application will be placed "On Hold". "On Hold" is defined as the failure to answer or return phone calls, and failure to respond to written requests within program timeframes. Closure of an application for unresponsiveness may be appealed once. If a successful appeal results in the reactivation of an application, subsequent closure for unresponsiveness is not appealable.

An exception to the above is for clearance of title defects that are provided up to one year to clear the defect. Weekly status reports of the progress being made to clear title may be requested of the Applicant.

1.19 Applicant Responsibilities

Applicants who receive assistance from the SFHRP have the following responsibilities:

- 1) RCCD will not be responsible for lost or damaged belongings of the Applicant that have occurred during construction. The Applicant is responsible for securing any personal property which may be damaged during construction or which must be moved to allow the contractor adequate access to work areas. These must be secured until construction is complete or until an agreed upon time between the applicant and the contractor. The applicant is responsible for the movement, storage, and security of all property and personal belongings.
- 2) Applicants can apply for up to \$5,000 in financial assistance for temporary relocation and personal property storage costs for rehabilitation projects. Rebuilds and MHU replacement allow for \$15,000 in financial assistance for temporary relocation and personal property storage costs
- 3) Securing a relocation site and place and method of storage are the responsibilities of the applicant.
- 4) Upon the signing of the contract, the applicant will have thirty (30) calendar days to move personal property out of the property and store any valuable personal property that could be damaged during the course of construction.
- 5) Households participating in mobile home replacement will have thirty (30) calendar days from the signing of the contract to move personal property out of the property and have it stored off site.
- 6) All personal property moving and storage costs are the responsibility of the homeowner except where the applicant has applied for and received temporary relocation assistance through the county.
- 7) Households participating in mobile home replacement are responsible for removing any obstructions on the property which would prevent the moving and installation of the new mobile home unit unless otherwise agreed upon with the Building Contractor.
- 8) Households participating in mobile home replacement must occupy the new mobile home unit within 7 days of final unit installation, certificate of occupancy approval and utility hook-up.

- 9) The applicant must arrange access to the property for Building Contractors providing construction services. If reasonable and timely access is denied to a Building Contractor who is attempting to make a good faith effort to perform repairs, the applicant will become responsible for completing the construction / repairs himself and the award may be terminated.
- 10) During construction the applicant and/or household members must not interfere in repair areas, and must make a reasonable effort to stay away from the construction zone unless otherwise agreed upon with the Building Contractor.
- 11) Upon completion, the property must meet Housing Quality Standards (or current standards), local Richland County and/or local municipal building code requirements .
- 12) The applicant/homeowner occupy the home as their primary residence after project completion for a period of at least five (5) years.
 - a. Cash out refinancing, home equity loans or any loans utilizing the assisted residence are not allowed for 5 years. Violation will activate the repayment terms of the deferred Note. Violators may be reported to Credit Bureaus and the South Carolina Office of Attorney General.
 - i. If the assisted homeowner continues to occupy the home until the term of the note expires, the owner pays nothing and there are no conditions on the disposition of the property.
 - ii. If the property is sold, transferred or vacated by the assisted homeowner for any single period that exceeds thirty (30) days during the 5-year forgivable loan period, the repayment terms of the Note will be enforced except in those cases addressed in paragraph iii below.
 - iii. Accelerated Forgiveness: In the event of (1) the death, (2) relocation to a managed care facility, or (3) relocation resulting from documented mental or physical incapacitation of the sole remaining assisted homeowner identified in the original application, RCCD may forgive any remaining loan balance.
- 13) Applicants/homeowners must maintain home insurance coverage (not less than contract amount), inclusive of casualty (hazard) and flood insurance (if applicable). Failure to maintain flood insurance will prohibit future assistance; and failure to maintain hazard insurance may prohibit future assistance. SFHRP will not pay for the first year of flood and hazard insurance. The homeowner is responsible for obtaining, paying and maintaining all insurance premiums.
- 14) Keep current on all property taxes or have a tax deferral, tax exemption, or be current on an approved repayment plan.
- 15) Meet all requirements agreed upon in the executed legal documents required by the program.

All debris, abandoned vehicles, and buildings that pose a safety and/or health threat as determined by the local jurisdiction or person qualified to make such a determination, must be removed from the property prior to the start of construction. The assisted homeowners will remove derelict personal property. The homeowner has thirty (30) days from the date of contract signing to remove all such debris and derelict property from the construction site. Failure to remove such property may result in a reduction in total benefit amount to account for program removal and if, such reduction results in a new feasibility determination that the project is no longer feasible, the applicant activity will be determined ineligible and the application will be closed.

Prior to construction activities, where the applicant will need to vacate the property, the applicant has thirty (30) days **from contract signing** to vacate the property and move all personal belongings into storage. The Program will pay for onsite storage. In most cases, the Program will not pay relocation assistance, as this is a voluntary program. However, in limited circumstances, the Program may consider direct rent or hotel payment for the duration of construction activities. Such relocation assistance is limited to the lesser of ninety (90) days or \$5,000.00 for rehabilitation or \$15,000 for MHU replacement or rebuild.. Should construction activities go beyond 90-days due to construction contractor failure to meet the contractual performance period, additional relocation assistance will be paid directly to the temporary housing provider for the benefit of the applicant for the duration of the vacancy period **by the contractor**. Failure by the applicant to vacate the property within the thirty (30) day period will result in the closure of the application and reassignment of the applicant benefit to the next beneficiary.

1.20 Complaints/ Appeals/ Conflict of Interest

A complaint and appeals procedure will be afforded applicants. **Complaints** may be lodged regarding any and all concerns that applicants may have with the procedures followed and services provided by SFHRP. In order to file a complaint applicants must complete a Customer Concern Form and submit it to the RCCD office or utilize the County complaint hotline once developed. **Appeals** may be lodged only upon the deliverance of an adverse Program decision regarding eligibility or closure of an application, and only within the parameters set by the Appeals procedure. Applicants have the right to participate in the process when they believe there is a mistake regarding their application.

An appeals process initiated by the applicant will include an informal and formal, written grievance procedure which may include but not be limited to informal hearings, third-party review and director approval. SFHRP will render a decision regarding exception reviews and formal appeals. Appeals, grievances, and exceptions will be further explained in the Complaints, Appeals and Exceptions Procedures.

Fair Housing Complaints

Persons alleging a violation of fair housing laws will be referred to RCCD's local contact and process to file a complaint. RCCD will retain a log and record of all fair housing inquiries, allegations, complaints, and referrals. In addition, RCCD will report suspected non-compliance to the state and HUD. The contact for Fair Housing Complaints is:

Jocelyn Jennings
Richland County
Office of Community Development
2020 Hampton Street
Columbia, South Carolina 29204
Telephone: 803/576-2055
Fax: 803/576-2052
jenningsj@rcgov.us

Conflict of Interest

County officials and employees, RCCD employees, and consultants who exercise functions with respect to CDBG-DR activities or who are in a position to participate in a decision-making process or gain inside

information with regard to such activities, are prohibited from receiving any benefit from the activity either for themselves or for those with whom they have family or business ties, during their tenure.

For purposes of this section, “family” is defined to include parents (including mother-in-law and father-in-law), grandparents, siblings (including sister-in-law and brother-in-law), and children of an official covered under the CDBG conflict of interest regulations at 24 CFR Sec. 570.489(h).

Any conflict of interest must be reviewed to determine that RCCD has adequately and publicly addressed all of the concerns generated by the conflict of interest and that an exception would serve to further the purposes of Title I of the Housing and Community Development Act of 1974 and the effective and efficient administration of the program. The exception to the conflict of interest provision must be presented to HUD for review and approval. No party shall enter into a conflict of interest until a request for an exception has been granted.

1.21 Anti- Fraud and Compliance Policies

RCCD will investigate all allegations regarding eligibility and the disbursement of funds or any other allegations of fraud or noncompliance. Where appropriate the program will assist Federal, State, and local agencies.

1.22 Files, Records and Reports

RCCD shall maintain accurate files and records on each applicant and shall retain all pertinent documentation for the grant between HUD and Richland County. Compliance will be maintained in accordance with the reporting requirements under the CDBG Disaster Recovery Program, as outlined in the Richland County CDBG-DR Program Administrative Manual. This includes all information and reports as required under RCCD contract with HUD and demographic data and other information on applicants and awardees.

The reporting requirements will include, but not be limited to the following:

For each program activity requiring a direct application by an individual or non-institutional entity:

- Applicant household’s income
- Household’s income as a percentage of area median family income as defined by HUD
- The race and ethnicity of the head of household
- The household’s familial status
- The presence or non-presence of a household member with a disability

For each activity providing housing or housing assistance that is not directly linked to a specific beneficiary:

- The cost of the housing unit to the applicant and to the occupant
- The maximum qualifying household income as a percentage of area median family income as defined by HUD
- Restrictions regarding the age or familial status of occupants
- The presence or absence of designs or services that make the housing unit accessible to an individual with a disability and the number of fully accessible units.

All official records on programs and individual activities are maintained for a 3 (three) year period, beyond the date of grant closeout.

1.23 Procurement Requirements

RCCD shall abide by the Procurement process mandated by Federal, State, and Local Government codes as they are applicable to the program. The procurement process includes the decision to purchase as well as the process to complete the purchase. The Federal government has established a set of procurement rules at 2 CFR Part 200 that apply to CDBG-funded projects. These rules are in place to ensure that federal dollars are spent fairly and encourage open competition for the best level of service and price. In addition, Richland County has enacted its own standards. If a conflict between Federal and local procurement regulations should occur, the more stringent regulation will be followed.

Part 2 Eligibility Requirements

2.1 Threshold Requirements Overview

The following are threshold requirements, which must be met for an applicant to be eligible for assistance. Eligibility does not assure assistance, since a prioritization strategy will be required (consistent with Program Design requirements) and it is expected that there will be more eligible applicants than can be served with available funds. Threshold requirements are those that upon their face will either allow an applicant to continue to move forward in the program or result in disqualification. Described in more detail below, the threshold criteria for the Richland County SFHRP are:

- (1) October 2015 storm or flood damage;
- (2) Location of damaged property within Richland County (outside the city limits of Columbia);
- (3) US Citizenship or Qualified Alien Status;
- (4) Proof of ownership at the time the disaster damage occurred and have maintained ownership;
- (5) Damaged structure is principal place of residence;
- (6) Property taxes are current or current on an approved payment plan (including exemptions under current law);
- (7) Current on any child or spousal support obligation;
- (8) Property is a single family owner-occupied unit;
- (9) Property is not a second home; and
- (10) Income Eligible.

2.2 October 2015 Storm or Flood Damage

The home must have been damaged by the storms and/or flooding of October 2015 and must have unrepaired damage as of the date of application. Applicants need not have registered for Federal Emergency Management Agency (FEMA) individual assistance to be eligible for SFHRP. For those who were registered, the SFHRP may use FEMA damage information for informational purposes, but the SFHRP damage verification process will constitute the official documentation of damage linking back to the October 2015 storm or flooding damage. If an applicant did not register, SFHRP will verify by third party that the home was damaged using the same damage verification process. If there are no documents proving damage, SFHRP will conduct on-site inspections to determine if the property was damaged by the storm. Damage to the home not caused by the October 2015 storm and flooding events may be addressed only on structures which have storm related damage.

Proof of Damage options:

- i. An inspection report (complete with photos of the damage and a written assessment of the damage) from a damage assessment conducted by a qualified inspector supplied by the SRRP that certifies that the damage occurred as a result of the hurricane will be acceptable.
- ii. FEMA, SBA or Insurance award letters
- iii. In the event that FEMA, SBA or Insurance award letters are not available and an inspection report is inconclusive as to the cause of the damage, the SFHRP may provide alternative evidence, such as neighborhood-level media reports or documentation of damage by disaster response/relief organizations on a case-by-case basis to RCCD for review and approval.

- iv. If an applicant was denied assistance by FEMA, assistance through the CDBG-DR Program may still be available. RCCD prohibits the denial of assistance by FEMA to be used as a sole basis for the denial of CDBG-DR assistance.

2.3 Location

The damaged home must be located in Richland County, excluding properties located within the boundaries of the City of Columbia. Case managers will access the Richland County website and search the property address and parcel information. If the homeowner lives in the city and is a Richland County resident, the parcel information will display 1CC in the "Tax District." These properties are ineligible.

2.4 Citizenship

Only US Citizens and non-citizens with Qualified Alien Status are eligible. All applicants are required to sign a Citizenship Verification Form as recommended by HUD.

2.5 Proof of Ownership & Primary Residence

The applicant(s) must have occupied the property as their primary residence as of October 3, 2015, the beginning date of the storm and flooding events funded by this CDBG-DR allocation. The program verifies ownership and primary residency through the provision of a deed to the property and/or tax records provided by associated municipality from the time of the storm. Applicants are also required to complete an Affidavit of Ownership as part of the application process.

Proof of residency can be provided through a homestead exemption. In the absence of a homestead exemption, the following hierarchy will be used to establish occupancy (all occupancy documentation must be from the time of the storm, in the applicant's or co-applicant's name, and reference the damaged address). Applicants will provide an Affidavit of Ownership and Affidavit of Principal Residency plus one of the following:

- 1) Copy of water, electric, gas, credit card, or cable bill. The bill must confirm that service was provided at the time of the storm.
- 2) Copy of FEMA letter showing payment received for home repairs or contents or insurance document showing content coverage.
- 3) Letter from electric, gas, cable or other utility service provider. The letter must confirm that service was provided at the time of the storm.
- 4) Other qualified documents may be presented to the SFHRP for consideration of proof of occupancy or primary residency but the acceptance of other documents is subject to approval by RCCD.

2.6 Special Circumstances Related to Occupancy

The following exceptions apply under special circumstances related to occupancy:

- 1) Active duty military personnel who own a storm-damaged home in the County but are currently assigned to duty away from their home or were assigned to duty away from their home at the time of the storm are eligible to apply. Applicants who may be assigned or

deployed to duty during the 5-year loan period will not be found in violation of the agreement to maintain residency in the property during that period.

