



**HOUSING AUTHORITY  
OF  
THE COUNTY OF SAN DIEGO**

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# **Request for Proposals (RFP)**

**From  
Owners of Multifamily Housing Developments to  
Operate Project-Based Vouchers for  
Veterans Affairs Supportive Housing (VASH) Units**

**Release Date: July 28, 2016**

**Proposals Due:  
Monday, August 17, 2016, 5:00 p.m.**

*Todd Henderson  
Deputy Director*

*[www.sdhcd.org](http://www.sdhcd.org)*



# COUNTY OF SAN DIEGO

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## **Request for Proposals (RFP)**

### **Invitation**

The United States Department of Housing and Urban Development (HUD) has announced the availability of a set-aside of approximately \$15 million in HUD Veterans Affairs Supportive Housing (VASH) funding that will support assistance for approximately 2,000 Project-Based Vouchers (PBVs). Pursuant to Public and Indian Housing (PIH) Notice 2016-11, all applications will be scored, assessed and approved by HUD and Veterans Administration (VA).

The Housing Authority of the County of San Diego (HACSD) is pleased to accept proposals from owners of multi-family rental housing developments interested in receiving PBV's under the HUD-VASH program. A maximum of 75 vouchers for single projects will be available, subject to the successful award of funding by HUD pursuant to PIH Notice 2016-11. The HACSD will select and submit applications to HUD Headquarters. These applications will include the proposals with the highest score based on the threshold and scored factors described in this RFP. In addition, the proposals will be evaluated based on the PBV project selection process listed in the HACSD's Section 8 Housing Choice Voucher (HCV) Administrative Plan, the feasibility of the project and the experience of the project owner's development team.

The PBV program is a federal Section 8 housing subsidy funded by HUD that ties rental assistance directly to a specific unit or project. The HACSD will fund the PBV's through a set-aside funding availability for Project-Based HUD-VASH Vouchers, subject to the successful award of funding by HUD pursuant to PIH Notice 2016-11.

The HACSD'S Project-Based HUD-VASH Vouchers can be used for existing housing, newly constructed units and substantially rehabilitated projects comprised of multi-family units. These PBVs will enable homeless veterans to access affordable housing with an array of supportive services. If a single project consists of both existing and new construction/rehab housing types, separate applications must be submitted for each type of housing. These applications will be scored separately, which may result in only part of the total project receiving funding.

Your attention is directed to HUD regulations pertaining to the PBV program found in 24 CFR Part 983 and PIH Notice 2016-11, which may be obtained by visiting HUD's website at [www.hud.gov](http://www.hud.gov). All of HUD's outlined regulation requirements apply to the HACSD's set-aside PBV VASH program.

All proposals will be reviewed by HACSD staff. The proposal(s) deemed best qualified will be included in the HACSD's application that will be submitted to HUD Headquarters. The application will be scored, assessed and receive final approval by HUD Headquarters.

**Proposals will be submitted to:  
Housing Authority of the County of San Diego  
780 Bay Blvd., Suite 200, Chula Vista, CA 91910  
Attn: Manuel Q. Galvan (858) 694-8712**

***---Submittal requirements continue on next page---***

Respondents must include one signed original and one signed copy of each proposal and one (1) CD in Word or PDF format. Faxed or electronically mailed proposals will not be accepted.

Sealed submittals must be delivered to this office marked, "Housing Authority of the County of San Diego: REQUEST FOR SET-ASIDE PROJECT-BASED HUD-VASH VOUCHERS."

Proposals will be accepted until August 17, 2016, 5:00 p.m. PST. **NO PROPOSALS WILL BE ACCEPTED AFTER THE SUBMISSION DEADLINE.**

## **RFP Fact Sheet**

1. The number of PBVs requested may not exceed 75 for a single project.
2. Each proposal must include a description of the proposed project, including (a) the address; (b) the county and Continuum of Care (CoC) in which the project is located; (c) the VA Medical Center (VAMC) name and station number associated with the project; (d) the total number of buildings; (e) total number of units by bedroom size in each building; (f) the number and bedroom sizes of HUD-VASH units in each building; and (g) the target population, if any, of any non-HUD-VASH units.
3. Each proposal received will be evaluated and scored by HACSD staff based on the selection criteria described in this RFP. The proposal with the highest score will be selected by the HACSD and be included in the HACSD's application, which will be submitted to HUD.
4. Applications will be scored and assessed by HUD Headquarters and the VA. (Please see regulations pertaining to the PBV program found in 24 CFR Part 983 and PIH Notice 2016-11, which may be found at [www.hud.gov](http://www.hud.gov).)

## **Clarifications and Addenda**

Requests for clarifications regarding this RFP should be directed in writing to:

Manuel Q. Galvan, Housing Authority of the County of San Diego  
780 Bay Blvd., Suite 200, Chula Vista, CA 91910.  
Phone: 858-694-8712      Email: [Manuel.Galvan@sdcounty.ca.gov](mailto:Manuel.Galvan@sdcounty.ca.gov).

Substantive changes in the scope of the invitation or in the application requirements, if any, will be issued in the form of an addendum to all who receive a submittal package.

## **Submitting Additional Information**

The HACSD will not permit additional information to be submitted after the RFP deadline. However, the HACSD reserves the right to request additional information to assist staff in making a recommendation.

## **Evaluation Criteria**

All proposals will be reviewed and evaluated based on the following criteria:

## **Threshold Factors**

Threshold factors must be met in order for the proposal to be given further consideration.

1. The proposal must include a signed letter of support from the Director of the Veterans Affairs Medical Center (VAMC) or Veterans Integrated Service Network (VISN). The letter from the Veterans' Administration must confirm the need for the number of vouchers requested in the application.
2. The proposal must include a signed statement that the housing project will comply with a Housing First approach.

Housing First is an approach where homeless persons, usually chronically homeless or especially vulnerable homeless individuals and families, are provided immediate access to housing and then offered the supportive services that may be needed to foster long-term stability and prevent a return to homelessness. This approach removes unnecessary barriers and assumes that supportive services are more

effective in addressing needs when the individual or family is housed and the daily stress of being homeless is addressed. Key components of this model include a simple application process, a harm reduction approach, and no conditions of tenancy beyond those included in the lease. Housing First specifically does not require sobriety or testing for substance abuse to obtain or sustain tenancy and thus must not be required in the lease. In serving these populations, projects cannot discriminate against families with children. More information on Housing First is available at: <https://www.hudexchange.info/resources/documents/Housing-First-Permanent-Supportive-Housing-Brief.pdf>.

3. The proposal must include an explanation of how the project is consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities in accordance with the Public Housing Agency (PHA) Plan and the PHA's administrative plan policies, which must be established in accordance with 24 CFR § 983.57(b)(1).

### **Scored Factors**

1. Participation in the Enhanced Use Lease (EUL) Program. The applicant must indicate if the project is part of an EUL program. Please note that a PHA's selection of an EUL site meets the alternative competitive selection requirements under 24 CFR § 983.51(b)(2). However, the means of selection must still be consistent with the PHA's administrative plan. More information on the EUL program can be found at <http://www.va.gov/AssetManagement/>.

- a) 25 points: The project is being developed in coordination with the EUL program.
- b) 0 points: The project is not associated with the EUL program.

2. Relative Need. Number of Veterans experiencing homelessness. This factor will be rated by HUD and VA based on an analysis of homeless veteran data, provided by local Continuums of Care and VAMCs in the geographic area of the proposed or anticipated PBV project. Level of need will be determined by the number of homeless veterans, with an emphasis on chronically homeless veterans, in the project's geographic area and the number of permanent supportive housing resources in the area available to address the need. HUD and VA will then divide the applications into three levels of need based on the available data.

Applicants are not required to provide any information in response to this factor.

- a) 30 points: Very high need is determined
- b) 15 points: High need is determined
- c) 5 points: Medium need is determined

3. Relative Need. Affordable Housing

This factor will be rated by HUD and VA based on the availability of affordable housing in the neighborhood of the proposed or anticipated project.

Applicants are not required to provide any information in response to this factor.

- a) 30 points: Very high need is determined
- b) 15 points: High need is determined
- c) 5 points: Medium need is determined

4. **PBV Requirements.** All projects must be selected, developed, and operated in accordance with the HACSD's application, PBV program requirements found at 24 CFR part 983, Implementation of the HUD-VASH Program (Operating Requirements) published in the *Federal Register* on March 23, 2012, the requirements found in section 3 of Notice PIH 2015-10 (*Project-basing of HUD-VASH Vouchers*) and Notice PIH 2015-05 (*Guidance on the PBV Program*) or any successor notices.

If an applicant requires a waiver of any of the requirements noted above, it must submit the waiver request with its application.

### **Other Evaluation Criteria**

#### A. PBV Selection Criteria

- a. The level of supportive services provided to veterans.
- b. The project's contributions to the geographical distribution of affordable housing throughout the jurisdiction.
- c. The project promotes greater choice of housing opportunities and encourages assisted persons to move into areas of low poverty.
- d. The project furthers fair housing objectives.

#### B. Feasibility of the Project

- a. The proposal requirements are adequately addressed with supporting documentation.
- b. The proposal identifies elements of preferential consideration that are specified in the RFP.
- c. The proposal contains sufficient development pro formas, development forms and project underwriting.
- d. The proposal includes evidence of local community group support.

#### C. Experience of the project owner's development and management team as evidenced by supporting documentation.

### **HUD-VASH Program**

The HUD-VASH program combines HUD HCV rental assistance for homeless veterans with case management and clinical services provided by the VA at its medical centers and in the community. Generally, the HUD-VASH HCV program will be administered in accordance with regular HCV program requirements (24 CFR Section 982). However, the Act allows HUD to waive or specify alternative requirements for any provision of any statute or regulation that HUD administers in connection with this program in order to effectively deliver and administer HUD-VASH voucher assistance.

While the HACSD is required to waive some eligibility factors, all household members (including the veteran) will be held to the same standard as any other HCV program participant, once on the program.

### **Eligible Housing Types**

Existing units, newly constructed units and rehabilitated units. Newly constructed and existing residential structures of various types may be appropriate for consideration. Applicants can propose an entire multi-family housing development, buildings within a multi-family housing development, or individual units within a multi-family housing development, or any combination thereof.

All sites must be located within the jurisdiction of the HACSD (listed on pg. 13 of this RFP).

**Ineligible Units (CFR 983.53):**

The following types of housing are ineligible to receive PBV assistance from the HACSD under this RFP:

1. Shared housing
2. Units on the grounds of a penal, reformatory, medical, mental or similar public or private institution
3. Nursing homes or facilities providing continuous psychiatric, medical, nursing services, board and care, or intermediate care
4. Units that are owned or controlled by an educational institution or its affiliate and are designated for occupancy by students of the institution
5. Manufactured homes
6. Cooperative housing
7. Transitional housing
8. High-rise elevator project for families with children. The PHA may not attach or pay PBV assistance to a high-rise elevator project that may be occupied by families with children unless the PHA initially determines there is no practical alternative, and HUD approves such finding.
9. Prohibition against assistance for owner-occupied units. The PHA may not attach or pay PBV assistance for a unit occupied by an owner of the housing.
10. Prohibition against selecting unit occupied by an ineligible family. Before a PHA selects a specific unit to which assistance is to be attached, the PHA must determine whether the unit is occupied and, if occupied, whether the unit's occupants are eligible for assistance.