- 2) Applicants incapacitated due to illness who own a storm damaged home in the County and are currently incapacitated or were incapacitated at the time of the storm are eligible to apply. If the applicant is currently incapacitated, an authorized legal representative must make application for the benefit of the applicant.
- 3) Applicants who were incarcerated at the time of the storm but are no longer incarcerated are eligible to apply for the program. If the applicant is incarcerated at the time of application, the applicant must give someone Power of Attorney on his or her behalf.
- 4) Applicants who were in a nursing home at the time of the storm but are no longer in a nursing home are eligible to apply for the program. If the applicant is in a nursing home at the time of application, the applicant must give someone Power of Attorney on his or her behalf.

2.7 Ownership

The applicant(s) must have resided in the property at the time of the damage occurred and must currently be the owner of the damaged property, in order to be eligible for the program. Ownership will be verified through a warranty deed. If the property has multiple owners as identified on the property deed all deedholders must sign documentation indicating that they understand and agree to the terms of the program. This includes rehabilitation being performed on the property, a lien being placed on the property, ownership transfer limitations and maintenance requirements regarding insurance, property taxes and

2.8 Special Circumstances Related to Type of Ownership Purchase Contracts

The following exceptions may apply as special circumstances related to ownership:

- 1) Evidence of purchase contracts must prove that an applicant was purchasing a home on a contract by:
 - a. The applicant presenting the notarized contract dated and executed prior to the storm for review by SFHRP.
 - b. The applicant presenting the notarized and executed contract that was filed prior to the storm in the conveyance records of the county.
- 2) Proof that a contract has been completed and title conveyed to the purchaser is provided by:
 - a. Evidence of recordation of the title in the name of the applicant in the conveyance records of the county.
 - b. Evidence that property was transferred by a warranty deed.

2.9 Act of Donation

An Act of Donation is a form of property transfer without exchange or payment.

An Act of Donation must have been made prior to the storm and be:

- 1) In writing;
- 2) Witnessed;

- 3) Notarized; and
- 4) Recorded in the public record.

2.10 Trust

Property held in trust for the benefit of natural persons can be eligible for SFHRP assistance as long as at least one of the occupants at the time of the storm was a current beneficiary of the Trust. The trustee's powers must include the ability to affect the damaged property. If the trustee's powers do not include the ability to affect the damaged property, the beneficiaries with an interest in the damaged property must sign the closing documents along with the Trustee.

The following is required to confirm eligibility:

- 1) The applicant must provide a copy of the trust document.
- 2) The trust document or an abstract or extract of the trust must be recorded in the conveyance records of the county in which the damaged property is located. This recordation in the conveyance records of the county in which the damaged property is located may be recorded post-storm if necessary.

The applicable agreements must be executed by trustee(s) unless the trust distributes the property to a beneficiary, in which event the beneficiary receiving the property must execute the applicable agreement and occupy the residence after assistance. If the property was not serving as the primary residence for the current beneficiaries or trustee, the applicant(s) is not eligible for assistance.

2.11 Death of Eligible Owner Occupant

If the deceased owner of the damaged address passed away after the October 2015 storm and flooding events, the deceased owner must meet the eligibility requirements up to the time of their death (i.e., homeownership at time of storm, primary residence, taxes). Ownership, residency and tax status of the original deceased applicant is applicable for the property while all additional income requirements will be attributed to the heir. Income determination will be based on the heir at the time the program benefits are being conferred. The heir must agree to occupy the home after repairs are completed for the term of the deferred forgivable loan.

If the legal owner of the damaged address passed away before the storm, the heir occupying the property must meet all eligibility requirements except for ownership at the time of the storm and will be processed for assistance in the same manner as all other applicants.

If the applicant passes away during construction or during the compliance period, the heir is not responsible for the Program agreements.

If an eligible owner occupant dies and leaves their damaged property to a business entity, the application is ineligible for assistance. If the eligible owner occupant passes away once construction is complete and then leaves property to a business entity, then the heir is not responsible for Program agreements.

2.12 Property Taxes

All applicants have to be current on their property taxes, qualify for and receive a payment plan for delinquent taxes, be current on a payment plan, or have a tax deferral as allowed under local law, prior to closing. SFHRP will have the applicant provide documentation from the local Tax Assessor's Office.

2.13 Child & Spousal Support

All applicants listed on the application will also be checked for child and spousal support arrearages. An applicant who is obligated to pay court-ordered support and has been reported by the South Carolina Attorney General as being delinquent in payments owed, is ineligible to receive assistance unless the delinquency is paid in full or the applicant has obtained a written payment agreement from the South Carolina Attorney General to eliminate the delinquency, and they are current on that agreement. If Applicant has no court ordered support, an affidavit of this fact will suffice.

All applicants must be current on any child and spousal support payment(s) under any court order. If an applicant is not current on support payments, that applicant will be required to enter into a payment plan and must supply a copy of the payment plan signed by all applicable parties, along with documentation that they are current on their payment plan.

2.14 Ineligible Applications

The following types of ownership are ineligible for assistance under this program:

- Business entities are not eligible. This includes but not limited to: Limited Liability Corporations, Limited Liability Partnerships, Corporations and other similar entities.
- Applicants who lost ownership of their homes due to foreclosure are ineligible for assistance.
- Persons who previously had their homes constructed under Disaster Recovery programs and failed to maintain insurance are ineligible to participate in the program.

2.15 Certification Requirements to Receive Assistance

All applicant(s) must agree to the following to receive assistance:

- 1) Sign a release so that information provided by the applicant(s) can be shared with state and federal agencies and certain third parties in order to verify information given to the program. The applicant, co-applicant, and everyone 18 and older in the household are required to sign the release (unless one of the eligible owner-occupants has provided power of attorney to the other to represent them, then the eligible owner-occupant does not need to sign release).
- 2) Agree to verification of their ownership status, the amount of disaster-related damage to the home, and assistance received.
- 3) Swear to the accuracy and completeness of all information provided to the program under penalty of law.
- 4) All applicants must agree to sign a number of documents to receive assistance. These documents are fully explained in later sections and in the legal documents executed at contract

signing or closing. This includes revised documents necessary to acknowledge changes post-closing. Failure to comply with this requirement will allow the program to determine the documents are administratively signed (acceptance without homeowner signature). The applicant may challenge the signing under the appeals process.

2.16 Income Eligibility Requirement

All applicants must meet income eligibility criteria in order to be eligible for assistance. In order to meet this eligibility requirement, applicants must be low to moderate income with a total household annual gross income that does not exceed the 80% Area Median Family Income (AMFI), adjusted for family size, as published annually by HUD.

Applicants who are not LMI, may be served under the Urgent Need National Objective.

Part 3 Duplication of Benefits

3.1 Overview

Eligible applicants may have previously received assistance from other sources for the rehabilitation of their storm damaged property. Under the requirements of “The Robert T. Stafford Disaster Assistance and Emergency Relief Act” (42 U.S.C. 5121, et seq.), as interpreted and applied by HUD, RCCD must take into account certain aid received by applicants in determining the amount of assistance which can be granted. RCCD will follow HUD’s Duplication of Benefits Guidance. The following are sources of funding assistance provided for structural damage and loss that are considered duplication of benefits, DOB, and under federal law **must** be deducted from the assistance provided:

- 1) FEMA Individual Assistance for Structure (IA);
- 2) FEMA National Flood Insurance Program (NFIP);
- 3) Private Insurance;
- 4) Increased Cost of Compliance (ICC);
- 5) Small Business Administration (SBA); and,
- 6) Any other funding source available to the applicant for the same purpose as the CDBG-DR grant that may duplicate assistance.

Funds received from any source including flood insurance, FEMA and hazard insurance that were used to cover repair to the applicant’s home do not reduce the amount of disaster assistance if the evidence of expenditures at least equals the amount of assistance provided from the source. Documentation must be provided demonstrating the cost and type of repair conducted.

Duplication of benefits will be calculated based on what previous funding was utilized for. The total cost and work write up will be evaluated against what previous funding sources addressed and the amount that involved. Where potential overlap of funding may occur it will need to be noted and subtracted from the project rehab estimate for CDBG-DR funds. Where previous funds were not utilized for any work identified in the CDBG-DR work write-up then no overlap in funding use exists. The use of other funds which could impact DOB estimates must be recorded in order to identify potential DOB activities and funding overlaps.

3.2 FEMA Individual Assistance (FEMA IA)

FEMA IA will be determined and verified by SFHRP through the FEMA database. If an applicant is able to provide documentation demonstrating that the FEMA IA amount provided by the FEMA database includes non-structural related amounts, SFHRP will use the documentation provided by the applicant to adjust the FEMA IA payout amount. The documentation provided by the applicant must come from FEMA.

3.3 FEMA National Flood Insurance Program (NFIP) Insurance

Any payments for loss to the dwellings during the October 2015 storm and flooding events under NFIP insurance policies may be deducted from the amount the applicant is eligible to receive. Payments for contents or other expenses are not deducted from the applicant’s award. SFHRP will verify payments by reviewing FEMA claim information or by providing a request for verification to FEMA. If an applicant is

able to provide documentation demonstrating that the insurance proceeds amount provided by the FEMA database includes items not related to the structural loss, SFHRP will use the documentation provided by the applicant to adjust the insurance payout. The documentation provided by the applicant must come from the insurance company which issued the payments.

3.4 Increased Cost of Compliance (ICC)

The program will determine duplication of benefits regarding ICC funds for elevation and/or demolition activities. If SFHRP is unable to determine the amount/or purpose of the ICC proceeds using documentation provided by the applicant, such documentation will be provided to the RCCD CDBG-DR program manager for final determination.

3.5 Private Insurance

All private insurance settlement amounts for loss to dwellings are considered a duplication of benefit and may reduce the amount of disaster assistance. Private insurance payments for contents or other expenses such as fences, storage sheds, etc., are not deducted from the applicant's award.

Insurance proceeds are determined and verified by SFHRP by contacting the insurance company and verifying proceeds. If SFHRP is unable to verify the private insurance proceeds through the insurance company, SFHRP will use the claims payout provided by the applicant. If an applicant is able to provide documentation demonstrating that the insurance proceeds amount provided by the insurance company includes items not covered in the home evaluation or not paid to cover structural loss, SFHRP will use the documentation provided by the applicant to adjust the private insurance payout. Mold remediation is not included in the home evaluation. Therefore, insurance payments to cover mold remediation are not deducted from an applicant's funding assistance award. The documentation provided by the applicant must come from the insurance company which issued the payments or an order from an administrative proceeding or court of competent jurisdiction.

3.6 The Small Business Administration (SBA)

If the SBA has approved loan funds, the assistance is considered a duplication of benefit, and the amount of the loan may be deducted from the disaster assistance award. SBA will be determined and verified by SFHRP through the SBA database. If SFHRP is unable to verify the SBA qualifying loan amount through the SBA database, SFHRP will use the qualified loan amount provided by the applicant at the time of application. If an applicant is able to provide documentation demonstrating that the SBA amount provided by the SBA database includes amounts not loaned to cover structural loss, SFHRP will use the documentation provided by the applicant to adjust the SBA loan amount. The documentation provided by the applicant must come from SBA.

SBA loans offered, but declined by the applicant will be deducted from the applicant's award as this assistance is considered available to the applicant for the purpose of rehabilitation. In some circumstances, acceptance of an SBA loan may be a hardship. RCCD will consider SBA loan rejection hardship on a case by case basis. If RCCD determines that a loan would create a hardship, the amount of the SBA loan will not be deducted as a duplication.

3.7 Cost of Repairs

Applicants may have used benefits received from insurance, SBA, and FEMA or other sources to make repairs to their October 2015 storm and flooding events damages. These applicants may be able to deduct verifiable amounts of these expenditures from the duplication of benefit. The applicant will be required to document repairs made to the home with receipts and photographs. Copies of all receipts that support repairs to the home must be provided to the program to document eligible expenditures. SFHRP will accept self-certifications when calculating the amount of repairs if the applicant lacks receipts to document all or part of the cost of repairs. For self-certification, the following requirements apply:

- 1) The applicant must provide a signed self-certified statement that documents, in detail, all labor and or repairs made to the damaged property following the hurricane;
- 2) A program inspector must determine with reasonable assurance that the repairs were made after the date of the hurricane; and,
- 3) Documentation, through photographs, that the repairs were made.

3.8 Duplication of Benefits

In this program, rehabilitation of a structure or replacement of a mobile home unit or manufactured home are the only benefit options. Additionally, rehabilitation must be for the same purposes. If funds spent by other sources were used for rehabilitation it must have served the same purpose where CDBG-DR funds would be addressing the same residential components for the same purposes. In regards to the replacement of a MHU only funds that are also being utilized for the replacement of the MHU will be counted towards DOB.

3.9 Contractor Fraud

If an applicant was a victim of contractor fraud, the amount paid to the contractor is not to be counted as a duplication of benefit provided the applicant filed a police report and made every reasonable effort to recover the funds prior to the date of the application.

3.10 Forced Mortgage Payoff

If an applicant's mortgage company placed a force payment on insurance proceeds, the insurance amount may not count as a duplication of benefits. In such cases, the amount verified by SFHRP that was used for this purposes can be included in the DOB calculation if it is supported by a letter that is on company letterhead and signed by an authorized representative stating the applicant was required to use their disaster assistance funds for this purpose. The determination of whether or not the documentation provided is sufficient to be removed from the duplication of benefits calculation will be made by the RCCD CDBG-DR Program Manager.

3.11 Legal Fees

Legal fees that were paid in successfully obtaining insurance proceeds will be credited to the applicant and will not be deducted as part of their duplication of benefits. Applicants will need to provide evidence of payment and self-certify in accordance with SFHRP policy in order to be credited. All other legal fees will be deducted as part of their duplication of benefits.

3.12 Tax Filings

Personal Income Tax filings related to losses to the home do not affect funding assistance awards and are not considered duplication of benefits. Applicants should consult their personal tax consultant to seek guidance regarding any tax related matters.

3.13 Calculating the Amount of Assistance

Documented expenses for eligible home repair related to the October 2015 storm and flooding events will be totaled and considered for credit to the applicant. The cost of interim housing (rent, hotel payments, RV Purchase, motor home purchase, travel trailer purchase) while the damaged home was unlivable can be deducted from the DOB amount. Acceptable forms of documentation include:

- 1) Copies of all receipts that support repairs to the home;
- 2) Self-Certification statement that details home repair expenses and labor;
- 3) Police reports and all other documentation of attempts to recover funds, filed prior to application, that verify contractor fraud;
- 4) Invoices confirming legal fees associated with insurance proceed collection; and
- 5) Letter from the applicant's Mortgage Company or bank confirming a forced mortgage payoff or pay down.

In instances where home repair receipts do not fully account for the funds received, SFHRP will evaluate the repairs documented in the Self-Certification of Repairs and determine the value of the storm related repairs performed. Self-certified statements of homeowners must be reviewed in detail by SFHRP to determine:

- 1) Whether the home was repaired to code;
- 2) Whether the repairs could be reasonably determined as occurring after the storm event; and
- 3) A reasonable value of the cost of repairs to the home (including possible labor).

The documentation provided by the applicant and the value assigned by SFHRP, as required, will be totaled and compared to the benefits received for the October 2015 storm and flooding events home repairs. If the total benefits received exceed the documented amount of home repair or reconstruction expenses, then the shortfall may be deducted from the applicant's program award.

Applicants with funding gaps must fund the shortfall in order to complete construction. If an applicant elects to fund a shortfall, the applicant must secure the funding before the time of signing the contract. Repair expenses in excess of the prior benefits received will not be reimbursed by the Program.

3.14 Subrogation

Applicants/Property Owners to the RCCD SFHRP must agree to and sign a Subrogation Agreement regarding potential future financial reimbursement and all payments received from any grant, subsidized loan, or insurance policies of any type or coverage or under any reimbursement or relief program related to or administered by the Federal Emergency Management Agency ("FEMA") or the Small Business Administration ("SBA") (singularly, a "Disaster Program" and collectively, the "Disaster Programs") that

was the basis of the calculation of rehabilitation costs to the extent of Grant/Loan Proceeds paid or to be paid to Property Owner under the Program and that are determined in the sole discretion of RCCD to be a duplication of benefits (“DOB”) as provided in the program’s Subrogation Agreement.

The proceeds or payments referred to in the preceding paragraph, whether they are from insurance, FEMA or the SBA or any other source, and whether or not such amounts are a DOB, shall be referred to herein as “Proceeds,” and any Proceeds that are a DOB shall be referred to herein as “DOB Proceeds.” Upon receiving any Proceeds not listed on the Registration Form, Applicant/Property Owner agrees to immediately notify RCCD of such additional amounts, and RCCD will determine in its sole discretion if such additional amounts constitute a DOB. If some or all of the Proceeds are determined to be a DOB, the portion that is a DOB shall be paid to the Grantor/Lender, to be retained and/or disbursed as provided in the program’s Subrogation Agreement.

The Applicant/Property Owner agrees to assist and cooperate with the Grantor/Lender elect to pursue any of the claims the Applicant/Property Owner has against the insurers for reimbursement of DOB Proceeds under any such policies. Applicant/Property Owner’s assistance and cooperation shall include but shall not be limited to allowing suit to be brought in Applicant/Property Owner’s name(s) and providing any additional documentation with respect to such consent, giving depositions, providing documents, producing record and other evidence, testifying at trial, and any other form of assistance and cooperation reasonably requested by the Grantor/Lender. The Applicant/Property Owner further agrees to assist and cooperate in the attainment and collection of any DOB Proceeds that the Applicant/Property Owner would be entitled to under any applicable Disaster Program.

If requested by the Grantor/Lender, the Applicant/Property Owner agrees to execute such further and additional documents and instruments as may be requested to further and better assign to the Grantor/Lender, to the extent of the Grant/Loan Proceeds paid to Applicant/Property Owner under the Program, the Policies, any amounts received under the Disaster Programs that are DOB Proceeds and/or any rights thereunder, and to take, or cause to be taken, all actions and to do, or cause to be done, all things requested by the Grantor/Lender to consummate and make effective the purposes of this Agreement.

The Applicant/Property Owner explicitly allows the Grantor/Lender to request of any company with which Applicant/Property Owner held insurance policies, or FEMA or the SBA or any other entity from which Applicant/Property Owner has applied for or is receiving Proceeds, any non-public or confidential information determined to be reasonably necessary by the Grantor/Lender to monitor/enforce its interest in the rights assigned to it under the program’s Subrogation Agreement and give Applicant’s/Property Owner’s consent to such company to release said information to the Grantor/Lender and RCCD.

If Applicant/Property Owner (or any lender to which DOB Proceeds are payable to such lender, to the extent permitted by superior loan documents) hereafter receives any DOB Proceeds, Applicant/Property Owner agrees to promptly pay such amounts to the Grantor/Lender, if Applicant/Property Owner received Grant/Loan Proceeds under the Program in an amount greater than the amount Applicant/Property Owner would have received if such DOB Proceeds had been considered in the calculation of Applicant/Property Owner’s award.

In the event that the Applicant/Property Owner receives or is scheduled to receive any Proceeds not listed on its Duplication of Benefits Affidavit (“Subsequent Proceeds”), Applicant/Property Owner shall pay such Subsequent Proceeds directly to the Grantor/Lender, and RCCD will determine the amount, if any, of such

Subsequent Proceeds that are DOB Proceeds (“Subsequent DOB Proceeds”). Subsequent Proceeds in excess of Subsequent DOB Proceeds shall be returned to the Applicant/Property Owner. Subsequent DOB Proceeds shall be disbursed as follows:

1. If the Applicant/Property Owner has received full payment of the Grant/Loan Proceeds, any Subsequent DOB Proceeds shall be retained by the Grantor/Lender and remitted to RCCD.
2. If the Applicant/Property Owner has received no payment of the Grant/Loan Proceeds, any Subsequent DOB Proceeds shall be used by the Grantor/Lender to reduce payments of the Grant/Loan Proceeds to the Applicant/Property Owner, and all Subsequent DOB Proceeds shall be returned to the Applicant/Property Owner.
3. If the Applicant/Property Owner has received a portion of the Grant/Loan Proceeds, any Subsequent DOB Proceeds shall be used, retained and/or disbursed in the following order: (A) Subsequent DOB Proceeds shall first be used to reduce the remaining payments of the Grant/Loan Proceeds, and Subsequent DOB Proceeds in such amount shall be returned to the Business; and (B) any remaining Subsequent DOB Proceeds shall be retained by the Grantor/Lender and remitted to RCCD.
4. If the Grantor/Lender makes the determination that the Applicant/Property Owner does not qualify to participate in the Program or the Applicant/Property Owner determines not to participate in the Program, the Subsequent DOB Proceeds shall be returned to the Applicant/Property Owner, and the program’s Subrogation Agreement shall terminate.

Once the Grantor/Lender has recovered an amount equal to the Grant/Loan Proceeds paid to Applicant/Property Owner, the Grantor/Lender will reassign to Applicant/Property Owner any rights assigned to the Grantor/Lender pursuant to the program’s Subrogation Agreement.

Part 4 Inspections and Environmental Reviews

4.1 Overview

Inspections will be conducted on preliminarily qualified 1A1 cases in order to confirm several verification factors such as the presence of mold or structural safety risks as well as to confirm that damage to the property is storm related. Verified 1A1 cases will be processed through to bid and construction as they are verified. Case progress will be monitored to determine a relevant point at which to proceed with inspections on 1A2s or moving to bid and construction for 1A2s that had been reprioritized from 1A1s.

All Federal regulations regarding lead-based paint, environmental review, housing quality standards, procurement, labor standards, etc. apply to this program. If issues are identified with an application, an application may be required to undergo additional reviews and this may take additional time to resolve.

The program will perform an environmental review and on-site inspection of damages upon completion of all third party verification required by RCCD. An environmental review must be performed on each applicant's property for that property, and thus the applicant, to be eligible for the program. Applicants will be notified in writing, at the application submission stage, to cease any work in progress on a damaged residence until the environmental review is complete. Applicants who do not cease work may not be eligible for the program. The program inspector will note any work that has been started and/or completed.

4.2 Initial Inspection and Damage Verification

All property improvements must be for unmet housing needs resulting from the October 2015 storm and flooding events. Non-hurricane damage may only be addressed on structures that also have storm or flood-related damage. Structures built before 1978 must be inspected for lead-based paint hazards. Where such hazards are detected, the applicant(s) will be notified and appropriate steps will be taken to mitigate dangers from lead-based paint.

As needed, the municipal Appraisal District will be used to determine the value of the home at the time of the storm.

Program staff will conduct site visits to observe and record the presence of unrepaired storm and flood damage resulting from the October 2015 events, to determine the extent of damage and to determine the estimated cost of rehabilitation. The applicant will need to be present for these site visits. The inspector will be required to inspect the interior of the home to observe and record damages. The inspector will note any environmental concerns on the site or nearby that could affect the evaluation.

The Estimated Cost of Repair (ECR) provides an estimate of the basic costs needed to repair the home. The ECR is calculated using the classifications defined in the Xactware (Xactimate) retailer based content estimating tool. This is an industry recognized cost estimating tool which incorporates costs necessary to ensure that the property meets the Construction Code – the International Residential Building Code as well as meeting HUD Housing Quality Standards. The ECR does not provide an evaluation that takes into account an exact replacement of applicant's original home. In contrast to insurance estimates that may be based on replacement costs, the ECR evaluation is based on standards for basic livability developed for the program and on costs developed by the construction industry for those items. The methodology used

to prepare the ECR is to account for those scope items that can be counted, measured or observed. No destructive testing is used to create these estimates.

For residential properties that also have a commercial use, the damages to the commercial portion of the home will not be included in the estimate and will not be repaired.

4.3 Eligible and Ineligible Items

Items damaged by the October 2015 storm and flooding events such as, air conditioners, heating systems, and water heaters are eligible to be replaced under the SFHRP. Appliances and housing components that are not integral to the structure of the home and are not essential to basic health and safety, such as washers, dryers, and detached garages and carports are not eligible to be replaced under the SFHRP. Luxury items and items with a quality grade above basic standards are not eligible to be replaced in a like-for-like manner.

The Federal Register pertaining to the CDBG-DR funds associated with this disaster recovery, FR 81, No. 117 (June 17, 2016), provided a waiver requiring that Green Building Standards be incorporated both into residential reconstruction and rehabilitation.

4.4 Environmental Review

The program will conduct a Broad Environmental Review at the programmatic level. This will include coordination with Federal, State and local agencies where applicable. Additionally, all applications must pass a federally-required site specific environmental review which contains a statutory checklist of required review items. The review will be performed at the Program's expense. Site specific reviews will include the review of HUD defined environmental review topics, each of which may result in a site visit to the applicant property for further investigation.

Any issue that cannot be cleared through the environmental review process will need to be mitigated either before or during Program construction. The Program may pay for mitigation of issues identified during the environmental review if it is deemed an eligible activity. Applicants will receive all federally required notifications.

The environmental review is a separate and distinct review from any other review. Other previously performed (or applicant-provided) environmental reviews will not satisfy the Program's requirements. If an applicant fails the environmental review, they will not be eligible to participate in the Program.

Part 5 Pre-Construction

5.1 Escrowed & Supplemental Funds

Applicants must provide funding to cover gaps in the cost of construction if there is a gap in funding caused by a duplication of benefits. Additional funds provided by applicants will be escrowed to be used during the construction of the home. Applicants may not escrow funds for construction activities such as upgrades, additions or other unnecessary activities. Applicant provided funds that are put into escrow for DOB will count toward the CDBG-DR cap limits listed in Part 1, Section 1.8 of this document.

5.2 Lead-based Paint Hazard Identification

If the unit to be assisted was built prior to 1978, the assisted unit will be tested for the presence of lead-dust hazards. If present, the stabilization, encapsulation or removal of lead based paint will be considered in the costs of rehabilitation. Lead paint inspection provides two benefits: (1) the costs of mitigation measures are considerable and must be factored into the cost estimates for rehabilitation and (2) the health risks to residents, particularly children and the elderly, may be severe.

5.3 Asbestos Hazard Identification

Stick-built units verified for reconstruction will require the contractor to have the unit tested for the presence of asbestos prior to demolition and on-site monitoring if asbestos is found during demolition. Stick-built units undergoing demolition do not require final clearance testing as a visual confirmation of the removal of material is acceptable.

Demolition of MHUs will require testing and on site monitoring if asbestos is found. MHU replacement does not require final clearance testing as a visual confirmation of the removal of material is acceptable.

5.4 Development of Costs for Rehabilitation Projects

For projects that qualify for Rehabilitation, the SFHRP will develop site specific sets of plans and specifications that will be used to describe the scope of work to repair and establish the quantities and quality of materials to be used. A dimensioned, floor plan sketch and roof plan of the existing home will be provided for each project. A detailed scope write-up will also be provided. A mandatory Pre-bid meeting will be conducted on site to review the scope of work and answer any questions. All official responses to questions presented during the Pre-bid meeting and those received in writing before the cutoff date will be provided in writing via Addendum prior to bid submittal.

5.5 Replacement Mobile Home Units

For Mobile Home Units, a (3) bedroom/two (2) bathroom single-wide mobile home with a standard floor-plan will be the only available option initially. If necessary, other sizes and floor-plans will be explored based on the needs of applicants.

5.6 Contractor Assignments and Construction Agreement

Contractor assignments will be issued to a construction contractor from RCCD Contractor pool that was procured to support construction efforts associated with CDBG-DR programs. RCCD will issue assignments

to the contractors based on approved criteria such as capacity, quality, Section 3 compliance and performance.

Each rehabilitation or MHU replacement project will be subject to a construction contract or agreement. This agreement will establish performance measures to ensure timely construction. Contractors will be allowed up to 2 progress draws, and one final payment for rehabilitation projects. A retainage amount of 10% of the project will be deducted from the final draw and paid 30 days after successful completion of the Final Inspection. The applicant must approve and sign off on the progress draws. No change order will be effective without the expressed written approval of the SFHRP and applicant.

5.7 Contract Execution Documents

The following documents will be signed by the applicant at the time of contract execution. As required documentation may change, this list will be updated periodically.

- 1) Mortgage and Deferred Forgivable Promissory Note (Secured Note)
- 2) Certification of Principal Residency
- 3) Limited Subrogation Agreement
- 4) Tri-Party Agreement
- 5) Notice and Acknowledgement of Applicant Responsibility
- 6) Work Write-Up Document
- 7) Any other documents required by RCCD

5.8 Secured Deferred Forgivable Note

Disaster assistance is provided as a secured note to the applicants receiving rehabilitation or MHU replacement assistance. The assistance is secured by a mortgage and promissory note. The on-going maintenance of hazard and flood insurance is a program requirement.