**Ineligible Subsidized Housing (CFR 983.54):**

The following types of subsidized housing are ineligible to receive PBV assistance from the HACSD under this RFP:

1. A Public Housing dwelling unit
2. A unit subsidized with any other form of Section 8 Assistance (tenant-based or project-based)
3. A unit subsidized with any governmental subsidy (a subsidy that pays all or any part of the rent)
4. A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing
5. A unit subsidized with Section 236 rental assistance payments

6. A unit subsidized with rental assistance payments under Section 521 of the Housing Act of 1949, 42 USC 1490a (a Rural Housing Service Program)
7. A section 202 project for non-elderly persons with disabilities (assistance under Section 162 of the Housing and Community Development Act of 1987, 12 U.S.C. 1701q note)
8. Section 811 project-based supportive housing for persons with disabilities
9. Section 202 supportive housing for the elderly
10. A Section 101 rent supplement project
11. A unit subsidized with any form of tenant-based rental assistance (as defined at 24 CFR 982.1(b) (2)) (e.g., a unit subsidized with tenant-based rental assistance under the HOME program, 42 U.S.C. 12701, et seq.)
12. A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or by the PHA in accordance with HUD requirements. For this purpose, "housing subsidy" does not include the housing component of a welfare payment; a social security payment; or a federal, state, or local tax concession (such as relief from local real property taxes).

### **Vacancy Loss/Damage Claims**

The HACSD will not make payment to the owner for vacancy loss or damages to the unit.

### **Rent Reasonableness**

Rent reasonableness determinations will be conducted for project-based developments in the same manner as those conducted for the units in the tenant-based assistance program. The PBV rent limits and specific contract terms shall be based upon the project's characteristics, fair market rent, the HCV payment standard at time of contract execution, and an analysis of "rent reasonableness." An analysis of the proposed PBV rents will be conducted to determine "rent reasonableness," based upon a comparison of rents for comparable unassisted units in the local market. However; units in developments with contracts to the contrary, to the extent any other restrictions applicable to the property limit the rent and/or occupancy of the property, the most restrictive shall apply.

### **Waiting List and Lease-Up**

Vacancies will be filled from an eligible list of applicants referred by the VA's office to the HACSD. The owner must notify the HACSD when vacancies occur.

The HACSD will determine tenant eligibility for the PBV program.

Tenants receiving supportive services must comply with their Individual Service Plan (ISP) as a condition of tenancy. The tenant and the PHA must sign a statement of family responsibility that contains all of the family obligations, including the family's participation. Failure by the family without good cause to fulfill its ISP obligation will result in termination of PBV assistance.

### **Conditions**

By the act of submitting a proposal, the applicant acknowledges and agrees to the terms and conditions of this RFP, PIH Notice 2016-11, and 24 CFR Part 983. Applicant further certifies

to the accuracy of the information submitted. All proposals become the property of the HACSD.

### **Rehabilitation Standards**

Rehabilitation activities must conform to the local written Rehabilitation Standards of the County of San Diego found in **Attachment I** to this RFP. State and local code requirements will apply or, if no state and local requirements, the Uniform Building Code (ICBO), the National Building Code (BOCA), the Standard Building Code (SBCCI), the Council of American Building Officials one- or two-family code (CABO), or the minimum property standards at 24 CFR 200.925 or 200.926 (FHA) will apply, as well as handicapped accessibility requirements, where applicable.

### **Developer Capacity**

Each proposal must demonstrate the developer's capacity to perform administrative, managerial, and operational functions; and to oversee the work necessary for successful completion of the proposed project will be evaluated.

To be eligible, a proposal must:

1. Exhibit the prior work of staff, partners or consultants resulting in successful development of affordable rental housing. Successful development may be in operation, construction, acquisition, acquisition with rehabilitation, or any combination of accomplishments that created or preserved affordable rental housing.
2. Possess control of the proposed development site through fee title, an option to purchase, a disposition and development agreement with a public agency, a land sales contract, a leasehold with development provisions, or any other enforceable instrument approved by the HACSD.

### **Proposal Requirements**

Responsive proposals should adequately address the following issues.

1. Accessibility
2. Affirmative Fair Housing Marketing Plan
3. Audited Financial Statements and Single Audit, as applicable
4. Crime-Free Multifamily Housing
5. Energy Efficiency:
  - a) Proposals involving construction of new housing are expected to contain descriptions of specific measures that will be taken to make the units energy efficient. Examples of energy-efficient measures include, but are not limited to, solar photovoltaic panels; dual-glazed low-e windows; water-efficient appliances; Energy Star rated appliances; durable building products; solar-assisted water system; or water-efficient landscape irrigation. Rehabilitation projects should also propose to increase energy efficiency or energy savings in the housing project by at least 20 percent. Proposals for new construction projects must obtain an Energy Star Certification. See <http://www.energystar.gov/> for additional

information. An Energy Efficiency-Based Utility Allowance (EEBUA) schedule is available to qualified projects.

6. Environmental Review and Hazardous Waste Assessment
7. Equal Opportunity
8. Lead-Based Paint Compliance
9. Management Plan
10. Minority and Women's Business Enterprise ("MWBE") - Contracting Requirements
11. Prevailing Wage Rates/Davis Bacon:
  - a) Generally, the use of public funds in housing development initiates compliance with the Davis Bacon Act and requires payment of Federal Labor Wage rates or State Prevailing Wages to construction workers. Applicants must use these lawful wage rates in the calculation of project development costs.
12. Priorities and Underwriting Criteria:
  - a. Maximum Loan-to-Completion-Value Ratio: 95 percent
  - b) Minimum Property Debt Coverage Ratio: 1.15
  - c) Purchase Price of Proposed Development Site Not to Exceed Appraised Value
13. Physical Needs Assessment:
  - a) Proposals involving rehabilitation or acquisition/rehabilitation must contain specific information on the physical condition of the structure(s), as well as the estimated cost for the rehabilitation work, and may require testing of major building systems. A physical needs assessment conducted by an independent third party must be submitted for proposals involving rehabilitation activities.
14. Acquisition and Relocation Requirements:
  - a) Projects are subject to the Uniform Acquisition and Relocation Act of 1970 (URA) as revised and Section 104(d) of the Housing and Community Development Act of 1974, as amended.
15. Replacement Reserve Analysis
16. Section 3 Requirements (see <http://www.hud.gov/offices/fheo/progdesc/emp-lowr.cfm>)
17. Site Control

### **Requirements for Submittal**

To be responsive, a complete RFP Application must contain or address the following items:

#### **HACSD RFP Application and Project Summary**

**Development Forms: Rental Income Form, Operating Expense, Development Costs, Sources and Uses of Funds, Multi-year Cash Flow and Development Pro Forma.** The estimated Rental Income form will be used to determine financial feasibility and affordability of the project. Proposals with high levels of affordability will be favored.

#### **Audited Financial Statements**

Submitted audited financial statements must be current (within the last 12 months) and must include a financial statement indicating surplus or deficits in operating accounts, a detailed itemized listing of income and expenses, and the amounts of any fiscal reserves. The audit must be certified by an independent certified public accountant licensed in California.

In accordance with Office of Management and Budget (OMB) Circular A-133, any non-federal entity, including states, local governments, and non-profit organizations, that expend \$750,000 (effective 12/26/2013) or more in a year in federal awards shall have an OMB Circular A-133 single audit conducted for that year.

If applicable, provide a copy of the A-133 audit and written notification of the results of the A-133 audit. In addition, in compliance with all federal requirements, provide HACSD with the corrective action plan for any deficiencies identified in the A-133 audit and the latest status of the corrective action plan.

#### **Certificate of Compliance with the County of San Diego Housing and Community Development Services' (HCDS) Equal Opportunity Program**

It is the policy of HCDS to encourage equal opportunity in contracts. Toward this end, proposals from disabled veteran-owned businesses, women-owned businesses, minority-owned businesses and local firms are strongly encouraged. Prime contractors are encouraged to subcontract or joint venture with these firms. HCDS endeavors to do business with firms sharing HCDS's commitment to equal opportunity and will not do business with any firm that discriminates on the basis of race, religion, ancestry, age, gender, disability, medical condition or place of birth. **(Attachment E).**

#### **Crime-Free Multifamily Housing Program**

Proposals must contain an element designed to provide Crime-Free Multi-family Housing. This provision is included in order to ensure a crime-free environment for residents. The element should provide for special services in apartment developments to decrease all types of illegal activities, and should include an educational component for owners and renters, physical inspections to improve lighting and landscaping, and information sharing to establish neighborhood identity. These services are supported by the County Sheriff's Department Crime-Free Multi-family Housing program. The Sheriff's local Crime Prevention Specialist provides informational sessions on how to cut crime in multi-family neighborhoods. Expenses associated with the Crime-Free Multi-family Housing program for the proposed project should be covered in the project budget. An outline of the project's Crime Free Multi-family Housing program must be submitted with the application. In addition, a full description of the project's Crime Free Multi-family Housing program must be included in the Management Plan.

#### **Evidence of Compliance with Previous HCDS Loans (Attachment D)**

**Evidence of Funding Commitments**

Letters of intent from other lenders must include the name, title, and telephone number of the responsible contact person. HASCD must be advised if applicant will be requesting that HASCD subordinate financial interests. HASCD will require senior lenders to subordinate to the County's regulatory restrictions.

**Evidence of Site Control**

Applicants must possess control of the proposed development site through fee title, an option to purchase, a disposition and development agreement with a public agency, a land sales contract, leasehold with development provisions, or any other enforceable instrument as approved by HACSD.

**Evidence of Supportive Services**

Applicants must specify the type and level of supportive services to be provided to special needs populations. Provide evidence of commitment to providing supportive services.

**Phase I Hazardous Waste Assessment**

A housing development proposal (acquisition, rehabilitation, or new construction) must have, at a minimum, an approved Phase I Hazardous Waste Assessment Report. This report is to be submitted with the RFP application. A hazardous materials (asbestos, lead paint) inspection report may also be required. In addition, testing for asbestos, residual pesticides, mold and water damage may be required. In certain situations, a Phase II and Phase III Environmental Assessment may be necessary. Time requirements for these reviews vary substantially, depending upon the potential for environmental impact.

**Location Map, Site Plan, Floor Plan, Photos****Partnership Agreement (if applicable)**

## **Project Location**

Projects must be located within the jurisdiction of the HACSD. The following areas are eligible:

1. Unincorporated Area of the County of San Diego;
2. City of Coronado;
3. City of Del Mar;
4. City of Imperial Beach;
5. City of Lemon Grove;
6. City of Poway;
7. City of Solana Beach.
8. City of Chula Vista
9. City of El Cajon
10. City of Escondido
11. City of La Mesa
12. City of San Marcos
13. City of Santee
14. City of Vista

## **Physical Needs Assessment**

Proposals involving rehabilitation or acquisition/rehabilitation must contain specific information on the physical condition of the structure(s), as well as the estimated cost for the rehabilitation work, and may require testing of major building systems. A Physical Needs Assessment (PNA) conducted by an independent third party must be submitted for proposals involving rehabilitation activities. The PNA must include the repair or replacement of major building systems to extend the service life of the property improvements for a minimum of 15 years and the estimated cost for the rehabilitation work. Applicants are encouraged to obtain a PNA prior to making a final offer for purchase of a property.