- 1) The secured deferred forgivable note will indicate that flood insurance is only required when properties are located in flood zones. Failure to maintain flood insurance coverage will, in accordance with federal regulations, prohibit the applicant from receiving future disaster recovery assistance.
- 2) The secured deferred forgivable note will also indicate that the applicant is required to maintain hazard insurance. Failure to maintain hazard insurance may prohibit the applicant from receiving future disaster recovery assistance.
- 3) The secured deferred forgivable note will also require the applicant to certify that the property will remain their principal place of residence and they will occupy the property for at least the five (5) year term of the note, as well as require acknowledgment that the agreement contains a due on sale provision that requires the applicant to pay the contract sum to RCCD if the property is sold prior to the expiration of the grant period.

5.9 Notice to Proceed

Notice to Proceed is given after RCCD approves the contract and performs all administrative assignment procedures; the applicant belongings are removed from the home (if necessary); the contractor obtains necessary permits; and utilities are terminated (if applicable).

5.10 Contractor Requirements

- 1) All contractors shall carry and provide proof of a current general liability policy in at least the aggregate amount of all contracts awarded in this program within ten (10) business days of award. Failure to do so may result in termination of award.
- 2) All contractors must secure and provide proof of performance and payment bonds within ten (10) business days of award. Failure to do so may result in termination of award.
- 3) Contractors will be responsible for documenting (with photographs and written reports) any pre-existing and pre-storm damage to the property that has not been included in the scope of work.
- 4) Contractors are responsible to comply with HUD's Lead Safe Housing Rule; EPA Renovation, Repair and Painting Rule; and all other applicable rules and regulations. Project sites are required to be in full compliance at all times.
- 5) **All** firms performing, offering or claiming to perform renovations for compensation in target housing must comply with EPA's RRP Rule and EPA's Lead-Pre Renovation Education (Lead-Pre) Rule. Regulatory requirements can be found at 40 CFR Part 745 Subpart E – Residential Property Renovation. This means that all general contractors participating in this disaster recovery program must be EPA certified. In addition, all individuals performing renovation work on behalf of the firm must be certified renovators.
- 6) Contractor will be responsible for determining utility needs, providing sanitary facilities and safely operating equipment on site and obtaining any required permits.
- 7) Contractors are strongly encouraged to attend pre-bid meeting and the selected contractor is required to attend Pre-construction meeting with the applicant and a RCCD representative.
- 8) Upon receiving a Notice to Proceed from SFHRP, Contractors shall begin work within three days of the applicant moving themselves and their belongings out of the unit or no later than thirty (30) days from contract signing. Any contractors who disturb the site prior to receiving a Notice to Proceed will automatically lose their contract and funding with no recourse.

All work performed by the contractor will be guaranteed for 1 Year. Such warranty will be stipulated in the construction contract. For the specified period in the warranty, from the time of final inspection, the assisted homeowner may require the contractor to correct defects or problems arising from his or her work under this contract. Should the contractor fail to do so, the assisted homeowner may take any necessary recourse by contacting the RCCD. A reasonable amount of time will be given to correct the problem; however, in no case will such time exceed two weeks to respond.

Part 6 Construction

6.1 Overview

Rehabilitation is defined as non-emergency repair or renovation of a limited specified area or portion of a housing structure. Rehabilitation shall also be defined as bringing rehabilitated portions of properties into compliance with local building codes, and the entire structure into compliance with HUD Minimum Property Standards (MPS) (or applicable Building Code being enforced) and Housing Quality Standards (HQS) including compliance with Section 31 of the Federal Fire Prevention Control Act of 1974 and local building codes and standards.

- If the cost of the rehabilitation is more than \$10,000, then the entire structure must also be in compliance with minimum property standards (MPS).
- Rehabilitation shall be limited to “stick built” structures that have been deemed feasible for rehabilitation.

Reconstruction shall be defined as the substantial demolition of an existing housing unit and the rebuilding of that unit on the same lot and, to the greatest extent possible, in the same footprint. The structure will be rebuilt to accommodate a standardized floorplan and will comply with the International Residential Codes (IRC), as required by the Richland County Code.

Replacement is the demolition and removal of manufactured housing unit followed by the replacement of that unit on the same lot, and in the same footprint as the original unit.

Elevation shall be defined as the piers to rebuild a housing unit to meet the FEMA flood zone requirements.

6.2 Lead-based paint disturbance and mitigation

Further lead-requirements are described in Appendix D.

Contractors must ensure the following minimum requirements are met at all times:

- 1) All sites are clean and protective covering is placed where required by applicable regulations during the renovation, especially when paint disturbing activities are taking place.
- 2) All workers on site are to have proper certifications with them while on site.
- 3) The Lead Renovator’s certificate is required on site at all times from the start of the renovation until the final lead clearance has been achieved, when applicable.
- 4) Ensure proper techniques are being used when performing paint disturbing activities.
- 5) At a minimum two items are required to be posted at all times to be seen clearly by anyone approaching the site and all workers until final lead clearance is achieved. See below.

- a) EPA RRP required warning signage in English and Spanish - Example Signage



- b) OSHA required lead warning signage in English and Spanish - Example Signage



If site conditions are at all questionable, the Program Manager will be notified. A stop work order will be issued until all issues are resolved and verified by program staff. The time the project is on hold will be included when calculating construction duration and is considered fault of the contractor. The stop all work order will also be taken into consideration when determining future assignments and participation in future programs.

6.3 Asbestos Mitigation

- 1) All sites are clean and protective covering is placed where required by applicable regulations during the renovation, especially when asbestos disturbing activities are taking place.
- 2) All workers on site are to have proper certifications with them while on site.
- 3) Asbestos certification is required on site at all times from the start of the renovation until the final asbestos clearance has been achieved, when applicable.
- 4) Ensure proper techniques are being used when performing asbestos disturbing activities.
- 5) All proper air monitoring is being conducted according to DHEC regulations.

6.4 Green Building Standards

In conformance with FR 81, No. 117 (June 17, 2016), substantial rehabilitation, the construction of new housing or replacement housing must include Green Building Standards. Acceptable Green Building Standards include, “an industry-recognized standard that has achieved certification under at least one of the following programs: (i) ENERGY STAR (Certified Homes or Multifamily High Rise); (ii) Enterprise Green Communities; (iii) LEED (NC, Homes, Midrise, Existing Buildings O&M, or Neighborhood Development); (iv) ICC–700 National Green Building Standard; (v) EPA Indoor AirPlus (ENERGY STAR a prerequisite); or (vi) any other equivalent comprehensive green building program, including regional programs such as those operated by the New York State Energy Research and Development Authority or the New Jersey Clean Energy Program” as described in FR 78.

Where funds will be used for the rehabilitation of structures, contractors and sub-grantees will be provided the HUD CPD Green Building Retrofit Checklist and these standards will be incorporated where feasible.

6.5 Rehabilitation Progress Inspections

SFHRP will perform site visits for each Rehabilitation project at the request of the contractor at pre-determined stages during critical construction activities as described in the Contract Execution Documents. These visits will occur after all required municipal code enforcement, and/or third party inspections have taken place. The builder will submit a written request electronically via email for a site visit to occur no earlier than 48 hours from the time of request.

6.6 Change Orders

Where additional work is necessary to make repairs or to correct unforeseen dangerous conditions, the contractor shall submit to RCCD a Change Order consisting of a detailed description of the work needed, including quantities and location, the cost of such work, and the time necessary for such work to be completed. Unless it is determined there exists an immediate health and safety danger, **NO WORK SHALL BE AUTHORIZED** until agreed upon in writing by the applicant, contractor, and RCCD.

All Change Orders will be reviewed for cost reasonableness by program management.

Contractor must complete the “Change Order Request” form and attach proper documentation to justify the request. Failure to complete the form or supply the required attachments shall result in the rejection of the Change Order Request.

6.7 Applicant Responsibilities

The SFHRP will not be responsible for lost or damaged belongings of the Applicant that may have occurred during construction. The Applicant must secure or relocate their belongings until construction is complete.

- 1) RCCD will not be responsible for lost or damaged belongings of the Applicant that have occurred during construction. The Applicant is responsible for securing any personal property which may be damaged during construction or which must be moved to allow the contractor adequate access to work areas. These must be secured until construction is complete or until

- an agreed upon time between the applicant and the contractor. The applicant is responsible for the movement, storage, and security of all property and personal belongings.
- 2) Securing a relocation site and place and method of storage are the responsibilities of the applicant.
 - 3) Upon the signing of the contract, the applicant will have thirty (30) calendar days to move out of the property and store any valuable personal property that might be damaged during the course of construction.
 - 4) Households participating in mobile home replacement will have thirty (30) calendar days from the signing of the contract to move personal property out of the property and have it stored off site.
 - 5) All personal property moving and storage costs are the responsibility of the homeowner except where the applicant has applied for and received temporary relocation assistance through the county.
 - 6) Households participating in mobile home replacement are responsible for removing any obstructions on the property which would prevent the moving and installation of the new mobile home unit unless otherwise agreed upon with the Building Contractor.
 - 7) Households participating in mobile home replacement must occupy the new mobile home unit within 7 days of final unit installation, certificate of occupancy approval and utility hook-up.
 - 8) The applicant must arrange access to the property for Building Contractors providing construction services. If reasonable and timely access is denied to a Building Contractor who is attempting to make a good faith effort to perform required repairs, the applicant will become responsible for completing the construction / repairs himself.
 - 9) During construction the applicant must not interfere in repair areas, and must make a reasonable effort to stay away from the construction zone unless otherwise agreed upon with the Building Contractor..
 - 10) All debris, abandoned vehicles, and buildings that pose a safety and/or health threat as determined by the local jurisdiction or person qualified to make such a determination, must be removed from the property prior to the start of construction. Applicants must remove dilapidated personal property.
 - 11) The applicant must provide all existing utilities as needed for use by the building contractor during construction.

Part 7 Closing

7.1 Final Inspection and Warranty Information

When construction has been completed, before final payment occurs, the contractor will request a final site inspection to guarantee that all work outlined in the contract has been satisfactorily completed according to the appropriate state and local codes and standards and the home meets the minimum housing standards. If not, the contractor and RCCD Flood Recovery Staff or their representatives will compile a punch list of work remaining to be satisfactorily completed. Once all of the item on the punch list have been addressed to the satisfaction of the applicant and RCCD flood recovery staff conducting the inspection, the contractor will call for another final inspection. When all items on the original or amended contract have been completed and confirmed through the SFHRP inspection, the contractor will call for a final inspection with the Richland County Building Department.

Once the contractor has passed final inspection through the Richland County Building Department (and, if applicable, received the Certificate of Occupancy), a final inspection form will be signed by the homeowner, SFHRP Inspector and the contractor and placed into the project file. If Applicant refuses to sign the form, a SFHRP Inspector will visit the location to confirm that all work was done according to the plans and specifications and meets the program construction standards. If at that time the Applicant will still not sign the final inspection form, the Program may deem construction complete and sign on behalf of the Applicant. It is the responsibility of the contractors to provide all warranties prior to the inspector signing a final inspection form. Photographs will be taken for documentation purposes. The applicant will be provided instruction booklets and warranty information.

7.2 Reinspection

Should the SFHRP personnel observe any fault(s) during inspections; the Contractor will be informed of the fault(s) and be provided a written report of the findings. When the contractor has remedied the fault(s), he may request a re-inspection to be performed at a time no earlier than 48 hours from the request. A re-inspection fee of \$300.00 made payable to RCCD by the Contractor must be received prior to the dispatch of any personnel to visit a project site. The \$300.00 re-inspection fee will be considered Program Income (PI) and will be accounted for in compliance with PI requirements.

7.3 Project Closing

Upon completion of the project including final inspections, a closeout meeting will be held with the property owner and the contractor. The final mortgage and promissory note will be prepared identifying the total final amount of the lien to be placed on the property. After all closing documents have been signed and all parties agree that the project has met all agreed upon criteria the mortgage and promissory note will be submitted for recordation by Richland County.

When construction has been completed, before final payment occurs, the contractor will request a final site inspection to guarantee that all work outlined in the contract has been satisfactorily completed according to the appropriate state and local codes and standards and the home meets the minimum housing standards. If not, the contractor and RCCD Flood Recovery Staff or their representatives will compile a punch list of work remaining to be satisfactorily completed. Once all of the item on the punch list have been addressed to the satisfaction of the applicant and RCCD flood recovery staff conducting the inspection, the contractor will call for another final inspection. When all items on the original or amended

contract have been completed and confirmed through the SFHRP inspection, the contractor will call for a final inspection with the Richland County Building Department.

Once the contractor has passed final inspection through the Richland County Building Department (and, if applicable, received the Certificate of Occupancy), a final inspection form will be signed by the homeowner, SFHRP Inspector and the contractor and placed into the project file. It is the responsibility of the contractors to provide all warranties prior to the inspector signing a final inspection form. Photographs will be taken for documentation purposes. The applicant will be provided instruction booklets and warranty information.

If Applicant refuses to sign the form, a SFHRP Inspector will visit the location to confirm that all work was done according to the plans and specifications and meets the program construction standards. If at that time the Applicant will still not sign the final inspection form, the Program may deem construction complete and submit the previously signed mortgage and promissory note with the original cost estimate for recordation by the County.

Appendix A Affirmative Marketing Plan

The Program is committed to affirmatively furthering fair housing through established affirmative marketing policies. Affirmative marketing efforts for the disaster funding will include the following:

- A. This Affirmative Marketing Plan, based on the U.S. Department of Housing and Urban Development (HUD) regulations, outlines the policies and procedures for housing activities. Procedures are established to affirmatively market units financed through the Program. The procedures cover dissemination of information, technical assistance to applicants, project management, reporting requirements, and project review.
- B. The goal is to ensure that, eligible persons from all racial, ethnic, national origin, religious, familial status, the disabled, "special needs," gender groups and populations least likely to apply for assistance are:
 - Fully informed of vacant units available for sale and / or rent.
 - Encouraged to apply for purchase, rehabilitation, and / or rent.
 - Given the opportunity to buy and / or rent the unit of their choice.
 - Given the opportunity to rehabilitate their primary residence, which sustained damages due to the October 2015 storm and flooding events and / or its after-effects.
- C. In accordance to the affirmative marketing policies and procedures, program participants will be informed about available opportunities and supporting requirements via counselors, printed and electronic materials, publications, direct contact, workshops/seminars, and through the placement of flyers/posters in public facilities.
- D. The SFHRP will conduct marketing through widely available media outlets, efforts will be taken to affirmatively market the CDBG Disaster Recovery Program as follows:
 - Advertise with media outlets which provide unique access for persons who are considered members of a protected class under the Fair Housing Act.
 - Reach out to public or non-profit organizations and hold/attend community meetings.
 - Other forms of outreach tailored to reaching the eligible population, including door to door outreach if necessary.
- E. Applications and forms will be offered in English and other languages prevailing in the region. In addition, every effort will be made to assist Limited English Proficient applicants in the application process.
- F. In addition, measures will be taken to make the Program accessible to persons who are considered members of a protected class under the Fair Housing Act by holding informational meetings in buildings that are compliant with the Americans with Disabilities Act (ADA), providing sign language assistance when requested (with 3 days' notice), and providing special assistance for those who are visually impaired when requested (with 3 days' notice).
- G. Documentation of all marketing measures used, including copies of all advertisements and announcements, will be retained and made available to the public upon request.
- H. RCCD will use the Fair Housing logo in Program advertising, post Fair Housing posters and related information, and, in general, inform the public of its rights under Fair Housing regulations.

Appendix B Complaint/Appeal Process

COMPLAINT AND APPEAL PROCESS

In accordance with 24 CFR 91 Citizen Participation Plan and 24 CFR 570.486(a) (7), the RCCD has developed this complaint and appeal process. The goal of this process is to provide an opportunity to resolve complaints—either formal or informal—in a timely manner, usually within fifteen (15) working days, where practicable. In addition, citizens have a right to participate in the process and where they believe that a mistake has been made regarding their file; RCCD has created an appeal process to allow the applicant a mechanism for requesting further review on a decision made on their file.

Information about the right and how to file a complaint shall be printed on all program applications, guidelines and the flood recovery website www.rcgov.us/floodrecovery in all local languages, as appropriate and reasonable.

Complaints

The goal of RCCD is to resolve complaints in a manner that is both sensitive to the complainants concerns and to achieve fair result. Regardless of the complaint, program staff members will treat the issue with respect, be able to respond to the complainant about the complaint's status, and handle the issue quickly, within 15 working days if practicable.

Information on how to file a complaint will be available at the program offices and included on printed materials as well as be available on the flood recovery website.

Informal Complaints

Complaints that are brought forward in an informal manner—orally or included as part of a larger item—will be addressed where possible no matter who the source. The mechanism to address this is to make certain the person is aware of the formal complaint process and/or address the complaint orally. An informal complaint or complaints that do not have a contact will not be tracked in the complaint log.

On an informal Complaint the staff should:

1. Obtain all pertinent information from the caller, including the issue raised and if possible the name of the complainant and a contact to obtain further information if desired. If no name or contact number is left, then that should be noted and placed in an informal complaint file—either electronic or hard copy. In this communication it should indicate that the complainant was notified of how to file a formal complaint.
2. The Deputy Program Manager should review these complaints at least monthly to determine if there is a pattern developing and, if so, determine if the issue warrants a policy change or further training.

Formal Complaints

Formal complaints must be submitted utilizing the Customer Concern Form available through RCCD. Applicant will be notified of the complaints process and the availability of the Customer Concern Form to formally record grievances or concerns relating to the program and its processes. Any complaint that does not have a person to send the results or follow up with for more information will not be treated as a written comment. Any concern or complaint must originate from a person attempting to register with the program with standing in the program as an applicant, contractor, or other direct party. Any complaint forwarded to the RCCD from HUD will also be considered a written complaint.

Complaints may be submitted in the following ways:

Mail: Richland County Government Center
CDBG-DR Office, 1st Floor
P.O. Box 192
2020 Hampton Street
Columbia, SC 29204

Email: RichlandCountyCDBGDR@sites.tetrattech.com

Hand Deliver: To any case manager

Required Documentation

1. Every formal complaint will be included into a complaint tracking system and maintained as either an electronic or hard copy file. The complaint tracking system will include:
 - a) The name of the complainant and a contact address
 - b) The date the complaint was received
 - c) The completed, signed and dated Customer Concern Form
 - d) A description of the complaint
 - e) The name of any person contacted to resolve the complaint or to gather information to resolve the complaint
 - f) A summary of the results and the date of the response to complainant
 - g) An explanation of the reason the file was closed, if the file was closed.
2. Once the Complaint is in the tracking system the Deputy Program Manager or their designee will determine if the complaint has standing by determining if the Complainant is a potential applicant, an existing applicant, contractor or direct party, there is a contact address, the complaint is relevant and if it is a valid complaint they will perform the following steps:
 - a) Assign a control number to the complaint
 - b) Review and/or investigate the complaint
 - c) Determine which program is the basis for the complaint.
 - d) Once the complaint has been resolved, or if it needs more work than can be done at the local program level, refer the complaint to the Program Manager to seek resolution.
 - e) Provide a copy of the final result to RCCD if applicable.
 - f) Provide a copy of the DR grantee's policies and procedures relating to investigation and resolution to the complainant and to each person who is subject of the complaint.
 - g) Notify the Complainant of the results, or if longer than 15 days, provide a status of the review process.
 - h) Close the complaint.

Each complaint file should be documented as follows:

- a) The name of the person who filed the complaint;
- b) The date the complaint was received;
- c) Inclusion of the Customer Concern Form
- d) A description of the complaint;
- e) The name of each person contacted in relation to the complaint;
- f) A summary of the results of the review or investigation of the complaint; and
- g) An explanation of the reason the file was closed, if the file was closed.

Fair Housing Complaints

Persons alleging a violation of fair housing laws will be referred to RCCD's local contact and process to file a complaint. RCCD will retain a log and record of all fair housing inquiries, allegations, complaints, and referrals. In addition, RCCD will report suspected non-compliance to HUD.

Appeals

Throughout the process, decisions will be made on an application and/or project to be delivered. The decisions are made based on statutes, codes of federal regulation, local administrative code, state and local guidelines as they are interpreted by the program. This policy guides the process for and applicant or contractor appealing decisions made by the program staff.

Appeals Policy:

- (a) *Definitions.* The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.
 1. Program Manager--The most senior responsible official for the SRRP and Director of RCCD.
 2. Appeal--An Appealing Party's notice to challenge a decision or decisions made by staff and/or the Case Manager regarding eligibility or construction.
 3. Appeal file--The written record of an Appeal that contains the applicant's Appeal; the responses, if any, of program staff, and the Program manager, and any final determination.
 4. Appealing Party--The party filing the appeal.
 5. Applicant--A person who has filed an application and has had at least some eligibility determination made on the application.
 6. Application--The application filed with the program for participation in the disaster recovery program.
 7. Housing Advisory Committee - The Housing Advisory Committee consists of representatives of Richland County.
 8. Richland County Administration – County Council member or their certified representatives.
- (b) *Grounds to Appeal a decision.* This appeal process is available to an Appealing Party under the following grounds:

-
1. An Applicant for funding for disaster recovery may only appeal the disposition of the Application on one or more of the following:
 - i. Eligibility items which are:
 - a) Ownership
 - b) Storm Damage
 - c) Property taxes
 - d) Spousal or Child support
 - ii. Procedural error where the Application was not processed by program staff in accordance with the rules
 - iii. The amount of funding the Applicant is eligible to receive
 - iv. Duplication of Benefits estimates
 - v. Affirmatively Furthering Fair Housing issues
 - vi. Construction issues
 2. A Contractor may only appeal the issues related to one of more of the following:
 - i. Draw payment
 - ii. Failure to meet benchmark construction deadlines
- (c) *Appeal of Local Program Decision.* An Appealing Party must file a written Appeal with the Local Deputy Program Manager to request a hearing before the Housing Advisory Committee within (10) ten days from date of the staff response. This request should be sent to the Grants & Community Development Director, 2020 Hampton Street, Columbia, South Carolina 29202.
- The written appeal must include specific information relating to the challenge of the staff decision. The appeal and the Application file shall be made available to the Housing Advisory Committee upon receipt of an Appeal. The Housing Advisory Committee shall respond in writing to the Appeal not later than the fifteenth (15) working day after the date of receipt of the Appeal. The response may take one of the following actions:
1. Concur with the Appeal and make the appropriate adjustments to the staff's decision; or
 2. Disagree with the Appeal and provide the basis for rejecting the Appeal to the Appealing Party.
- (d) *Appeal of Housing Advisory Committee decisions.* If the grievance is not resolved to the satisfaction of the program participant at this level, the aggrieved party can submit a written request for a hearing before Richland County Administration within (10) ten days from date of the Housing Advisory Committee response. This request should be sent to the Richland County Administrator, 2020 Hampton Street, Columbia, South Carolina 29202. The aggrieved party is entitled to a hearing before the Richland County Administration. This hearing represents the final level of appeal at the local level.

Appendix C Lead Hazard Policy

Purpose

Clarification on Lead-Based Paint (LBP) Mitigation Requirements for Target Housing

Reference Regulations

HUD's Lead Safe Housing Rule (LSHR) (24 CFR Part 35, Subparts A, B, J, and R)

EPA's Renovation, Repair, and Painting Rule (RRP) (40 CFR Part 745, Subpart E)

Definitions

Abatement – any set of measures designed to permanently eliminate lead-based paint or lead-based paint hazards. Abatement includes:

- 1) The removal of lead-based paint and dust-lead hazards, the permanent enclosure or encapsulation of lead-based paint, the replacement of components or fixtures painted with lead-based paint, and the removal or permanent covering of soil-lead hazards; and
- 2) All preparation, cleanup, disposal and post abatement clearance testing activities associated with such measures.

Clearance Examination - an activity conducted following lead-based paint hazard reduction activities to determine that the hazard reduction activities are complete and that no soil-lead hazards or settled dust-lead hazards, as defined in this part, exist in the dwelling unit or worksite. The clearance process includes a visual assessment and collection and analysis of environmental samples. Clearance of lead abatement projects can only be performed by a state-certified Lead Inspector or Risk Assessor.

Interim Controls – a set of measures designed to reduce temporary human exposure or likely exposure to lead-based paint hazards. Interim controls include, but are not limited to repairs, painting, temporary containment, specialized cleaning, clearance, ongoing lead-based paint maintenance activities, and the establishment and operation of management and resident education programs.

Lead-Based Paint Hazards - any condition that causes exposure to lead from dust-lead hazards, soil-lead hazards, or lead-based paint that is deteriorated or present in chewable surfaces, friction surfaces, or impact surfaces, and that would result in adverse human health effects as established by the proper federal agency. (See 40 CFR §745.65 for detailed explanation of paint-lead hazard, dust-lead hazard, and soil-lead hazard.)

Risk Assessment – an on-site investigation to determine and report the existence, nature, severity and location of lead-based paint hazards in residential dwellings including;

- 1) Information gathering regarding the age and history of the housing and occupancy by children under age 6;
- 2) Visual Inspection;
- 3) Limited wipe sampling or other environmental sampling techniques;
- 4) Other activity as may be appropriate; and
- 5) Provision of a report explaining the results of the investigation

Target Housing - any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless a child of less than 6 years of age resides or is expected to reside in such housing for the elderly or persons with disabilities) or any zero-bedroom dwelling.

Application of Regulations to the Richland County Single Family Housing Rehabilitation Program

Summary

HUD's Lead Safe Housing Rule (LSHR), is being applied to the Richland County SFHRP for all housing considered for rehabilitation construction measures. During the environmental review, RCCD will determine the proper level of LBP evaluation and any required LBP hazard reduction requirements. This determination will be made following the regulatory requirements found in 24 CFR Part 35, Subpart J (Rehabilitation). Detailed information concerning the requirements, whether lead safe work practices in conjunction with paint stabilization, interim controls, or abatement, will be provided in the rehabilitation scope of work for each home. Documentation of the findings of the LBP risk assessment will also be provided to construction contractors.

Table 1. LBP Mitigation Requirements based on Construction Cost

Level of Assistance	Hazard Reduction Requirements	Post-Rehabilitation Clearance Examination Requirements
Less than or equal to \$5,000	Safe work practices during rehabilitation in conjunction with paint stabilization	Yes
More than \$5,000 up to \$25,000	Interim controls	Yes
More than \$25,000	Abatement and/or Interim controls	Yes

**Note: HUD's LSHR requires the use of properly trained individuals to perform hazard reduction activities. ALL individuals who disturb painted surfaces above HUD's de minimis levels must be formally trained in "Lead-safe Work Practices". A list of acceptable training courses can found by accessing the following HUD website. <http://www.hud.gov/offices/lead/training/hudtraining.pdf>*

EPA CERTIFICATION

All firms performing, offering or claiming to perform renovations for compensation in target housing must comply with EPA's RRP Rule and EPA's Lead-Pre Renovation Education (Lead-Pre) Rule. Regulatory requirements can be found at 40 CFR Part 745 Subpart E – Residential Property Renovation. This means that all general contractors participating in this disaster recovery program must be EPA certified. In addition, all individuals performing renovation work on behalf of the firm must be certified renovators. EPA has published a list of frequently asked questions which can be accessed on the web <http://www.epa.gov/lead/pubs/rrpfaq.pdf>.

To become EPA certified, renovation contractors must submit an application and fee payment to EPA (<http://www.epa.gov/lead/pubs/firmapp.pdf>). Renovations covered by the rule must be performed or directed by a Certified Renovator. Individuals can become lead-safe certified renovators quite easily via successful completion of a one-day training course in lead-safe work practices. The training courses are offered by EPA-approved private training providers; there is no additional fee to EPA. Training providers can be located using EPA's search tool at http://cfpub.epa.gov/flpp/searchrrp_training.htm.

EPA Certified Renovation Firms and Certified Renovators must also comply with additional requirements of HUD's Lead Safe Housing Rule, when performing interim controls or standard treatments. All workers must successfully complete either a one-day RRP course, or another lead-safe work practices course approved by HUD, unless supervised by a Texas DSHS Certified Lead Abatement Supervisor who is also an EPA Certified Renovator. A list of approved courses can be located at <http://www.hud.gov/offices/lead/training/hudtraining.pdf>.

USE OF RISK ASSESSMENTS

A current risk assessment must be used prior to the start of any rehabilitation project. "Current" is defined in regulatory language as no more than 12 months old. Applications which have had a lead-based paint risk assessment performed more than 12 months prior to the start of construction must have a new risk assessment performed.