To avoid delays, applicants must provide a termite report for any acquisition project. In addition, testing for asbestos, residual pesticides, mold, and water damage may be required.

NOTE: Proposals involving buildings constructed prior to 1978 may be adversely affected by strict regulations requiring the remediation/removal of lead-based paint and asbestos-containing building materials, making rehabilitation of older buildings infeasible, in some cases.

## **Rehabilitation Estimate**

All developments involving rehabilitation must include the repair or replacement of major building systems to extend the service life of the property improvements for a minimum of 15 years. Testing of major building systems may be required.

## **Relocation Plan**

RFP applications involving relocation of residents shall include an anti-displacement/relocation plan in compliance with relocation laws. Developers are strongly encouraged to contract with a relocation consultant to manage the relocation process. The California Relocation Assistance Act or Uniform Acquisition and Relocation Act of 1970 (URA), as revised, and Section 104(d) of the Housing and Community Development Act of 1974, as amended, may apply. Proposed relocation plans must budget for all tenant relocation and displacement costs, including costs for temporary relocation during construction or rehabilitation. Relocation Plans must also include a current copy of rent rolls, as of the date of submission, detailing family income, household characteristics and current rent paid by each household in the proposed project.

### **Relocation Noticing**

Upon submission of the RFP application, tenants must receive a written General Information Notice, (see **Attachments C1 – C4**) notifying tenants of their rights under the Uniform Relocation Act, as revised. New rental applicants to the proposed project must also receive a written notification, “Notice to Prospective Tenant,” informing them of the proposed acquisition/rehabilitation of the property. All notices must be hand delivered or sent via U.S. certified mail. Developer must document the manner of delivery and provide proof of receipt.

### **Replacement Reserve Analysis**

An adequate 15-year replacement reserve analysis will identify the current condition of all building elements in the development (roof, plumbing, exterior, interior, etc.) and indicate any repairs that may require immediate attention. The analysis should indicate the year built, the expected useful life of the system, the remaining life expectancy, and the year requiring replacement. The analysis should indicate the estimated annual expenditures required to maintain the property and provide a funding plan summarizing the annual replacement reserve contribution necessary to meet future expenditure requirements.

### **Tax Credit Application with date of submission (if applicable)**

#### **Other Requirements**

If the project is selected by HUD, the following items must be submitted prior to the award of the project-based vouchers.

#### **Affirmative Fair Housing Marketing Plan**

For housing development projects, the contractor must submit an Affirmative Fair Housing Marketing Plan (AFHMP). The AFHMP shall outline methods of informing potential tenants about fair housing laws and contractor policies. An AFHMP must also contain a plan outlining how the contractor will affirmatively market the assisted units. In addition, an AFHMP must contain a plan outlining the special outreach actions the contractor will take to inform persons who would not likely apply for the assisted housing without special outreach, of the assisted housing opportunity.

#### **CEQA Documentation and Environmental Review**

Proposed projects must complete the California Environmental Quality Act (CEQA) environmental review. County staff will assist with preparation of CEQA documentation. HACSD staff will keep applicants apprised of the progress of the environmental processing and anticipated date of HUD's release of funds.

An environmental review must be completed before the HACSD will execute a contract. HACSD conducts this review using information provided in the application. Refer to “Environmental Review Processing” in **Attachment B** for further information on environmental processing.

#### **Management Plan**

The developer will be required to submit a Management Plan for review and approval by the HACSD. The plan should include tenant and participant protections for all rental housing funded by the HUD and a crime-free element in the Management Plan. A copy of the sample lease agreement and any addenda are also required. (**Attachment G**).

#### **Preliminary Title Report**

# **RFP Application**

## APPLICATION CHECK LIST

Please complete the following checklist and submit this form with the application.

All pages 8.5 x 11 inches

One master copy and one copy; both signed, in 3 ring binders.

### General Requirements for Submittal

- RFP Application and Project Summary
- Development Forms (Rental Income Form, Operating Expense, Development Costs, Sources and Uses of Funds, Multi-year Cash Flow and Development Pro Forma)

### ATTACHMENTS and SUPPORTING DOCUMENTATION:

- Letter of Support from the Director of the VAMC or VISN
- Housing First Compliance Statement
- Deconcentration of Poverty Explanation
- Audited Financial Statements/Single Audit (less than 1 year old)
- Certificate of Compliance with HCDS Equal Opportunity Program
- Crime Free Multifamily Housing Element
- Evidence of Compliance with Previous HCDS Loans
- Evidence of Funding Source Commitments
- Evidence of site control
- Evidence of Supportive Services to be provided for Special Needs Population
- Phase 1 Hazardous Waste Assessment
- Location map, site plan, floor plan, photos
- Partnership Agreement (if applicable)
- Physical Needs Assessment
- Rehabilitation Estimate (including any required testing of major building systems that may be required)
- Relocation Plan and Relocation Contract
- Relocation Noticing (if required)
- Replacement Reserve Analysis
- Tax Credit Application with date of submission (if applicable)

The following requirements need not be submitted with the initial RFP application. However, the applicant is encouraged to submit available documentation for the requirements below.

### Requirements for Funding

- Affirmative Fair Housing Marketing Plan
- Environmental Review
- Management Plan
- Preliminary Title Report

The application and its supporting documentation have been reviewed for completeness using the checklist above.

Authorized Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



## **General Project Information**

**Attach pages as necessary to describe the following:**

All existing, rehabilitation, and/or new construction projects should include a map, site plan, photos, and floor plans of housing units.

Provide a detailed description of the existing site and the proposed project. In addition, address the following questions, as appropriate:

1. Will the project require the relocation of any households or businesses? If so, describe the circumstances and attach a relocation plan and relocation consultant contract to the application.
2. How accessible is the project to public transportation, concentrated areas of job opportunities, convenience shopping, food shopping, public schools, etc.?
3. Describe the availability of, and accessibility to, medical care (e.g., emergency, outpatient, acute, and extended care) and social services that are commonly needed for the type of residents to be served the project.
4. How will the project not overly concentrate low-income housing in the community?
5. List all necessary land use, zoning, and building plan approvals and their status.

Address the following questions, as appropriate:

1. What supportive service(s) will be provided and how will they be provided?
2. Are there other housing developments, facilities, or services that address the same need in the area?
3. How will the project promote the coordinated delivery supportive services?
4. If the project will be offering services to non-residents, how will you assure that all areas served have access to the services?

Include an outline of the project's Crime-Free Multi-family Housing Program.

## **Applicant Experience**

**Attach pages as necessary to describe the following:**

### **A. Organization**

Describe the following for the organization:

1. Mission Statement
2. Past activities/experience
3. Administrative structure

### **B. Technical Capacity**

1. Describe the organization's capability to administer the proposed housing development.
2. Describe the development team's experience in rehabilitation, construction, and/or management and ownership.
3. Attach resumes of staff and consultants specifically assigned to this development and describe contractual relationship.

\_\_\_\_\_ Number of rental housing developments/units completed.

\_\_\_\_\_ Number of rental housing developments/units currently owned.

\_\_\_\_\_ Number of rental housing developments/units currently managed.

\_\_\_\_\_ Number of rental housing developments/units in development phase (funding committed but not ready for occupancy)

**Financial Feasibility**

**Attach pages as necessary to explain the following:**

Describe other funding sources and their terms, and the status of those commitments to the project.

Discuss measures to be taken to promote energy efficiency in the project.

Describe any in-kind contributions to the project. Include the name(s) of the contributors, the items or services that are being contributed and the value of the contribution.

If funding for the proposed project is in part dependent upon the award of the State of California Low-Income Housing Tax Credit Program or one of the State of California, County of San Diego Housing and Community Development Services' housing programs, describe how the project will be implemented in the event state funding is denied. Be specific as to amount, sources, likelihood, and timing of alternative funding, as well as how the project will be scaled down, if necessary.

**Collaboration & Site Amenities**

**Attach pages as necessary to explain the following:**

Describe the extent to which the proposed development will involve other community organizations.

Describe any amenities or programs that may be beneficial to the development's residents.

**Innovation**

**Attach pages as necessary to explain the following:**

Describe the extent to which the proposed development involves a new or innovative approach (either physical, financial, or managerial) to meet the housing needs of low-income residents.

**Certification**

**The undersigned certifies under penalty of perjury that all statements made in this proposal are true and correct to the best of the undersigned's knowledge.**

---

Authorized Signature [Board Officer]	Typed Name
Title	Date Signed

---

Return one original and one signed copy (each in a three-ring binder) of the RFP General Application, Attachments and RFP Supplement to:

**Housing Authority of the County of San Diego**

**Attn: Manuel Q. Galvan**

**780 Bay Blvd., Suite 200**

**Chula Vista, CA 91910**

## **RFP Attachments**

**ATTACHMENT A**  
*PROJECT TIMELINE FOR NEW CONSTRUCTION*

Project Title: \_\_\_\_\_ Applicant: \_\_\_\_\_

<u>Item</u>	<u>Projected Date of Completion</u>
<b>SITE</b>	
Environmental Review Completed	_____
Site Acquired	_____
<b>LOCAL PERMITS</b>	
Conditional Use Permit	_____
Variance	_____
Site Plan Review	_____
Grading Permit	_____
Building Permit	_____
<b>CONSTRUCTION FINANCING</b>	
Loan Application	_____
Enforceable Commitment	_____
Closing and Disbursement	_____
<b>PERMANENT FINANCING</b>	
Loan Application	_____
Enforceable Commitment	_____
Closing and Disbursement	_____
<b>OTHER LOANS AND GRANTS</b>	
Type and Source _____	_____
Application	_____
Closing or Award	_____
Funds Available	_____
<b>OTHER LOANS AND GRANTS</b>	
Type and Source _____	_____
Application	_____
Closing or Award	_____
Funds Available	_____
Construction Start	_____
Construction Completion	_____
Placed in Service	_____
Occupancy of all Assisted Units	_____

## **ATTACHMENT B**

### *PERTINENT REGULATORY REQUIREMENTS*

Numerous federal, state and local laws, regulations and/or executive orders apply to HUD-funded activities. These are referenced within "Program Certifications" forms, which are signed and submitted each year by the grant recipient (HACSD) to the U.S. Department of Housing and Urban Development (HUD). The form states that the HACSD will comply with all regulatory requirements. Copies can be procured from HUD.

#### **THIS IS NOT A COMPLETE LISTING OF PROGRAM REQUIREMENTS.**

##### **1. Environmental Review Processing**

Prior to the formal commitment of any funds, all funded projects must be processed in accordance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements. These regulations examine the impact of land development on the environment. In addition, federal assistance carries with it environmental review responsibilities to determine hazards which may impact a proposed HUD project and its residents/clients, such as noise impacts.

From the time the application is submitted, the contractor must not commit funds or take any choice-limiting actions (including, but not limited to, contracts for excavation, filling, construction, rehabilitation, or other physical activities) until completion of the environmental processing and HUD's formal release of funds, regardless of whether the work would be accomplished by federal funding or other matching funds.