CLASSIFICATION OF TARGET HOUSING

RCCD will determine the classification of Target Housing. RCCD will also provide the detailed scope of work for repair. These repairs will be determined by the applicable level of LBP evaluation and any conclusions drawn from evaluations with regard to lead-based paint and lead-based paint hazards. Supporting documentation will be included in the overall scope of work provided to construction contractors. EPA recognized test kits will not be used by any Contractor to determine the presence of lead-based paint. HUD's LSHR requires such determinations to be made by a certified / licensed lead-based paint inspector / risk assessor.

CONTRACTOR RESPONSIBILITY FOR COMPLIANCE

For rehabilitation of homes that are considered target housing and which may require disturbance of painted surfaces, the Contractor is responsible for compliance, as a Renovation Firm certified under EPA's RRP Rule prior to any other renovation activities for target housing. The EPA-certified Renovation firm, utilizing a certified Renovator and other properly trained workers, is responsible for following all applicable rules and regulations.

ABATEMENT

If lead abatement is required, as determined by RCCD, the contractor is responsible for procuring a state-certified Lead Firm to conduct the abatement work using an **EPA-certified Lead Abatement Supervisor** and **EPA-certified Lead Abatement Workers**. RCCD's determination will be made in compliance with HUD's LSHR, based on the cost of renovation. See Table 1. Other activities such as interim controls or standard treatments may also be conducted simultaneously with abatement. Only those persons who are working on abatement job sites who are engaged in activities described as inspections, lead-hazard screens, risk assessments or abatements would require state certification in the appropriate discipline.

CLEARANCE EXAMINATION

All rehabilitation projects in this program are funded by federal assistance; therefore clearance examination is required for all identified Target Homes, which have not been determined to be free of lead-based paint, at the conclusion of all rehabilitation activities. Cleaning verification by the certified renovator is not sufficient. Clearance examination will be performed by RCCD. Once clearance has been achieved, and the resulting report is submitted to both the RCCD Lead Team and Construction Contractor, the final construction inspection can take place.

FAILURE OF CLEARANCE EXAMINATION

Any rehabilitation project which fails the clearance examination will require another clearance examination after the reasons for the initial failure have been addressed. Prior to any subsequent clearance examination at a failed project site, a fee of \$700.00 must be provided to RCCD. Payment, in the form of a check, must be presented to RCCD, along with the subsequent clearance examination request form which will be provided upon failure.

RECORD KEEPING

EPA Certified Renovation Firms have specific recordkeeping and reporting requirements as outlined in the respective regulation. At the conclusion of each rehabilitation project the contractor must submit to RCCD required post-renovation / post-abatement reports which certify their compliance with the regulatory work practice standards and pre-renovation education notifications.

CLARIFICATION ON TYPE OF CLEARANCE EXAMINATION

There are two different events that trigger LBP clearance examination—post-abatement and post-renovation. We are going to do post-renovation clearance, which will take care of both. Therefore, only the post-renovation clearance will be conducted. The examination will be performed at no cost to the contractor, as long as clearance is achieved during the first attempted clearance examination.

Appendix D Attachments

SFHRP Registration Form

SFHRP Eligibility and Verification Form

Affidavit of Principle Residency

Authorization of Release of Information

Citizenship Declaration

Summary of Documentation Provided

SFHRP Checklist

Notice of Applicant Responsibility

Accessibility and Reasonable Accommodation Request (AR) Form & Verification of Disability / Special Needs

Affidavit of Ownership or Control

Insurance Agreement

Notification to Cease Permanent Repairs

Subrogation Agreement

Duplication of Benefits Certification

Verification of Duplication of Benefits for Insurance

Notice of Non-Applicant Property Owner Responsibility and Acknowledgement

Income Verification Form

SFHRP MHU Landowner Agreement

Uniform Relocation Assistance

Verification of Employment

Green Building Retrofit Checklist

Richland County
Community Development Block Grant – Disaster Recovery
Single Family Homeowner Rehabilitation Program



Richland County, South Carolina CDBG-DR Recovery Single Family Homeowner Rehabilitation Registration Form

INSTRUCTIONS: Fill out this form completely and to the best of your ability. All answers must be truthful. False information will result in the rejection of your application and may result in legal action.

Please return this form by mail, in person, or by email:

Richland County Government Center
2020 Hampton Street, Ste. 1022
1st Floor, Flood Recovery Office
PO Box 192
Columbia SC 29204
RichlandCountyCDBGDR@sites.tetrattech.com

Return an original signed copy of this form and income documentation.

Submission of the registration form constitutes the beginning of the application process. Please make a copy of the completed registration form and keep it for your own records.

After you have submitted the registration form for processing, you will be assigned an Applicant ID. Your Applicant ID is unique to you and will be used for all future correspondence.

You will receive notification regarding your registration. This notification will outline your application status and next steps.

Should the program be able to proceed with your application, you will meet with a program case manager to complete the full program application. The full application requires supporting documentation that will be used to verify all of the information you submit. The documentation requirements will be communicated to you prior to your first in person appointment.

Contact the Richland County Flood Intake Center at 888-964-1589 for additional information about the flood recovery program.

En Español: Contacto el Richland County Departamento de desarrollo comunitario (888-964-1589) para obtener más información sobre el programa de recuperación de inundaciones, impreso en español.

리치 랜드 카운티 커뮤니티 개발 부서 (888-964-1589) 홍수 복구 프로그램에 대한 자세한 내용은 연락처에서 인쇄

PROGRAM USE ONLY:

Received Date: _____ Reviewed By: _____ Review Date: _____

Form Complete: Yes | No Applicant ID Assigned RCDR-SFHRP: _____

PNO: 1a | 1b | 1c | 2

Applicant Data Recorded Date: _____

Richland County
 Community Development Block Grant – Disaster Recovery
 Single Family Homeowner Rehabilitation Program



Date: _____

Applicant Name(s): _____

Phone Number: _____

Email: _____

Mailing Address: _____
Number Street City, State Zip Code

Damaged Property Address: _____
Number Street City, State Zip Code

1. Number of individuals in your household: _____
2. What is your total annual gross (pre-tax) household income: \$ _____
Please attach at least one of the following:
 - Most Recent Tax Return
 - 2017 Form W-2
 - Three Months of Pay Stubs
 - Most Recent Social Security Statement
3. Is anyone in your home age 62 or older? Yes | No
4. Is anyone in your home disabled? Yes | No
5. Is anyone in your home a veteran? Yes | No
6. Are there children under the age of 5 in your home? Yes | No
7. Are you a single-parent household? Yes | No
8. Was your property damaged by the 2015 flooding? Yes | No
9. Are there life threatening health conditions in your home? Yes | No
10. Are you a US Citizen or Qualified Alien? US Citizen | Qualified Alien
11. What is the property construction type? Stick Built | Mobile Home | Modular Home | Other
12. Is the damaged property owner-occupied and your primary residence? Yes | No
13. Do you run a business out of your place of residence? Yes | No
14. Is your property in Richland County AND outside the city limits of Columbia? Yes | No

I attest that the information I provided in this document is, to the best of my knowledge, accurate and truthful. I understand that providing false or misleading information in this document or during this program could result in legal action and/or the repayment of loan funds. Title 18, Section 1001 of the U.S. Code provides that a person is guilty of a felony for knowingly and willingly making materially false or fraudulent statements or representations in any manner within the jurisdiction of any branch of the United States government.

PLEASE NOTE: COMPLETING THIS REGISTRATION FORM DOES NOT GUARANTEE ASSISTANCE.

Applicant 1 Signature	Applicant 1 Printed Name	Date
Applicant 2 Signature	Applicant 2 Printed Name	Date



Richland County
 Community Development Block Grant – Disaster Recovery
 Single Family Homeowner Rehabilitation Program



Richland County, South Carolina CDBG-DR Recovery SFHR Program Eligibility and Verification Form

INSTRUCTIONS: Fill out this form completely to the best of your ability, except those lines indicated for Case Manager Initials and Verification Date. All answers must be truthful. False information will result in the rejection of your application and may result in lawful action. Please call us at (803) 576-2149 to set up a verification appointment.

Please return this form to: Richland County Government
 Flood Recovery Office, 1st Floor
 PO Box 192
 2020 Hampton Street
 Columbia SC 29204

Provide an original signed copy of this form, including all four (4) pages, to the case manager upon your in-person consultation.

Please make a copy of the completed Program Eligibility and Verification Form and keep it for your own records.

During your in-person consultation you will be notified of any incompleteness or missing documentation required by this form.

After your in-person consultation, processing of your Program Eligibility and Verification Form and eligibility determination, RCCD Flood Recovery staff will notify you of your program status.

PROGRAM USE ONLY:

Received Date: _____	Reviewed By: _____	Review Date: _____
Form Complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	Applicant ID Assigned RCCD-SFHRP: _____	
PNO: _____		
Pass Threshold Criteria: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Applicant Data Recorded Date: _____		
Eligibility and Verification Form Completed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Eligibility and Verification Form Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Reviewed By: _____	Date: _____	

Richland County
 Community Development Block Grant – Disaster Recovery
 Single Family Homeowner Rehabilitation Program



Date: _____

Applicant Name: _____

Current Mailing Address: _____
Number Street City Zip Code

Damaged Property Address: _____
Number Street City Zip Code

<u>Verification Item</u>	<u>Case Manager Initials</u>	<u>Verification Date</u>
1. Property ownership verification. Documentation provided to verify ownership. Deed and/or Title _____	_____	_____
2. Primary occupancy verification. Documentation provided to verify occupancy. _____	_____	_____
3. Proof of hazard and/or flood insurance. Documentation provided to verify insurance. _____	_____	_____

4. Household verification.
 Please list the name, age, individual income and income documentation provided for verification. If the person does not earn any wages, including children please just place a zero in the income column,

Name	Age	Income	Income Documents
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	

Total Household Income \$ _____



5. Household income verification.

Please circle your family size and annual gross (pre-tax) household income.

2018	1 Person	2 Person	3 Person	4 Person
30% AMI	\$14,700 or less	\$16,800 or less	\$20,780 or less	\$25,100 or less
50% AMI	\$14,701-\$24,500	\$16,801-\$27,999	\$20,781-\$31,499	\$25,101-\$34,949
80% AMI	\$24,501-\$39,149	\$28,000-\$44,749	\$31,500-\$50,349	\$34,950-\$55,899
More than 80% AMI	\$39,150 or more	\$44,750 or more	\$50,350 or more	\$55,900 or more
	5 Person	6 Person	7 Person	8 Person
30% AMI	\$29,420 or less	\$33,740 or less	\$38,060 or less	\$42,380 or less
50% AMI	\$29,421-\$37,749	\$33,741-\$40,549	\$38,061-\$43,349	\$42,381-\$46,149
80% AMI	\$37,750-\$60,399	\$40,550-\$64,849	\$43,350-\$69,349	\$46,150-\$73,799
More than 80% AMI	\$60,400 or more	\$64,850 or more	\$69,350 or more	\$73,800 or more

TO BE COMPLETED BY RCCDCD STAFF		
Verification Item	Case Manager Initials	Date
Was adequate documentation provided to verify household income? <input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
Does the household meet LMI eligibility criteria? <input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____

6. Evidence of duplication of benefits verification.

Please indicate the sources of recovery funds you received, how much you received and what evidence you provided to support this information. Please bring copies of documents indicating recovery funds your household received. Potential funding providers include banks (loans), Federal Emergency Management Agency (FEMA), Small Business Administration (SBA), Department of Housing and Urban Development (HUD), nonprofit agencies and other private lenders.

Source of Funds	Funding Amount	Type of Evidence Provided
FEMA Individual Assistance		
Small Business Administration		
Flood Insurance		
Homeowner’s Insurance		
Other		

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TO BE COMPLETED BY RCCD STAFF		
Case Manager Verification		
Funding Source	Was Adequate Documentation Provided?	Case Manager Initials
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

If you are delinquent on spousal or child support please indicate here Yes | No | NA

Verification Item	Case Manager Initials	Date
7. Verification of Spousal Support (if applicable) Verification of payment schedule for delinquent spousal support. _____	_____	_____
8. Verification of Child Support (if applicable) Verification of payment schedule for delinquent child support. _____	_____	_____

I attest that the information I provided in this document is, to the best of my knowledge, accurate and truthful. I understand that false or misleading information provided by myself in this document or during this program could result in legal action and/or the repayment of loan funds. Title 18, Section 1001 of the U.S. Code provides that a person is guilty of a felony for knowingly and willingly making materially false or fraudulent statements or representations in any manner within the jurisdiction of any branch of the United States government.

_____	_____	_____
Applicant 1 Signature	Applicant 1 Printed Name	Date
_____	_____	_____
Applicant 2 Signature	Applicant 2 Printed Name	Date

Richland County Department of Community Development
 Community Development Block Grant – Disaster Recovery
 Single Family Homeowner Rehabilitation Program



Notice of Property Owner Responsibility and Acknowledgement

Presented below is information regarding the acknowledgment and acceptance of responsibility for non-applicant property owners subject to the regulations, criteria and legally binding agreements as part of the Richland County Flood Recovery Single Family Homeowner Rehabilitation Program. All individuals or legal entities identified as property owners on the property deed must acknowledge and agree to the responsibilities listed in this form. We request that you review this information and acknowledge that you understand it and agree to submit to these terms.

Richland County Community Development (RCCD) has received an application for Flood Recovery Assistance through its Single Family Homeowner Rehabilitation Program from _____ (the "Applicant"), who has been identified as one of the property owners for the property located at _____

_____ in Richland County, South Carolina (the "Property").

The program consists of rehabilitation of the Property to address unrepaired October 2015 Storm damages, code violations and any construction improvements which can be made to help make the unit more resilient to similar storm events in the future (hereinafter referred to as the "Property Rehabilitation Program").

The funds to be used to perform the Property Rehabilitation Program will be provided by the U.S. Department of Housing and Urban Development (U.S. HUD) and requires that a lien will be placed on the Property for the cost to rehabilitate the Property under of the Property Rehabilitation Program. The lien will be forgiven at a rate of 20% per year. After five years the lien will be forgiven.