San Diego County Environmental Services staff will complete the NEPA review for all Urban County projects. They will also complete the CEQA review for projects located in the unincorporated parts of the County. Contractors must involve the local jurisdiction in the CEQA review process for projects located in any of the six cities within the Urban County. HACSD staff will keep applicants apprised of the progress of environmental processing and the anticipated date of HUD's release of funds.

##### **2. Hazardous Waste Assessment**

A housing development proposal (acquisition, rehabilitation, or new construction) must have, at a minimum, an approved Phase I Hazardous Waste Assessment Report. This report is to be submitted with the RFP application. A hazardous materials (asbestos, lead paint) inspection report may also be required. In addition, testing for asbestos, residual pesticides, mold, and water may be required. In certain situations, a Phase II and Phase III Environmental Assessment may be necessary.

##### **3. Equal Opportunity & Fair Housing Requirements**

In accordance with Board Policy B-39a, all recipients must adopt a policy to ensure that every effort is made to provide equal opportunity to Disabled Veterans Business Enterprises and to encourage the participation of minority and women business vendors, contractors, and subcontractors. If the project is selected, the developer is also required to submit an Affirmative Fair Housing Marketing Plan (AFHMP) for review and approval.

##### **4. Section 3 Compliance**

All recipients, sub-recipients, contractors and sub-contractors administering or working on projects funded through this RFP must comply with Section 3 regulations. The purpose of Section 3 of the Housing and Urban Development Act of 1968 is to ensure that employment and other economic opportunities generated by HUD financial assistance are directed to lower-income workers/trainees, and to businesses which provide economic opportunities to lower-income persons. Lower-income persons who are residents of San Diego County are defined as Section 3 Residents. Preference should be given to hiring Section 3 Residents and to awarding contracts that benefit Section 3 Busi-

nesses from the neighborhood receiving the financial assistance. Contractors are required to complete Section 3 forms.

#### 5. Relocation

RFP applications involving relocation of residents or businesses shall include an anti-displacement/relocation plan in compliance with relocation laws. Either the California Relocation Assistance Act or the Uniform Acquisition and Relocation Act of 1970 (URA) as revised and Section 104(d) of the Housing and Community Development Act of 1974, as amended, may apply. Proposed relocation plans must budget for all tenant relocation and displacement costs, including costs for temporary relocation during construction or rehabilitation. Relocation Plans must also include a current copy of rent rolls detailing family income, household characteristics, and current rent paid by each household in the proposed project.

For voluntary acquisitions, developer must prepare and deliver a Voluntary Acquisition Notice (see **Attachment C-3**) to the seller prior to making an offer and entering into a purchase and sale agreement. The developer must get acknowledgement from seller that the transaction is purely voluntary.

Completion of tenant noticing, as appropriate, is necessary prior to development approval. Upon submission of the RFP application, owners/tenants must receive a written General Information Notice, from the developer, notifying owners/tenants of their rights under the Uniform Relocation Act. New rental applicants to the proposed project must also receive a written Notice to Prospective Tenant informing them of the proposed acquisition/rehabilitation of the property. All notices must be hand delivered or sent via U.S. certified mail. Developer must document the manner of delivery and provide proof of receipt.

Contact HACSD staff at (858) 694-8712, or by email at [Manuel.Galvan@sdcountry.ca.gov](mailto:Manuel.Galvan@sdcountry.ca.gov), if any step in the project requires the relocation of any residents or businesses.

#### 6. Conflict of Interest

Strict federal and state non-conflict of interest laws and regulations apply to all County and/or sub-recipient agencies (i.e.; participating cities, districts, non-profit agencies, etc.) staff who are engaged in implementing funded activities. In brief, these requirements prohibit all County and/or sub-recipient agency staff, their families, or family/business ties from obtaining any financial interest in a funded contract if they participated in or had inside information about the contract for up to a year after their tenure.

#### 7. Approval of Contractors

All construction contractors and sub-contractors must not be on the Federal Debarred Contractors List. Housing developers must verify this before awarding the construction contract. Information regarding the Federal Debarred Contractors List is available at <https://www.epls.gov/>.

#### 8. Davis-Bacon / Prevailing Wage Rates

The Davis-Bacon Wage Act (40 U.S.C. 276a – 276a-5) requires the payment of wages to laborers and mechanics at a rate not less than the minimum wage determination specified by the U.S. Secretary of Labor.

**The U.S. Secretary of Labor's wage determinations are available at <http://www.wdol.gov/>**

#### 9. Volunteer Labor

Volunteer labor may only be used to implement funded projects in very limited circumstances, in accordance with Federal Labor Standards, Davis-Bacon Act requirements, California State law and with the approval of HUD, the HACSD and (in some instances) the California Director of Industrial Relations. HACSD staff must, therefore, be advised early if volunteer labor is to be used so that a determination can be made as to whether the project meets the applicable criteria.

#### 10. Competitive Bidding Requirements

Housing developers must obtain competitive bids or estimates for all materials purchased and work to be accomplished by contractors or sub-contractors. Documentation of such competition must be maintained for review by HUD and/or HACSD staff during monitoring visits.

In order for work to be accomplished by construction contractors or sub-contractors, a formal Request for Bids (RFB) package and advertisement must be prepared and pre-approved by HACSD staff. The RFB package must include a copy of the Federal Labor Standards Provisions, form HUD-4010, and the current Davis-Bacon Act wage determination.

#### 11. Pre-construction Conference

A "pre-construction conference" must be held with the bid winning contractor and listed sub-contractors following contract award and before commencement of construction. The pre-construction conference must announce that Federal Labor Standards and Davis-Bacon Act requirements apply, and that contractors must submit copies of weekly payrolls to the assigned project manager for verification that appropriate wage rates were paid. In addition, the preconstruction conference must announce that the requirements of Section 3 apply. The project administrator must promptly review all such payrolls upon receipt, sign and date the payroll following verification, and maintain such payrolls on file for review by HUD and/or HACSD monitoring staff during monitoring visits. Minutes of the pre-construction conference that document the discussion of federal regulations must be kept in the project files.

#### 12. Construction Employee Interviews

Housing developers must interview a sample of construction employees during the construction work to verify that the actual wage rates paid comply with reported wages.

#### 13. Accessibility

Housing developments assisted with HUD funds must comply with Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act, and HUD's implementing regulations, which prohibit discrimination, based on disability and establish requirements for program accessibility and physical accessibility in housing programs. The Fair Housing Act applies to all newly constructed multi-family rental housing with four or more units:

- Entrances, common spaces and all ground floor dwelling units of non-elevator buildings, and all units of elevator buildings must be made accessible, in accordance with the Fair Housing Act standard.

Section 504 requires full accessibility in accordance with the Uniform Federal Accessibility Standards, or "UFAS." Section 504 applies to all federally-assisted newly constructed housing of five or more units, and substantially rehabilitated housing of fifteen or more units:

- Under Section 504, HOME-assisted rental housing developments must provide full accessibility for persons with mobility impairments in at least five percent (but no less than one) of the units.
- In addition, at least two percent (but no less than one) of the units must be made fully accessible to persons with sensory (hearing or vision) impairments.
- Entrances and common areas must also be fully accessible.

#### 14. Energy Efficiency

Proposals involving construction of new housing are expected to contain descriptions of specific measures that will be taken to make the units energy efficient. An Energy-Star Rated Certification will be required for new construction projects. An Energy-Efficiency-Based Utility Allowance schedule is available to qualified projects. Contact HACSD staff at (858) 694-8712 for more information.

#### 15. Lead-Based Paint Hazard Reduction Requirements

Lead-based paint regulations, effective September 15, 2000, were issued under Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, which are Title 10 of the Housing and Community Development Act of 1992. They appear in Title 24 of the Code of Federal Regulations as Part 35 (24 CFR 35). Any project for which federal funds are being obligated or committed after September 15, 2000, must comply with these regulations.

The regulations set hazard reduction requirements that give much greater emphasis to reduction of lead in house dust than did previous regulations. Scientific research has found that exposure to lead in dust is the most common way young children become lead poisoned. For this reason the new regulations require dust testing after paint is disturbed to ensure that homes are lead-safe. Specific requirements depend on whether the housing is being disposed of or assisted by the federal government, and also on the type and amount of financial assistance, age of the structure, and whether the dwelling is a rental or owner-occupied.

Further information on lead-based paint hazard reduction can be obtained from the HUD Office of Lead Hazard Control at (202) 755-1785, or by email at <http://www.hud.gov/lea/leahome.html>.

A summary of lead hazard reduction requirements for various types of housing programs is on the following pages. Below is a description of the types of housing covered and not covered by the regulations.

- a) Types of housing covered include: a) Federally-owned housing being sold; b) Housing receiving a federal subsidy that is associated with the property, rather than with the occupants (project-based assistance); c) Public Housing; d) Housing occupied by a family (with a child) receiving a tenant-based subsidy (such as a voucher or certificate); e) Multi-family housing for which mortgage insurance is being sought; and, f) Housing receiving federal assistance for rehabilitation, reducing homelessness, and other special needs.
- b) Types of housing not covered include: a) Housing built since January 1, 1978, when lead paint was banned for residential use; b) Housing exclusively for the elderly or people with disabilities, unless a child under age six is expected to reside there; c) Zero-bedroom dwellings, including efficiency apartments, single-room occupancy housing, dormitories, or military barracks; d) Property that has been found to be free of lead-based paint by a certified lead-based paint inspector; e) Property where all lead-based paint has been removed; f) Unoccupied housing that will remain vacant until it is demolished; g) Non-residential property; h) Any rehabilitation or housing improvement that does not disturb a painted surface; and, i) Emergency homeless assistance, unless the assistance lasts more than 100 days, in which case the rule does apply.

**NOTE: Clearance is always required after abatement, interim controls, paint stabilization, or standard treatments.**

Subpart of Rule/Type Program		Construction Period	Requirements
A.	Disposition by Federal Agency other than HUD	Pre-1960	<ul style="list-style-type: none"><li>• LBP inspection and risk assessment.</li><li>• Abatement of LBP hazards.</li><li>• Notice to occupants of inspection/abatement results.</li></ul>

<b>Subpart of Rule/Type Program</b>		<b>Construction Period</b>	<b>Requirements</b>
		1960-1977	<ul style="list-style-type: none"> <li>• LBP inspection and risk assessment.</li> <li>• Notice to occupants of results.</li> </ul>
B.	Project-Based Assistance by Federal Agency other than HUD	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants of results.</li> <li>• Response to EBL child.</li> </ul>
C.	HUD-Owned Single-Family Sold with a HUD-Insured Mortgage	Pre-1978	<ul style="list-style-type: none"> <li>• Visual assessment.</li> <li>• Paint stabilization.</li> <li>• Notice to occupants of clearance.</li> </ul>
D.	Multi-family Mortgage Insurance		
	1. For properties that are currently residential	Pre-1960	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> </ul>
		1960-1977	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Ongoing LBP maintenance.</li> </ul>
	2. For conversions and major renovations	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• LBP inspection.</li> <li>• Abatement of LBP.</li> <li>• Notice to occupants.</li> </ul>
E.	Project-Based Assistance (HUD Program)		
	1. Multi-family property receiving more than \$5,000 per unit per year	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance and reevaluation.</li> <li>• Response to EBL child.</li> </ul>
	2. Multi-family property receiving less than or equal to \$5,000 per unit per year, and single-family properties	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Visual assessment.</li> <li>• Paint stabilization.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> <li>• Response to EBL child.</li> </ul>
F.	HUD-Owned Multi-family Property	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• LBP inspection and risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> <li>• Response to EBL child.</li> </ul>
G.	Rehabilitation Assistance		

Subpart of Rule/Type Program	Construction Period	Requirements
1. Property receiving less than or equal to \$5,000 per unit	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Paint testing of surfaces to be disturbed, or presume LBP</li> <li>• Safe work practices in rehab.</li> <li>• Repair disturbed paint.</li> <li>• Notice to occupants.</li> </ul>
2. Property receiving more than \$5,000, and up to \$25,000	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Paint testing of surfaces to be disturbed, or presume LBP</li> <li>• Risk assessment.</li> <li>• Interim controls.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance if HOME or CILP.</li> </ul>
3. Property receiving more than \$25,000 per unit	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Paint testing of surfaces to be disturbed, or presume LBP.</li> <li>• Risk assessment.</li> <li>• Abatement of LBP hazards.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> </ul>
H. Acquisition, Leasing, Support Services, or Operation	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Visual assessment.</li> <li>• Paint stabilization.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> </ul>
I. Public Housing	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• LBP inspection.</li> <li>• Abatement of LBP.</li> <li>• Risk assessment if LBP not yet abated.</li> <li>• Interim controls if LBP not yet abated.</li> <li>• Notice to occupants.</li> <li>• Response to EBL child.</li> </ul>
J. Tenant-Based Rental Assistance	Pre-1978	<ul style="list-style-type: none"> <li>• Provision of pamphlet.</li> <li>• Visual assessment.</li> <li>• Paint stabilization.</li> <li>• Notice to occupants.</li> <li>• Ongoing LBP maintenance.</li> <li>• Response to EBL child.</li> </ul>

LBP = Lead-Based Paint  
EBL= Elevated Blood Level

# ATTACHMENT C-1

HUD Handbook 1378, Change 6  
Appendix 3, [10/06]

## GUIDEFORM GENERAL INFORMATION NOTICE RESIDENTIAL TENANT TO BE DISPLACED

Grantee or Agency Letterhead  
(Date)

Dear \_\_\_\_\_:

\_\_\_\_\_ (City, County, State, Public Housing Authority (PHA), other) \_\_\_\_\_ is interested in \_\_\_\_\_ (acquiring, rehabilitating, demolishing) \_\_\_\_\_ the property you currently occupy at \_\_\_\_\_ (address) \_\_\_\_\_ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the \_\_\_\_\_ program.

The purpose of this notice is to inform you that you may be displaced as a result of the proposed project. This notice also serves to inform you of your potential rights as a displaced person under a federal law known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). You may be eligible for relocation assistance and payments under the URA, if the proposed project receives HUD funding and if you are displaced as a result of acquisition, rehabilitation or demolition for the project.

**This is not a notice to vacate the premises.**

**This is not a notice of relocation eligibility.**

If you are determined to be eligible for relocation assistance in the future, you may be eligible for: 1) Relocation advisory services, including help to find another place to live; 2) At least 90-days advance written notice of the date you will be required to move; 3) Payment for your moving expenses; and 4) Replacement housing payments to enable you to rent, or if you prefer to purchase, a comparable replacement home. You will also have the right to appeal the agency's determination, if you feel that your application for assistance was not properly considered. The enclosed HUD brochure, "Relocation Assistance to Tenants Displaced from Their Homes" provides an explanation of this assistance and other helpful information.

**(NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance, unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent, or child. All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Please be advised that you should continue to pay your rent and meet any other obligations, as specified in your lease agreement. Failure to do so may be cause for eviction. If you choose to move or if you are evicted prior to receiving a formal notice of relocation eligibility, you will not be eligible to receive relocation assistance. It is important for you to contact us before making any moving plans.

**Again, this is not a notice to vacate the premises and does not establish your eligibility for relocation payments or assistance at this time.** If you will be displaced and are required to vacate the premises in the future, you will be informed in writing. In the event the proposed project does not proceed or if you will not be displaced, you will also be notified in writing.

If you have any questions about this notice or the proposed project, please contact (Name) \_\_\_\_\_, (Title) \_\_\_\_\_, (Address) \_\_\_\_\_, (Phone) \_\_\_\_\_.

Sincerely,

(Name and Title) \_\_\_\_\_

## ATTACHMENT C-2

HUD Handbook 1378, Change 6  
Appendix 2, [10/06]

### GUIDEFORM GENERAL INFORMATION NOTICE RESIDENTIAL TENANT NOT DISPLACED

Grantee or Agency Letterhead

(Date)

Dear \_\_\_\_\_:

\_\_\_\_\_(City, County, State, Public Housing Authority (PHA), other)\_\_\_\_\_ is interested in rehabilitating the property you currently occupy at \_\_\_\_\_(address)\_\_\_\_\_ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the \_\_\_\_\_ program.

The purpose of this notice is to inform you that you will not be displaced in connection with the proposed project.

If the project application is approved and federal financial assistance provided, you may be required to move temporarily so that the rehabilitation can be completed. If you must move temporarily, suitable housing will be made available to you and you will be reimbursed for all reasonable out of pocket expenses, including moving costs and any increase in housing costs. You will need to continue to pay your rent and comply with all other lease terms and conditions.

Upon completion of the rehabilitation, you will be able to lease and occupy your present apartment or another suitable, decent, safe and sanitary apartment in the same building/complex under reasonable terms and conditions.

If federal financial assistance is provided for the proposed project, you will be protected by a federal law known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). One of the URA protections for persons temporarily relocated is that such relocations shall not extend beyond one year. If the temporary relocation lasts more than one year, you will be contacted and offered all permanent relocation assistance as a displaced person under the URA. This assistance would be in addition to any assistance you may receive in connection with temporary relocation and will not be reduced by the amount of any temporary relocation assistance previously provided. You will also have the right to appeal the agency's determination, if you feel that your application for assistance was not properly considered.

(NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance, unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent, or child. All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

We urge you not to move at this time. If you choose to move, you will not be provided relocation assistance.

Please remember:

This is not a notice to vacate the premises.  
This is not a notice of relocation eligibility.

You will be contacted soon so that we can provide you with more information about the proposed project. If the project is approved, we will make every effort to accommodate your needs. In the meantime, if you have any questions about our plans, please contact:

(Name) \_\_\_\_\_, (Title) \_\_\_\_\_

(Address) \_\_\_\_\_, (Phone) \_\_\_\_\_

Sincerely,

(Name and Title) \_\_\_\_\_

# ATTACHMENT C-3

GUIDEFORM  
VOLUNTARY ACQUISITION  
Informational Notice  
(Agencies without Eminent Domain Authority)

Grantee or Agency Letterhead

(Date)

Dear \_\_\_\_\_:

(Name of Agency/Person) \_\_\_\_\_ is interested in acquiring property you own at (address) \_\_\_\_\_ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD).

Please be advised that (Name of Agency/Person) \_\_\_\_\_ does not have authority to acquire your property by eminent domain. In the event we cannot reach an amicable agreement for the purchase of your property, we will not pursue this proposed acquisition.

We are prepared to offer you (\$) \_\_\_\_\_ to purchase your property. We believe this amount represents the current market value of your property. Please contact us at your convenience if you are interested in selling your property.

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), owner-occupants who move as a result of a voluntary acquisition are not eligible for relocation assistance.

If you have any questions about this notice or the proposed project, please contact (Name) \_\_\_\_\_, (Title) \_\_\_\_\_, (Address) \_\_\_\_\_, (Phone) \_\_\_\_\_.

Sincerely,

(Name and title) \_\_\_\_\_

# ATTACHMENT C-4

HUD Handbook 1378, Change 5  
Appendix 29, [01/06]

## MOVE-IN NOTICE (GUIDEFORM NOTICE TO PROSPECTIVE TENANT)

Grantee or Agency Letterhead  
(Date)

Dear \_\_\_\_\_:

On     (Date)    ,     (Property Owner)     submitted an application to the     (Grantee)     for financial assistance under a program funded by the Department of Housing and Urban Development (HUD). The proposed project involves [acquisition] [rehabilitation] [demolition] and/or [conversion] of the property located at     (Address)    . Because Federal funds are planned for use in this project, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) [and/or section 104(d) of the Housing and Community Development Act of 1974, as amended] may apply to persons in occupancy at the time the application was submitted for HUD funding. However, if you choose to occupy this property subsequent to the application for federal financial assistance as a new tenant, you will not be eligible for relocation payments or assistance under the URA [and/or section 104(d)].

This notice is to inform you of the following information before you enter into any lease agreement and/or occupy the property located at the above address:

- ◆ You may be displaced by the project.
- ◆ You may be required to relocate temporarily.
- ◆ You may be subject to a rent increase.
- ◆ You will not be entitled to any relocation payments or assistance provided under the URA [and/or section 104(d)]. If you have to move or your rent is increased as a result of the above project, you will not be reimbursed for any such rent increase or for any costs or expenses you incur in connection with a move as a result of the project.

Please read this notification carefully prior to signing a rental agreement and moving into the project. If you should have any questions about this notice, please contact     (Grantee)     at     (Address and Telephone Number)    . Once you have read and have understood this notice, please sign the statement below if you still desire to lease the unit.

Sincerely,

    (Name and Title)    

Please read this notification carefully prior to signing a rental agreement and moving into the project. If you should have any questions about this notice, please contact     (Grantee)     at     (Address and Telephone Number)    . Once you have read and have understood this notice, please sign the statement below if you still desire to lease the unit.

NOTE: ACKNOWLEDGEMENT OF THIS NOTICE IS MANDATORY WITH EACH RENTAL AGREEMENT. ALL ADULT OCCUPANTS MUST SIGN.

NAME: \_\_\_\_\_ ADDRESS AND UNIT NUMBER: \_\_\_\_\_  
Print Name of Tenant

SIGNATURE (S): \_\_\_\_\_

ANNUAL INCOME: \_\_\_\_\_ HOUSEHOLD SIZE: \_\_\_\_\_

MOVE-IN DATE: \_\_\_\_\_

**ATTACHMENT D**  
*EVIDENCE OF COMPLIANCE WITH PREVIOUS HCDS LOANS*

**Part A (to be completed by Applicant)**

Project	Address	Total Funds	Purpose
1			
2			
3			
4			
5			
6			

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Part B - Affordability Restrictions (to be completed by HACSD staff)**

The Project(s) listed above is/are in compliance: YES  NO

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Part C - Contract Monitoring (to be completed by HACSD staff)**

The Project(s) listed above is/are current: YES  NO

Annual Reports are submitted when due: YES  NO

Comments  
 : \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Part D – Residual Receipts Payment Record (to be completed by HACSD staff)**

Are Residual Receipts being received?      YES  NO

<b>Year</b>	<b>Amount Projected</b>	<b>Amount Received</b>
<b>2011</b>		
<b>2012</b>		
<b>2013</b>		
<b>2014</b>		
<b>Any previous years:</b>		

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT E**

*EQUAL OPPORTUNITY PROGRAM FOR CONTRACTORS DOING BUSINESS WITH  
THE COUNTY OF SAN DIEGO*

The County of San Diego is committed to an Equal Opportunity Program pursuant to applicable State and Federal laws and guidelines, which provide Equal Opportunity in all activities of the agency, including the employment of individuals and firms which contract with The County of San Diego.