To proceed with the Property Rehabilitation Program the County requires all individuals and legal entities identified on the deed (the "Property Owners") to agree to the terms of the Property Rehabilitation Program. Since you have been identified as a current deed holder for the Property, the County requires your confirmation of acceptance of the following terms:

- 1) I understand that the Property may undergo significant rehabilitation which may result in elevation of the structure if it is located in the floodplain.
- 2) Rehabilitation of the Property may result in a lien of as much as \$85,000, and in certain circumstances may exceed this, being placed on the Property.
- 3) A lien will be placed on the property for the cost of the rehabilitation extending for five years at a forgiveness rate of 20% per year until the loan is forgiven.
- 4) RCCD will not be responsible for lost or damaged belongings of the Applicant or Property Owners that have occurred during the Property Rehabilitation Program construction. You and other Property Owners of the Property are responsible for securing any personal property which may be damaged during the Property Rehabilitation Program construction or which must be moved to allow the building contractor(s) adequate access to work areas. These personal belongings must be secured until the Property Rehabilitation Program construction is complete or until an agreed upon time between the Property Owners and the building contractor(s). Property Owners are responsible for the movement, storage, and security of all property and personal belongings.
- 5) During construction the Applicant, Property Owners, and other occupants of the Property must not interfere in repair areas, and must make a reasonable effort to stay away from the construction zone unless otherwise agreed upon with the building contractor.

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- 6) Upon completion, the Property must meet Housing Quality Standards (or current standards), local Richland County and/or local municipal building code requirements
- 7) The Applicant must occupy the home as their primary residence after project completion for a period of at least five (5) years.
- 8) Cash out refinancing, home equity loans or any loans utilizing the Property are not allowed for 5 years. Violation will activate the repayment terms of the lien note. Violators may be reported to credit bureaus and the South Carolina Office of Attorney General.
 - a. If the Applicant continues to occupy the home until the 5 year term of the lien note expires, the owner(s) of the Property pay nothing and there are no conditions on the disposition of the Property.
 - b. If the Property is sold, transferred or vacated by the Property Owners for any single period that exceeds thirty (30) days during the 5-year forgivable lien note period, the repayment terms of the lien note will be enforced except in those cases addressed in paragraph iii below.
 - c. Accelerated Forgiveness: In the event of (1) the death, (2) relocation to a managed care facility, or (3) relocation resulting from documented mental or physical incapacitation of the sole remaining Applicant identified in the original application, RCCD may forgive any remaining lien note balance.
- 9) Property Owners must maintain home insurance coverage on the Property (not less than the lien note outstanding balance), inclusive of homeowner (hazard) and flood insurance (if applicable). Failure to maintain flood insurance on the Property will prohibit future assistance; and failure to maintain hazard insurance on the Property may prohibit future assistance. The Property Owners are responsible for obtaining, paying and maintaining all insurance premiums.
- 10) Property Owners must keep current on all Property taxes or have a tax deferral, tax exemption, or be current on an approved repayment plan.
- 11) Property Owners understand that the Property and the Property Rehabilitation Program applicant must meet all requirements agreed upon in the executed legal documents required by the Rehabilitation Program.

As a Property Owner of the Property, you must also provide permission to the Applicant to make all construction related decisions regarding the Property Rehabilitation Program. You understand that decisions made by the Applicant may impact the physical features of the structure and may directly impact the value of the lien which will be placed on the Property.

By signing this document you are acknowledging that, as an owner of the Property, you understand and agree to the terms described above.

Property Owner Printed Name

Property Owner Signature

Date

Richland County Department of Community Development
 Community Development Block Grant – Disaster Recovery
 Single Family Homeowner Rehabilitation Program



Income Verification Form

Applicant ID Number: _____ Applicant Name: _____

Applicant Address: _____ Date: _____

Direct Income

Employment Income (including self employment)			
Documentation: Most recent IRS 1040, 1040A or 1040 EZ Tax Return (adjusted gross income); most recent (2016) W-2; minimum of 2 consecutive pay stubs; verification form from employer			
Family Member	Income Source	Amount	Verification Documentation

Income Maintenance Payments (welfare, Social Security, SSI, disability income, pensions)			
Documentation: Current or recent check stubs with date, amount, and check number; award or benefit letter; most recent quarterly pension acct. statement			
Family Member	Income Source	Amount	Verification Documentation

Cash Gifts or Payments			
Documentation: Cash receipts; bank statement			
Family Member	Income Source	Amount	Verification Documentation

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Alimony or Child Support			
Documentation: Most recent court letters or requests, copy of most recent check recording the date, amount and check number.			
Family Member	Income Source	Amount	Verification Documentation

Unemployment Compensation			
Documentation: Copies of checks and records; benefit notification letter.			
Family Member	Income Source	Amount	Verification Documentation

Welfare Payments			
Documentation: Written verification from welfare department.			
Family Member	Income Source	Amount	Verification Documentation

Other Income (Any)			
Documentation: Bank statements.			
Family Member	Income Source	Amount	Verification Documentation

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Zero Income			
Documentation: Applicant certification to 0 income			
Family Member	Income Source	Amount	Verification Documentation

Income from Assets

Dividend and Savings Account Interest Income			
Documentation: Copies of current bank statements, bank passbooks, certificates of deposit, copies of form 1099, broker’s quarterly statement. (enough information must be provided to project income for next 12 months)			
Family Member	Asset Description	Cash Value of Asset	Actual Income from Asset

Net Income for a Business			
Documentation: Form 1040 w/ schedule C, E, and F; financial business statement; rental property checks, lease and receipts for expenses, or IRS Schedule E.			
Family Member	Income Source	Amount	Verification Documentation

Lottery and/or Gambling Winnings			
Documentation: Payout receipts indicating date, source and amount; bank statement			
Family Member	Income Source	Amount	Verification Documentation

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Interest from Sale of Real Property			
Documentation: Copy of the contract; Notarized statement of interest from sale of real property ; Verification form completed by an accountant, attorney, real estate broker, the buyer, or a financial institution which has copies of the amortization schedule from which interest income for the next 12 months can be obtained.			
Family Member	Asset Description	Cash Value of Asset	Actual Income from Asset

Lump Sum Payments (insurance settlements, inheritances, proceeds from the sale of property)			
Documentation: Copy of the insurance settlement agreement; Notarized letter from lawyer or estate manager identifying applicant’s name, inheritance amount and date; Copy of will or legal document identifying inheritance which includes identifies applicant’s name, inheritance amount and date; Sales agreement.			
Family Member	Asset Description	Cash Value of Asset	Actual Income from Asset

Assets			
Assets do not include personal property not held as an investment including current primary dwelling, vehicles for daily use, clothing, furniture, appliances and related items.			
Family Member	Asset Description	Cash Value of Asset	Actual Income from Asset

Asset Income Calculation		
	Cash Value of Asset	Actual Income from Asset
1. Net Cash Value of all Assets		
2. Total Actual Income from all Assets		
3. If Net Cash Value is Greater than \$5,000, multiply line by <u>.06</u> (Passbook Rate) and enter results here; otherwise, leave blank		
Enter the greater of line 2 or 3 above.		

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Notice of Land Owner Acknowledgement

Presented below is information regarding the acknowledgment for land owners subject to the regulations, criteria and legally binding agreements as part of the Richland County Flood Recovery Single Family Homeowner Rehabilitation Program. All individuals or legal entities identified as land owners on the property deed must acknowledge and agree to the responsibilities listed in this form. We request that you review this information and acknowledge that you understand it and agree to submit to these terms.

Re: _____
Address: _____
Date: _____

To: _____

The Richland County Flood Recovery Program received a request for rehabilitation services by applicant, _____, at property address _____ through the disaster recovery program. This program utilizes federal funding through a U.S. Department of Housing and Urban Development (HUD) grant through the Community Development Block Grant Disaster Recovery (CDBG-DR) Program to assist in rebuilding homes for Richland County residents whose properties were damaged by the October 2015 storm event.

Richland County is utilizing the CDBG-DR funds to administer and implement the Single Family Homeowner Rehabilitation Program (SFHRP). This program provides rehabilitation to damaged stick built homes and replacement of manufactured or mobile homes units (MHU) which received \$5,000 or more in damages from the October 2015 storm event. MHU replacement involves demolition, removal and replacement of qualified, damaged existing manufactured home with a new, single wide, 3 bedroom-2 bath manufactured home (Attachment A) provided by Congaree Homes, a mobile home dealership located in South Carolina. A lien for the cost of the demolition of the unit, site clearance, the costs of the new manufactured home and any related soft costs will be placed on the title of the MHU to be forgiven at 20% per year until fully forgiven after five years.

If the applicant is eligible for the program, a certified, bonded, and insured Building Contractor, will need to demolish or otherwise remove the existing manufactured home. The land will then have to be prepared for the installation of the new manufactured home. **This may include grading, removal of trees, placement of utility lines, and any other work needed** to bring the home into current code standards. All required permits will be obtained from Richland County by the Building Contractor.

In order to continue in the manufactured home replacement component of the SFHRP, the applicant/homeowner must have permission from the land owners(s), who own the land

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that the manufactured home currently resides on, to permit access to the property and agree to the replacement of the unit on the property.

The land owner signing this document permitting MHU removal and replacement on their land agrees to the following items and accepts the following responsibilities:

1. The land owner(s) are not financially responsible for any portion of the work or the lien on the home.
2. Richland County, contractors or any personnel associated with the implementation of this program can't be held responsible for any costs incurred by the land owner(s) that may be associated with the work performed under the SFHRP. The land owner is not eligible for funding or cost reimbursement from Richland County, the SFHRP or any associated contractors or subcontractors.
3. The land owner understands that by signing this document they are granting Richland County staff, contractors and other personnel related to the implementation of the SFHRP MHU replacement program complete access to the property in order to complete the project.
4. The land owner will grant asbestos and lead contractors access to the property to test the MHU and monitor the site during demolition.
5. Structures immediately adjacent to or physically attached to the MHU may be damaged, demolished or removed during the project. No residential structures, other than the MHU being replaced, will be purposefully impacted during the project.
6. The land on the site may suffer impacts from vehicle and worker access during demolition of the existing MHU, waste removal and the installation of the new MHU.
 - a. The Building Contractors performing labor, furnishing material and providing services necessary for the completion of the work are required by contract to complete and furnish the same in the most thorough, workmanlike and substantial manner. The Building Contractors shall provide a result that is uniformly professional in appearance, and all components of the project will be of good, sound, reliable quality for their intended function as determined by Richland County.
7. The land owner understands and accepts that there may be an increased level of construction related noise during the project.
8. The new MHU will be located on the previous MHU footprint as much as possible in order to reduce impacts to the site. There may be circumstances where the new MHU has to be located more than 20 feet, in any direction, beyond the edge of the previous MHU's footprint. In such a case the land owner will be notified in order to provide them with the opportunity to accept or deny the request.
9. The property owner grants Richland County, the Building Contractor, and any subsequent subcontractors hired by the program, the right to conduct any work required to provide the new MHU with necessary utility access.

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10. In cases where an existing MHU is utilizing public gas, the gas line will be detached from the existing MHU and capped. The new MHU's do not require gas for any components and therefore will be disconnected and property sealed. It is the responsibility of the applicant to terminate any gas service to the sight.

While not the responsibility of the land owner(s), the Applicant/mobile home owner(s) who receive assistance from the SFHRP have the following responsibilities:

1. The applicant is responsible for the movement, storage, and security of all property and personal belongings. The Applicant is responsible for securing any personal property which may be damaged during construction or which must be moved to allow the Building Contractor adequate access to work areas. Applicants personal property must be secured until construction is complete or until an agreed upon time between the applicant and the Building Contractor. **Richland County will not be responsible for lost or damaged belongings of the Applicant that have occurred during construction.**
2. Securing a relocation site and place and method of storage are the responsibilities of the applicant.
3. Upon the signing of the contract, the applicant will have thirty (30) calendar days to move personal property and belongings out of the property and store any valuable personal property that could be damaged during the course of construction.
4. The applicant participating in mobile home replacement will have thirty (30) calendar days from the signing of the contract to move personal property out of the property and have it stored off site.
5. All personal property moving and storage costs are the responsibility of the applicant except where the applicant has applied for and received temporary relocation assistance through Richland County. If temporary relocation expenses are provided by the County to the applicant must remove all of the unit's occupants and remain off the property for the duration of the demolition, clearance and initial install of the MHU.
6. The applicant participating in mobile home replacement are responsible for removing any personal property on the site which may obstruct or inhibit work and/or the moving and installation of the new MHU unless otherwise agreed upon with the Building Contractor.
7. The applicant participating in mobile home replacement must occupy the new mobile home unit within 7 days of final unit installation, certificate of occupancy approval and utility hook-up.
8. The applicant must arrange access to the property for Building Contractors providing construction services. If reasonable and timely access is denied to a Building Contractor who is attempting to make a good faith effort to perform required repairs, the applicant will become responsible for completing the construction / repairs himself or herself and the award is subject to termination.
9. During construction the applicant, as well as the land owner, must not interfere in repair areas, and must make a reasonable effort to stay away from the construction zone unless otherwise agreed upon with the Building Contractor and Richland County.

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10. The Building Contractor(s), subcontractors, nor Richland County will be responsible for any injury suffered by the land owner on the work site as it is the land owner's responsibility to stay clear of the work site during the course of the project.
11. Upon completion, the property must meet Housing Quality Standards (or current standards), local Richland County and/or local municipal building code requirements
12. The applicant must occupy the home as their primary residence after project completion for a period of at least five (5) years.
 - a. Cash out refinancing, home equity loans or any loans utilizing the assisted residence are not allowed for 5 years. Violation will activate the repayment terms of the deferred Note. Violators may be reported to Credit Bureaus and the South Carolina Office of Attorney General.
13. If the assisted applicant continues to occupy the home until the term of the note expires, the owner pays nothing and there are no conditions on the disposition of the property.
14. If the property is sold, transferred or vacated by the assisted applicant or any single period that exceeds thirty (30) days during the 5-year forgivable loan period, the repayment terms of the Note will be enforced.
15. Accelerated Forgiveness: In the event of (1) the death, (2) relocation to a managed care facility, or (3) relocation resulting from documented mental or physical incapacitation of the sole remaining assisted homeowner identified in the original application, Richland County may forgive any remaining loan balance.
16. Keep current on all property taxes or have a tax deferral, tax exemption, or be current on an approved repayment plan.
17. Meet all requirements agreed upon in the executed legal documents required by the program.
18. Debris, abandoned vehicles, and structures on the immediate work site, that pose a safety and/or health threat as determined by the local jurisdiction or person qualified to make such a determination, must be removed from the property prior to the start of construction. The assisted applicant will remove derelict personal property. The applicant has thirty (30) days from the date of contract signing to remove all such debris and derelict property from the construction site. Failure to remove such property may result in a reduction in total benefit amount to account for program removal and if such reduction results in a new feasibility determination that the project is no longer feasible the applicant activity will be determined ineligible and the application will be closed.
19. Prior to construction activities, where the applicant will need to vacate the property, the applicant has thirty (30) days **from contract signing** to vacate the property and move all personal belongings into storage. Failure by the applicant to vacate the property within the thirty (30) day period will result in the closure of the application and reassignment of the applicant benefit to the next beneficiary.