**CERTIFICATE OF COMPLIANCE**

\_\_\_\_\_  
(Name of Contractor)

As an authorized official for the above named Contractor, I hereby certify by the signature affixed to this document that said firm will comply with Executive Order 11246, Title VII of the Civil Rights Act of 1964, as amended, the California Fair Employment Practices Act and any other applicable Federal and State laws as well as any other applicable local, state and federal Equal Opportunity Programs.

Further, I am submitting an acceptable Equal Employment Opportunity Plan. This plan will address the affirmative action that will be taken by this Contractor to eliminate any discriminatory outreach or hiring practices, if they exist, and to introduce outreach and hiring practices to maximize employment opportunities for all qualified individuals.

\_\_\_\_\_  
Name of Authorized Official

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

## ATTACHMENT F

*COUNTY OF SAN DIEGO HOUSING AND COMMUNITY DEVELOPMENT SERVICES  
AFFIRMATIVE FAIR HOUSING MARKETING PLAN*

### 1. DEVELOPMENT INFORMATION

---

Development Name _____	Contact Person _____		
Address _____	City _____	State _____	Zip _____
Telephone No. _____	Fax No. _____	Census Tract _____	Council District _____

### 2. MANAGING AGENT

---

Firm Name _____	Contact Person _____		
Address _____	City _____	State _____	Zip _____
Telephone No. _____	Fax No. _____	E-Mail _____	

### 3. PROJECT DATA

Total Number of Units \_\_\_\_\_: please break down below:

	<u>Market Rate</u>	<u>Low Income</u>	<u>Very Low Income</u>
0 Bedroom	_____	_____	_____
1 Bedroom	_____	_____	_____
2 Bedroom	_____	_____	_____
3 Bedroom	_____	_____	_____
4 Bedroom	_____	_____	_____

Check:      Multifamily \_\_\_\_\_      Single Family \_\_\_\_\_

Project Type: (Check One)    Seniors \_\_\_\_\_    Family \_\_\_\_\_    Mixed \_\_\_\_\_

Please indicate the date when rehabilitated or newly constructed units will be available for occupancy: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. DIRECTION OF MARKETING ACTIVITY**

Indicate below which group(s) in the housing market area is least likely to, because of location and other factors, apply for the housing without special outreach efforts.

- White
- Black/African American
- Asian
- American Indian/Alaska native
- Native Hawaiian/Other Pacific Islander
- American Indian/Alaska Native and White
- Asian and White
- Black/African American and White
- American Indian/Alaska Native and Black/African American
- Other Multi Racial

**5. MARKETING PERSONNEL AND BACKGROUND INFORMATION**

Name of Developer/Marketing Agent	Contact Person
-----------------------------------	----------------

Address	City	State	Zip
---------	------	-------	-----

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_

Please list developments marketed within the past two years:

Name	Address	Type	No. Units	% Subsidy	Marketing Duration
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

**6. MARKETING EFFORTS**

For the subject development, how many units are to be leased through marketing efforts? (Units remaining after current residents are given preference.) \_\_\_\_\_.

How many months do you anticipate it will take for the development to attain 95% occupancy?  
\_\_\_\_\_

**7. DEFINITION OF THE MARKET**

Define below the geographic area from which the majority of new tenants will be attracted. Please provide a map outlining the primary market area.

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Provide a demographic description of tenants in the development area (include ethnicity, age, income, family size) who you intend to attract to the subject development.

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**8. MARKETING ACTIVITY AND OUTREACH EFFORTS**

Please check one or more of the following describing marketing activities planned for the subject development.

<input type="checkbox"/> Brochure*	<input type="checkbox"/> Billboard
<input type="checkbox"/> Newspaper Ads**	<input type="checkbox"/> Mass Mailing
<input type="checkbox"/> Public Relations	<input type="checkbox"/> Radio Ads
<input type="checkbox"/> Television Ads	<input type="checkbox"/> Other (specify)

- \* Attach vendor cost estimates for design and printing.
- \*\* Attach preliminary advertising schedule and budget.

**(The Fair Housing trademark and/or logo must be used in all newspaper ads and publications.)**

NAME OF NEWSPAPERS, RADIO OR T.V. STATIONS	RACIAL/ ETHNIC IDENTIFICATION OF READER/ AUDIENCE	SIZE OR DURATION OF ADVERTISING
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

**9. COMMUNITY CONTACTS**

If the applicant chooses to use community contact as part of its outreach program, it is understood that contact with the group or organization listed below will be established and maintained throughout the initial marketing campaign and subsequent marketing efforts. If more space is needed, attach an additional sheet.

1. Name of Group or Organization
2. City, State, and Zip Code
3. Racial/Ethnic Identification
4. Approximate Date of Contact or Proposed Contact

	GROUP 1	GROUP 2
1.	<hr/>	<hr/>
2.	<hr/>	<hr/>
3.	<hr/>	<hr/>
4.	<hr/>	<hr/>

10. **ADDITIONAL MARKETING ACTIVITIES** (signs and Fair Housing Poster)

Will there be a sign at the development site? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, will the Fair Housing trademark and/or logo be used? Yes \_\_\_\_\_ No \_\_\_\_\_

Will the development have any of the following? (Please check):  
Rental Office \_\_\_\_\_  
Model Units \_\_\_\_\_  
Other (specify) \_\_\_\_\_

**In all areas checked, the Fair Housing Poster must be conspicuously displayed.**

11. **EXPERIENCE AND STAFF INSTRUCTIONS**

Does your organization have experience in marketing housing to the targeted group(s) you identify in this plan? Yes \_\_\_\_\_ No \_\_\_\_\_

Training of your organization's staff must include Fair Housing Law and its regulations, outreach and Fair Housing marketing. Make a statement below regarding how this was or will be accomplished.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

It is understood that the plan outlined herein is established for residential development to provide housing for low- and very-low-income residents. In implementing this plan, the Owner/Developer and Marketing/Managing Agent signing below will abide by all rules and regulations of the HUD-VASH project-based voucher program when applicable, and the income and affirmative marketing requirements of HCDS.

Owner/Developer: \_\_\_\_\_  
Name (print) \_\_\_\_\_ Title \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Marketing/Managing Agent \_\_\_\_\_  
Name (print) \_\_\_\_\_ Title \_\_\_\_\_

**COUNTY OF SAN DIEGO HOUSING AND COMMUNITY DEVELOPMENT SERVICES**

Approved by: \_\_\_\_\_  
Name (print) \_\_\_\_\_ Title \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

## ATTACHMENT G

### MANAGEMENT PLAN CHECKLIST

The developer will be required to submit a Management Plan for review and approval by the HACSD.

The Management Plan is required to follow the format below.

#### **Management**

- Role and Responsibility of the Owner and/or Delegation of Authority of the Managing Agent
  - Description of Site/Units
  - Scope of Duties
  - Changes in Management
- Personnel Policy and Staffing Arrangements
  - Hiring and Personnel Policies
  - Projected Staffing (On-Site Manager - 16 or more units)
  - Training and Monitoring
  - Hiring of Residents
- Maintaining Adequate Accounting Records and Handling Necessary Forms and Vouchers
  - Accounting Basis
  - Collections and Disbursements
  - Contracting, Purchasing, Cost Controls
  - Compliance and Reporting
  - Vacancies and Rent Losses
  - Security Deposits
- Provisions for Update of Management Plan
- Insurance

#### **Occupancy**

- Plan and Procedures for Publicizing and Achieving Early and Continued Occupancy
  - Outreach (Affirmative Fair Housing Marketing/Advertising)
  - Resident Selection
  - Waiting List
  - Orientation
- Procedures for Determining Resident Eligibility and for Certifying and Annually Recertifying Household Income and Size
  - Initial Certification
  - Recertification
  - Changes in Eligibility During Occupancy
  - Leasing Procedures
- Rent Collection
  - Rent Payment
  - Late Rents
  - Rent Increases
- Procedure for Appeal, Grievance and Eviction
  - Right to Hearing
  - Eviction Procedures
- Plans for Enhancing Resident-Management Relations
  - Resident Organization(s)
  - Community Room
  - Auxiliary Program

**Maintenance and Security**

- Construction Follow-Up
- Maintenance Programs
  - Maintenance Duties
  - Maintenance Supervision and Performance
  - Tools
  - Resident Maintenance Requests
  - Resident Neglect and Abuse
  - Reconditioning for New Residents
  - Preventive Maintenance
  - Emergency Maintenance
  - Gardening and Landscape
  - Contract Maintenance
  - Maintenance Stock Control
- Security

**Attach the Affirmative Fair Housing Marketing Plan**

## ATTACHMENT H

### 24 CFR 983.57 SITE SELECTION STANDARDS

- (A) Applicability. The site selection requirements in paragraph (d) of this section apply only to site selection for existing housing and rehabilitated PBV housing. The site selection requirements in paragraph (e) of this section apply only to site selection for newly constructed PBV housing. Other provisions of this section apply to selection of a site for any form of PBV housing, including existing housing, newly constructed housing, and rehabilitated housing.
- (B) Compliance with PBV goals, civil rights requirements, and HQS. The PHA may not select a proposal for existing, newly constructed, or rehabilitated PBV housing on a site or enter into an Agreement or HAP contract for units on the site, unless the PHA has determined that:
- (1) Project-based assistance for housing at the selected site is consistent with the goal of de-concentrating poverty and expanding housing and economic opportunities. The standard for de-concentrating poverty and expanding housing and economic opportunities must be consistent with the PHA Plan under 24 CFR part 903 and the PHA Administrative Plan. In developing the standards to apply in determining whether a proposed PBV development will be selected, a PHA must consider the following:
    - (i) Whether the census tract in which the proposed PBV development will be located is in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community;
    - (ii) Whether a PBV development will be located in a census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition;
    - (iii) Whether the census tract in which the proposed PBV development will be located is undergoing significant revitalization;
    - (iv) Whether state, local, or federal dollars have been invested in the area that has assisted in the achievement of the statutory requirement;
    - (v) Whether new market rate units are being developed in the same census tract where the proposed PBV development will be located and the likelihood that such market rate units will positively impact the poverty rate in the area;
    - (vi) If the poverty rate in the area where the proposed PBV development will be located is greater than 20 percent, the PHA should consider whether in the past five years there has been an overall decline in the poverty rate;
    - (vii) Whether there are meaningful opportunities for educational and economic advancement in the census tract where the proposed PBV development will be located.
  - (2) The site is suitable from the standpoint of facilitating and furthering full compliance with the applicable provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d–2000d(4)) and HUD's implementing regulations at 24 CFR part 1; Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601–3629); and HUD's implementing regulations at 24 CFR parts 100 through 199; Executive Order 11063 (27 FR 11527; 3 CFR, 1959–1963 Comp., p. 652) and HUD's implementing regulations at 24 CFR part 107. The site must meet the section 504 site selection requirements described in 24 CFR 8.4(b)(5).
  - (3) The site meets the HQS site standards at 24 CFR 982.401(l).
- (C) PHA PBV site selection policy. (1) The PHA administrative plan must establish the PHA's policy for selection of PBV sites in accordance with this section.
- (1) The site selection policy must explain how the PHA's site selection procedures promote the PBV goals.
  - (2) The PHA must select PBV sites in accordance with the PHA's site selection policy in the PHA administrative plan.

- (D) Existing and rehabilitated housing site and neighborhood standards. A site for existing or rehabilitated housing must meet the following site and neighborhood standards. The site must:
- (1) Be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities and streets must be available to service the site. (The existence of a private disposal system and private sanitary water supply for the site, approved in accordance with law, may be considered adequate utilities.)
  - (2) Promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.
  - (3) Be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents.
  - (4) Be so located that travel time and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower-income workers is not excessive. While it is important that housing for the elderly not be totally isolated from employment opportunities, this requirement need not be adhered to rigidly for such projects.
- (E) New construction site and neighborhood standards. A site for newly constructed housing must meet the following site and neighborhood standards:
- (1) The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities (water, sewer, gas, and electricity) and streets must be available to service the site.
  - (2) The site must not be located in an area of minority concentration, except as permitted under paragraph (e)(3) of this section, and must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area.
  - (3) A project may be located in an area of minority concentration only if:
    - (i) Sufficient, comparable opportunities exist for housing for minority families in the income range to be served by the proposed project outside areas of minority concentration (see paragraph (e)(3)(iii), (iv), and (v) of this section for further guidance on this criterion); or
    - (ii) The project is necessary to meet overriding housing needs that cannot be met in that housing market area (see paragraph (e) (3)(vi)) of this section for further guidance on this criterion).
    - (iii) As used in paragraph (e)(3)(i) of this section, "sufficient" does not require that in every locality there be an equal number of assisted units within and outside of areas of minority concentration. Rather, application of this standard should produce a reasonable distribution of assisted units each year that, over a period of several years, will approach an appropriate balance of housing choices within and outside areas of minority concentration. An appropriate balance in any jurisdiction must be determined in light of local conditions affecting the range of housing choices available for low-income minority families and in relation to the racial mix of the locality's population.
    - (iv) Units may be considered "comparable opportunities," as used in paragraph (e)(3)(i) of this section, if they have the same household type (elderly, disabled, family, large family) and tenure type (owner/renter); require approximately the same tenant contribution towards rent; serve the same income group; are located in the same housing market; and are in standard condition.
    - (v) Application of this sufficient, comparable opportunities standard involves assessing the overall impact of HUD-assisted housing on the availability of housing choices for low-income minority families in and outside areas of minority concentration, and must take into account the extent to which the following factors are present, along with other factors relevant to housing choice:
      - a. A significant number of assisted housing units are available outside areas of minority concentration.

- b. There is significant integration of assisted housing projects constructed or rehabilitated in the past 10 years, relative to the racial mix of the eligible population.
  - c. There are racially integrated neighborhoods in the locality.
  - d. Programs are operated by the locality to assist minority families that wish to find housing outside areas of minority concentration.
  - e. Minority families have benefited from local activities (e.g., acquisition and write-down of sites, tax relief programs for homeowners, acquisitions of units for use as assisted housing units) undertaken to expand choice for minority families outside of areas of minority concentration
  - f. A significant proportion of minority households have been successful in finding units in non-minority areas under the tenant-based assistance programs.
  - g. Comparable housing opportunities have been made available outside areas of minority concentration through other programs.
- (vi) Application of the “overriding housing needs” criterion, for example, permits approval of sites that are an integral part of an overall local strategy for the preservation or restoration of the immediate neighborhood and of sites in a neighborhood experiencing significant private investment that is demonstrably improving the economic character of the area (a “revitalizing area”). An “overriding housing need,” however, may not serve as the basis for determining that a site is acceptable if the only reason the need cannot otherwise be feasibly met is that discrimination on the basis of race, color, religion, sex, national origin, age, familial status, or disability renders sites outside areas of minority concentration unavailable or if the use of this standard in recent years has had the effect of circumventing the obligation to provide housing choice.
- (4) The site must promote greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons.
  - (5) The neighborhood must not be one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions predominate, unless there is actively in progress a concerted program to remedy the undesirable conditions.
  - (6) The housing must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services that are at least equivalent to those typically found in neighborhoods consisting largely of unassisted, standard housing of similar market rents.
  - (7) Except for new construction, housing designed for elderly persons, travel time, and cost via public transportation or private automobile from the neighborhood to places of employment providing a range of jobs for lower-income workers, must not be excessive.

**ATTACHMENT I**

COUNTY OF SAN DIEGO  
HOUSING AND COMMUNITY DEVELOPMENT SERVICES

REHABILITATION STANDARDS



## I. Introduction

The following rehabilitation standards shall be the basis for all rehabilitation activities undertaken as part of the following programs:

- HOME Investment Partnerships (HOME) Program;
- Neighborhood Stabilization Program (NSP);
- Community Development Block Grant (CDBG) Program; and
- Housing Opportunities for Persons with Aids (HOPWA).
- Project Based Vouchers (PBVs)

Upon completion of a project, the property must comply with the rehabilitation standards established for these programs.

## II. Applicable Laws and Regulations

The County of San Diego Housing and Community Development Services has established standards for rehabilitation work to bring substandard housing into compliance with the following statutory and regulatory requirements:

- HOME Program Regulations (24 CFR Part 92);
- HUD Lead-Based Paint Regulations (24 CFR Part 35);
- Federal Housing Code: Housing Quality Standards;
- Federal Fair Housing Act;
- Section 504 of the Rehabilitation Act of 1973 (applicable to certain HOME projects); and
- Federal Labor Standards regulatory requirements (Davis-Bacon Related Acts).

In addition, every unit rehabilitated under the programs must meet one of the following standards:

- Local Housing Codes: Any applicable local housing codes; or
- Uniform Building Code, National Building Code, or the Standard Building Code; or
- The Council of American Building Officials (CABO) one or two family code; or
- The Minimum Property Standards (MPS) in 24 CFR 200.925 or 200.926.

The scope of rehabilitation, at a minimum, must incorporate these Rehabilitation Standards to address the physical deficiencies of a unit, and it must result in the elimination of all serious Health and Safety hazards. The Department reserves its right to request modifications to a proposed scope of rehabilitation in cases where it is determined that the Rehabilitation Standards established for the program are not being followed.

## III. SITE IMPROVEMENTS

### Paving and Walkways

**Repair Standard:** Badly deteriorated, essential paving, such as front walkways, will be repaired to match. Non-essential deteriorated paving such as sidewalks that are unnecessary, will be removed and appropriately landscaped.

- Asphalt Driveway Repair and Sealing: Fill all visible cracks and potholes. If any holes need filling, use a cold patch or black top patch. The hole should be cleaned out of all loose asphalt pieces and undercut so that the patch will bond and not pop-out. Follow manufacturer's instructions, filling the hole and tamping it to compress the material. After filled and dried, seal the entire driveway, with a good, durable sealant for an even, uniform appearance.
- Asphalt Driveway (Topping Repair): Provide and install 1½" asphalt topping over existing driveway/parking area. To include patching of holes, weak spots and broken edges, prior to application of top coat. Compact asphalt with a 2 ton roller or appropriate hand tools. Surface to be free from depressions and sloped to drain. Edges to be tapered and compacted. After asphalt has been installed and set, apply sealer over entire surface.

- Concrete Driveway/Walkway Repair (Cracks): Before repair, remove oil and grease stains if any. Break away any loose or cracked concrete. Clean loose material from the crack, and then remove loose dust and concrete particles. For cracks up to 3/8" wide, use liquid cement filler (repair kit) or ready-mixed concrete patch. For larger cracks/holes, apply thin layer of bonding adhesive and trowel latex patching compound, making it even with the surrounding surface.

**Replacement Standard:** Essential walkways and driveways shall be replaced with concrete.

- Concrete Driveway: Demo existing, form and pour new driveway. Concrete to be a minimum of 3 1/2". Concrete to be a minimum of 2500 PSI reinforced with #6x6x10/10 mesh placed 3" below the surface. Concrete surface sloped to drain. Control joints to be installed every 10 LFT. Edges to be finished smooth and the surface broom finished. Allow for proper curing.
- Concrete Walkway Replacement or Installation: Demo existing, form and pour new walkway; or install concrete walkway. Replacement or installation to take into account leveling, raking and tamping the ground for a firm smooth surface and to fill in any low areas. Form up sides of walkway, stake a minimum of 4' apart and screw stakes to boards. Pour concrete into the forms of walkway. Level (or screed) the concrete before it hardens. Float, trowel between concrete and form, create joints where needed (4' intervals) and broom finish. Allow for proper curing before removing forms.

## Grading

**Repair Standard:** Any deficiencies in proper grading adjacent to the building shall be corrected to ensure surface drainage away from the foundation.

**Replacement Standard:** N/A

## Drainage

**Repair Standard:** Surface drainage must flow away from walkways or foundation of the house.

- Installation of a French Drain: Install a French drain to move water away from walkway and house. French drain to be 18-24" deep by 6" wide. Tamp down any loose soil. Lay down a perforated pipe (holes side down to avoid being filled with gravel). Once installed, cover the pipe with 1" or large, washed rounded gravel to within 1" of the surface. Cover with sod, rock or appropriate mulching material.

**Replacement Standard:** N/A

## Retaining Wall

**Repair Standard:** Deteriorated retaining wall that requires minimal structural corrections and does not pose a health or safety hazard should be repaired.

**Replacement Standard:** A dilapidated retaining wall that poses a health or safety hazard should be replaced, or it must be provided where necessary to protect the structure, driveway and walls and to prevent soil erosion.

- Retaining Wall Replacement or Installation: Construct a concrete block retaining wall using proper footing, reinforcing bar and 8x8x16 concrete block. Apply two coats of water-proofing sealant to wall per manufacturer's recommendations. Wall to be solid grout, properly sealed with weep holes. Include concrete cap.

## Fences and Gates

**Repair Standard:** Wood fences which lean or have missing pickets, boards or panels may have missing parts replaced with suitable materials to match the existing. Sagging gates may be braced and those dragging on the ground may be re-hung.

**Replacement Standards:** Dilapidated wood fencing which poses a health and safety hazard should be replaced.

- Wood Fence: Provide and install new "dog-eared" fence. Fence to be constructed using 4"x4" galvanized posts set in concrete every 8 lineal feet with 2"x4" top and bottom rails between posts. Provide 1/2" spacing between 6' cedar upright. All hardware to be galvanized. Provide and install two wood gates to replace existing at both sides of unit.

## Trees

**Repair Standard:** Trees that are too close to the structure and are undermining the structural integrity of the unit shall be safety-pruned or removed.

**Replacement Standard:** N/A

## IV. EXTERIOR SURFACES

### Exterior Steps and Decks

**Repair Standard:** Steps, Stairways, and porch decks will be structurally sound, reasonably level, with smooth and even surfaces.