As the Land Owner of the Property, you must also provide permission to the Applicant to make all construction related decisions regarding the SFHRP. You understand that decisions made by

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the Applicant may impact the physical features of the structure and may directly impact the value of the lien which will be placed on the Property.

By signing this document you are acknowledging that, as an owner of the Land, you understand and agree to the terms described above.

I, _____ (PRINT NAME) acknowledge that I have received a copy of the Land Owner Acknowledgement and the responsibilities of both the land owner and the applicant while participating in the Richland County CDBG-DR Single Family Homeowner Rehabilitation Program. I further acknowledge that I have read and understand my responsibilities and the consequences of not upholding these responsibilities.

Applicant Signature

Date

Applicant ID

Print Name, first land owner

Sign and Date, first land owner

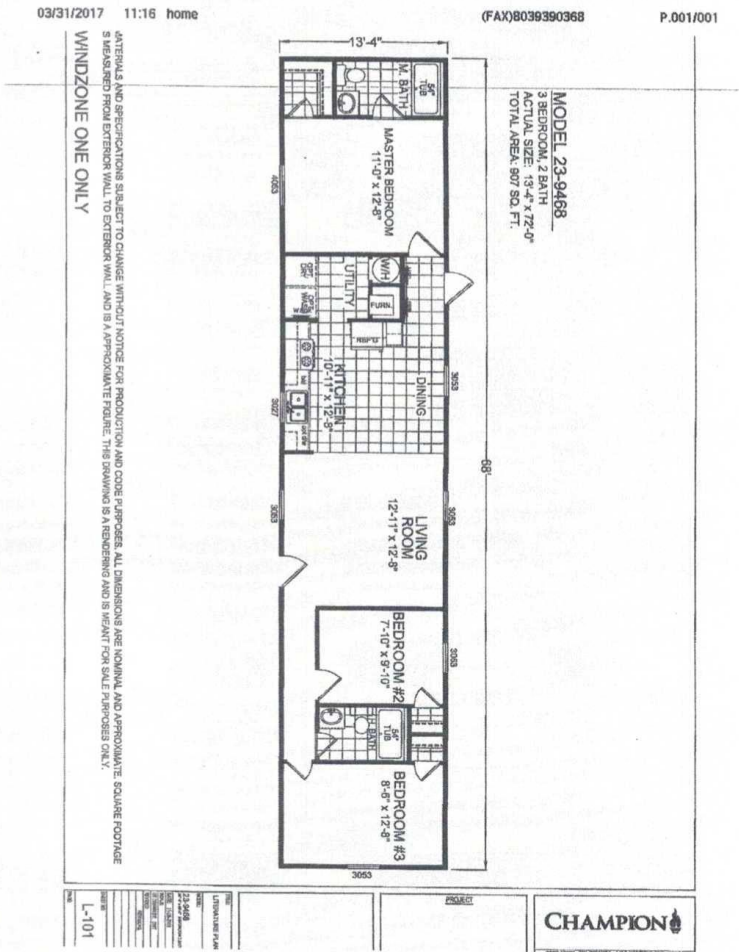
Print Name, second land owner

Sign and Date, second land owner

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Attachment A



Richland County Department of Community Development
 Community Development Block Grant – Disaster Recovery
 Single Family Homeowner Rehabilitation Program



**SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM
 UNIFORM RELOCATION ASSISTANCE**

Applicant ID: _____

Applicant Name: _____

Applicant Address: _____

Date: ____/____/2018

1) Did you have a paying tenant residing with you at the time of the flood in October 2015?

- Yes No

If yes, please provide the following current information on the paying tenant:

NAME	ADDRESS	CITY	STATE	ZIP CODE	PHONE #

2) Do you currently have a paying tenant residing with you?

- Yes No

If yes, please provide the following current information on the paying tenant:

NAME	ADDRESS	CITY	STATE	ZIP CODE	PHONE #

Request for Verification of Employment by

Richland County Flood Recovery Office
PO Box 192
2020 Hampton Street, Ste. 1022
Columbia, South Carolina 29204
Phone: (803) 576-2149 Fax (803) 576-2181

<p>Dear Employer:</p> <p>Federal Regulations require us to verify Employment Income of all members of the household applying for participation in Richland County's CDBG-DR Single Family Homeowner Rehabilitation Program which we operate and to reexamine this income periodically. We ask your cooperation in supplying this information. This information will be used only to determine the eligibility status and level of benefit of the household.</p> <p>Your prompt return of the requested information will be appreciated. Via fax or the enclosed self-addressed return envelope.</p> <p>Employee Information:</p> <p>Name: _____ Address: _____ City/State/Zip: _____ SS# _____</p>	<p>Employed since: ____ Occupation: _____ Salary: _____ Effective date of last increase: _____ Base pay rate: \$____/Hour; or \$____/Week; or \$____/Month Average hours/week at base pay rate: ____ Hours No. weeks ____, or No. weeks ____ worked/Year Overtime pay rate: \$____/Hour Expected average number of hours overtime worked per week during next 12 months _____ Any other type of compensation not included above (e.g., commissions, bonuses, tips, etc.): Type: _____ \$____ per _____</p> <p>Is pay received for vacation? • Yes • No If Yes, no. of days per year ____ Total base pay earnings for past 12 mos. \$____ Total overtime earnings for past 12 mos. \$____ Probability and expected date of any pay increase: _____ Does the employee have access to a retirement account? • Yes • No If Yes, what amount can they get access to: \$_____</p>
<p>RELEASE: I hereby authorize the release of the requested information.</p> <p>Date: _____</p> <p>or a copy of the executed "Authorization of Release of Information," which authorizes the release of the information requested, is attached.</p>	<p>Signature of _____ Authorized Representative</p> <hr/> <p>Title: _____ Date: _____ Telephone: _____</p>
<p>WARNING: Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government.</p>	

HUD CPD Green Building Retrofit Checklist

The CPD Green Retrofit Checklist promotes energy efficiency and green building practices for residential retrofit projects. Grantees must follow the checklist in its entirety and apply all measures within the Checklist to the extent applicable to the particular building type being retrofitted. The phrase “when replacing” in the Checklist refers to the mandatory replacement with specified green improvements, products, and fixtures only when replacing those systems during the normal course of the retrofit.

WATER AND ENERGY CONSERVATION MEASURES

- Water-Conserving Fixtures**
Install or retrofit water conserving fixtures in any unit and common facility, use the following specifications: Toilets-- 1.28 gpf; Urinals-- 0.5 gpf; Showerheads-- 2.0 gpm; Kitchen faucets-- 2.0 gpm; and Bathroom faucets-- 1.5gpm. [gpf = gallons per flush; gpm = gallons per minute]
- ENERGY STAR Appliances**
Install ENERGY STAR-labeled clothes washers, dishwashers, and refrigerators, if these appliance categories are provided in units or common areas.
- Air Sealing: Building Envelope**
Seal all accessible gaps and penetrations in the building envelope. If applicable, use low VOC caulk or foam.
- Insulation: Attic** (if applicable to building type)

For attics with closed floor cavities directly above the conditioned space, blow in insulation per manufacturer's specifications to a minimum density of 3.5 Lbs. per cubic foot (CF). For attics with open floor cavities directly above the conditioned space, install insulation to meet or exceed IECC levels.
- Insulation: Flooring** (if applicable to building type)
Install \geq R-19 insulation in contact with the subfloor in buildings with floor systems over vented crawl spaces. Install a 6-mil vapor barrier in contact with 100% of the floor of the crawl space (the ground), overlapping seams and piers at least 6 inches.
- Duct Sealing** (if applicable to building type)
In buildings with ducted forced-air heating and cooling systems, seal all penetrations of the air distribution system to reduce leakage in order to meet or exceed ENERGY STAR for Homes' duct leakage standard.
- Air Barrier System**
Ensure continuous unbroken air barrier surrounding all conditioned space and dwelling units. Align insulation completely and continuously with the air barrier.
- Radiant Barriers: Roofing**
When replacing or making a substantial repair to the roof, use radiant barrier sheathing or other radiant barrier material; if economically feasible, also use cool roofing materials.
- Windows**
When replacing windows, install geographically appropriate ENERGY STAR rated windows.

- Sizing of Heating and Cooling Equipment**
When replacing, size heating and cooling equipment in accordance with the Air Conditioning Contractors of America (ACCA) Manuals, Parts J and S, or 2012 ASHRAE Handbook--HVAC Systems and Equipment or most recent edition.
- Domestic Hot Water Systems**
When replacing domestic water heating system(s), ensure the system(s) meet or exceed the efficiency requirements of ENERGY STAR for Homes' Reference Design. Insulate pipes by at least R-4.
- Efficient Lighting: Interior Units**
Follow the guidance appropriate for the project type: install the ENERGY STAR Advanced Lighting Package (ALP); **OR** follow the ENERGY STAR MFHR program guidelines, which require that 80% of installed lighting fixtures within units must be ENERGY STAR-qualified or have ENERGY STAR-qualified lamps installed; **OR** when replacing, new fixtures and ceiling fans must meet or exceed ENERGY STAR efficiency levels.
- Efficient Lighting: Common Areas and Emergency Lighting** (if applicable to building type)
Follow the guidance appropriate for the project type: use ENERGY STAR-labeled fixtures or any equivalent high-performance lighting fixtures and bulbs in all common areas; **OR** when replacing, new common space and emergency lighting fixtures must meet or exceed ENERGY STAR efficiency levels. For emergency lighting, if installing new or replacing, all exist signs shall meet or exceed LED efficiency levels and conform to local building codes.
- Efficient Lighting: Exterior**
Follow the guidance appropriate for the project type: install ENERGY STAR-qualified fixtures or LEDs with a minimum efficacy of 45 lumens/watt; **OR** follow the ENERGY STAR MFHR program guidelines, which require that 80% of outdoor lighting fixtures must be ENERGY STAR-qualified or have ENERGY STAR-qualified lamps installed; **OR** when replacing, install ENERGY STAR compact fluorescents or LEDs with a minimum efficacy of 45 lumens/watt.

INDOOR AIR QUALITY

- Air Ventilation: Single Family and Multifamily** (three stories or fewer)
Install an in-unit ventilation system capable of providing adequate fresh air per ASHRAE 62.2 requirements.
- Air Ventilation: Multifamily** (four stories or more)
Install apartment ventilation systems that satisfy ASHRAE 62.2 for all dwelling units and common area ventilation systems that satisfy ASHRAE 62.1 requirements. If economically feasible, consider heat/energy recovery for 100% of corridor air supply.
- Composite Wood Products that Emit Low/No Formaldehyde**
Composite wood products must be certified compliant with California 93120. If using a composite wood product that does not comply with California 93120, all exposed edges and sides must be sealed with low-VOC sealants.
- Environmentally Preferable Flooring**
When replacing flooring, use environmentally preferable flooring, including the FloorScore certification. Any carpet products used must meet the Carpet and Rug Institute's Green Label or Green Label Plus certification for carpet, pad, and carpet adhesives.

- Low/No VOC Paints and Primers**
All interior paints and primers must be less than or equal to the following VOC levels: Flats--50 g/L; Non-flats--50 g/L; Floor--100 g/L. [g/L = grams per liter; levels are based on a combination of the Master Painters Institute (MPI) and GreenSeal standards.]
- Low/No VOC Adhesives and Sealants**
All adhesives must comply with Rule 1168 of the South Coast Air Quality Management District. All caulks and sealants must comply with regulation 8, rule 51, of the Bay Area Air Quality Management District.
- Clothes Dryer Exhaust**
Vent clothes dryers directly to the outdoors using rigid-type duct work.
- Mold Inspection and Remediation**
Inspect the interior and exterior of the building for evidence of moisture problems. Document the extent and location of the problems, and implement the proposed repairs according to the Moisture section of the EPA Healthy Indoor Environment Protocols for Home Energy Upgrades.
- Combustion Equipment**
When installing new space and water-heating equipment, specify power-vented or direct vent combustion equipment.
- Mold Prevention: Water Heaters**
Provide adequate drainage for water heaters that includes drains or catch pans with drains piped to the exterior of the dwelling.
- Mold Prevention: Surfaces**
When replacing or repairing bathrooms, kitchens, and laundry rooms, use materials that have durable, cleanable surfaces.
- Mold Prevention: Tub and Shower Enclosures**
When replacing or repairing tub and/or shower enclosures, use non-paper-faced backing materials such as cement board, fiber cement board, or equivalent in bathrooms.
- Integrated Pest Management**
Seal all wall, floor, and joint penetrations with low-VOC caulking or other appropriate sealing methods to prevent pest entry. [If applicable, provide training to multifamily buildings staff.]
- Lead-Safe Work Practices**
For properties built before 1978, if the project will involve disturbing painted surfaces or cleaning up lead contaminated dust or soil, use certified renovation or lead abatement contractors and workers using lead-safe work practices and clearance examinations consistent with the more stringent of EPA's Renovation, Repair, and Painting Rule and HUD's Lead Safe Housing Rule.
- Radon Testing and Mitigation** (if applicable based on building location)
For buildings in EPA Radon Zone 1 or 2, test for radon using the current edition of American Association of Radon Scientists and Technologists (AARST)'s Protocols for Radon Measurement in Homes Standard for Single-Family Housing or Duplexes, or AARST's Protocol for Conducting Radon and Radon Decay Product Measurements in Multifamily Buildings. To install radon mitigation systems in buildings with radon level of 4 pCi/L or more, use ASTM E 2121 for single-family housing or duplexes, or AARST's Radon Mitigation Standards for Multifamily Buildings. For new construction, use AARST's Reducing Radon in New Construction of 1 & 2 Family Dwellings and Townhouses, or ASTM E 1465.