**Replacement Standard:** All unsafe or unsound porch decks and steps will be removed and/or replaced and protected from deterioration with paint or other acceptable finish. New steps and stairways shall be constructed of preservative treated lumber in conformance with local codes, or of masonry. Porch decks shall be replaced with tongue and groove pine.

### Exterior Railings

**Repair Standard:** Handrails will be present on one side of all interior or exterior steps or stairways with more than two risers, and around porches or platforms over 30" above ground level.

**Replacement Standard:** Railings shall be wrought iron or preservative treated lumber.

### Exterior Hardware

**Repair Standard:** N/A

**Replacement Standard:** Every unit will have a mailbox, or a mail slot, and a minimum 3" high address numbers at the front of the unit.

### Bricks

**Repair Standard:** Replace all missing or damaged bricks with new bricks to match existing. Clean out all loose mortar joints and tuck point with new mortar.

**Replacement Standard:** N/A

### Exterior Paint

**Repair Standard:** Siding and trim will be intact and weatherproof. All exterior wood components will have a minimum of two continuous coats of paint, and no exterior painted surface will have any deteriorated paint.

- Exterior Paint on Stucco: Water blast stucco. Repair damage to stucco using suitable stucco patch. Finish pattern to blend with existing as closely as possible. Prepare and paint stucco with two coats quality grade paint, guaranteed to cover. After paint has dried, seal area from ground up to four feet around house with water sealant that will not stain paint.
- Exterior Paint on Trim, Fascia, Eaves, and Wood Members: Repair or replace damaged trim, fascia, eaves, wood members, etc. See termite report for recommended or required repairs. All wood to be primed. Prepare all exterior wood, including exterior doors, for painting, using industry approved standards. Paint using two coats, quality, guaranteed to cover exterior paint. Owner to select color(s).

**Replacement Standard:** Wood siding materials and trim which are broken, split or damaged so as to permit the entrance of weather or which show signs of decay or insect infestation shall be replaced to match existing.

- Fascia: Replace or repair any damaged trim, fascia, eaves, or wood members, etc. See termite report for recommended or required repairs. All new wood to be primed. Then, paint all exterior doors and wood with good quality exterior paint guaranteed to cover. Prior to application, assure surfaces are smooth, clean, dry and ready to receive paint. Apply according to manufacturer's recommendations. Owner to select color(s).

### Gutters, Cornices and Exterior Details

**Repair Standard:** Repairs to gutters, downspouts, eaves, rafter ends, fascia, soffits and cornices, moldings, trim, etc., shall be made to match existing design and appropriate materials to prevent deterioration.

**Replacement Standard:** Gutters, downspouts, eaves, rafter ends, fascia, soffits and cornices, moldings, trim, etc., showing evidence of deterioration shall be replaced with new materials suitably protected with paint or stain.

## V. FOUNDATIONS AND STRUCTURE

### Foundations

**Repair Standard:** Foundations shall be sound, reasonably level, and free from movement.

**Replacement Standard:** Replacement of foundations must meet building code.

### Structural Walls

**Repair Standard:** Structural framing and all masonry or concrete foundation walls shall be free from visible deterioration, rot, or serious termite damage. All sagging floor joists or rafters shall be visually inspected, and significant structural damage and its cause shall be corrected and improved to a safe and sound condition.

**Replacement Standard:** Replacement of structural walls must meet building code. All wood foundation posts, sills, girders and plates showing signs of rot, decay, infestation or structural failure shall be replaced with new suitable materials of proper design, where applicable

## VI. WINDOWS, DOORS AND OTHER OPENINGS

### Exterior Doors

**Repair Standard:** Doors shall be solid, weather stripped, operate smoothly, and include a peep site, a deadbolt, and an entrance lock set.

**Replacement Standard:** All replacement doors at the front of the property will be Energy-Star rated. Dead bolt locks shall be installed on all doors.

- Front Entry Door: Provide and install solid front entry door. Replace wood trim and jamb as needed. Include new locking door knob, and dead bolt lock set keyed alike. Installation to include three butt hinges and all necessary hardware. Paint or stain door. Owner to select color.
- Garage Door: Provide and install steel non-insulated, solid panel (no windows) roll-up garage door with electric opener system. Replace wood trim and jamb as needed. Installations to include all necessary hardware and minimum five-year warranty on all components.
- Security Screen Doors: Provide and install new security screen door with locking door knob and dead bolt lock set. Install per manufacturer's recommendation and include all necessary hardware. Any gap at bottom of screen door once installed must be closed.

### Chimneys

**Repair Standard:** Chimneys or fireplaces showing signs of deterioration must be repaired or replaced with appropriate materials.

**Replacement Standard:** N/A

### Interior Doors

**Repair Standard:** All bedrooms, baths and closets shall have well-operating doors.

**Replacement Standard:** Interior doors must be hollow core, pressed wood product with brass-plated bedroom lockset.

- Door (Interior): Provide and install pre-hung hardboard hollow core interior door (minimum 1 3/8" thick). Replace wood trim and jamb as needed. Include new locking door knob. Installation to include three butt hinges and all necessary hardware. Paint or stain door. Owner to select color.

### Windows

**Repair Standard:** All single glazed windows shall be replaced with Energy-Star rated windows. Operable windows shall have a locking device and mechanism to remain partially open. Dilapidated lead-containing windows should be replaced.

**Replacement Standard:** All windows must be replaced with energy efficient, dual pane, retrofit vinyl, low-E, Energy-Star rated windows. The windows must have a minimum R-value of 2 (Energy-Star).

- Window Replacement: Provide and install new energy efficient, low-E, dual pane, retrofit vinyl windows, with screens, to replace existing windows. New windows to allow for proper egress, ventilation and natural light to code.
- Sliding Glass Door: Provide and install new sliding glass door to replace existing. Sliding glass door to match energy efficiency standards of windows. Bid to include necessary modifications and repairs to adjacent surfaces. Installation per manufacturer's recommendations and to include screen door.

## VII. ROOFING

### Roofs

**Repair Standard:** Missing and leaking shingles and flashing shall be repaired on otherwise functional roofs.

**Replacement Standard:** Dilapidated roofs and flashing shall be replaced to protect the building against leakage.

- Roof Replacement: Demo existing roof covering down to sheathing. Inspect and replace damaged sheathing and starter boards per code. Install new fiberglass shingles over 15# domestic felts per manufacturer's instructions. Shingles to carry 25-year manufacturer's warranty and be equal to Johns Manville, Celotex or Owens Corning. Include all metal work, reseal flashings and paint vent pipes/covers with rust inhibitor paint – color to be owner's choice. Provide a 25-year manufacturer's warranty and five-year workmanship guarantee.
- Roof - Built Up: Remove existing hot-mop and rock roof covering down to sheathing. Inspect and replace damaged sheathing and starter boards. Provide and install solid cap over four-ply built up roof comparable to Johns Manville or better. Include all metal work, reseal flashings and paint vent pipes/covers with rust inhibitor paint – color to be owner's choice. Provide a 20-year manufacturer's warranty and five-year workmanship guarantee.
- Roof – Cap: Remove existing hot-mop and rock roof covering down to sheathing. Inspect and replace damaged sheathing and starter boards. Provide and install solid cap over 3ply built up roof comparable to Johns Manville or better. Include all metal work, reseal flashings and paint vent pipes/covers with rust inhibitor paint – color to be owner's choice. Provide a 15-year manufacturer's warranty and five-year workmanship guarantee.
- Roof – Shake: Demo existing wood shake roof down to sheathing. Inspect and replace starter boards. Apply solid sheathing to code. Install new fiberglass shingles over 15# domestic felts per manufacturer's instructions. Shingles to carry 25 year manufacturer's warranty and be equal to Johns Manville, Celotex or Owens Corning. Include all metal work, reseal flashings and paint vent pipes/covers with rust inhibitor paint – color to be owner's choice. Provide a 25-year manufacturer's warranty and five-year workmanship guarantee.
- Roof (3-tab): Demo existing three-tab roof coverings down to sheathing. Inspect and replace damaged sheathing and starter boards per code. Install new fiberglass shingles over 15# domestic felts per manufacturer's instructions. Shingles to carry 25 year manufacturer's warranty and be equal to Johns Manville, Celotex or Owens Corning. Include all metal work, reseal flashings and paint vent pipes/covers with rust inhibitor paint – color to be owner's choice. Provide a 25-year manufacturer's warranty and five-year workmanship guarantee.

## VIII. INTERIOR STANDARDS

### Flooring

**Repair Standard:** Flooring in adequate condition with minimal damage may be repaired. Bathroom and kitchen floors shall be rendered smooth and cleanable by being covered with water-resistant vinyl flooring or ceramic tile.

**Replacement Standard:** Floors in areas of the unit which show excessive wear, shrinkage, cupping or other serious damage, and poses a health and safety hazard shall be replaced or covered with acceptable finish flooring materials properly installed. Sound wood floors showing normal wear discoloration may be refinished.

- Carpet: Provide and install new carpet and pad (minimum ½") in living areas determined by the owner. Owner to select style and color. Installation to include new baseboard to match existing. Paint baseboard, if wood.
- Vinyl: Remove and replace current vinyl flooring. Repair/replace underlayment as necessary. Prepare flooring to provide a smooth surface, ready to receive new floor sheet goods. Remove existing baseboards. Furnish and professionally install new owner selected, one-piece linoleum flooring, including new baseboards, sink nails, putty, sand smooth and paint.

### Closets

**Repair Standard:** All bedrooms shall have closets with a door, clothes rod, and shelf.

**Replacement Standard:** N/A

### Interior Walls and Ceiling

**Repair Standard:** All holes and cracks shall be repaired to create a continuous surface and any deteriorated paint should be properly repaired or, if applicable, stabilized using lead-safe measures.

**Replacement Standard:** Walls shall be plumb and ceiling level with a smooth finish on at least ½" gypsum.

## IX. ELECTRIC

**Repair Standard:** Electrical service must be adequate to safely supply power to all existing and proposed electrical devices. All entrances will be well lighted and either switched at the interior side of the door, or the light will be controlled by a photoelectric cell. Where needed, motion actuated security lighting shall be installed. All switch, receptacle, and junction boxes shall have appropriate cover plates. Wiring shall be free from hazard and all circuits shall be properly protected at the pane.

**Replacement Standard:** Replacement of electrical systems, distribution, wiring or services must meet code.

## X. PLUMBING

**Repair Standard:** All Plumbing fixtures must be appropriately supplied with water, connected to an approved drain, waste, vent and supply lines. All leaking, deteriorated or clogged piping shall be replaced or restored to a condition which will provide safe and adequate service for the plumbing fixtures or gas-fired equipment to which they are connected.

**Replacement Standard:** New piping and fittings must meet plumbing code. All water lines shall be replaced with new copper pipe.

## XI. ENERGY CONSERVATION MEASURES

Rehabilitation loans must be used to reduce energy consumption through the installation of:

- Energy efficient windows;
- Attic, floor and wall insulation;
- Energy Star rated appliances;
- Energy efficient water heaters;
- Caulking and weather stripping of doors and windows.