



GEORGIA DEPARTMENT  
*of* COMMUNITY AFFAIRS

**DRAFT**

**Notice of Funding Opportunity (NOFO)  
For HOME-ARP Non-Congregate Shelter (NCS)**

Expected To Be Published March 17, 2025

**Applications and all required documentation must be submitted by:  
Close of Business on April 18, 2025**

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# I. Background

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Congress appropriated funds to be administered through the HOME Investment Partnerships Program ("HOME") to perform four activities that must primarily benefit qualifying individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations.

## HOME-ARP Qualifying Populations

HOME-ARP funds must be used primarily to benefit individuals or families from the following Qualifying Populations ("QPs"):

- A. "Homeless," as defined in section [103\(a\) of the McKinney-Vento Homeless Assistance Act \(42 U.S.C. 11302\(a\)\)](#);
- B. "At-risk of homelessness," as defined in section 401(1) of the McKinney-Vento Homeless Assistance Act of (42 U.S.C. 11360(1));
- C. "Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking," as defined by HUD; and/or
- D. "Other populations" where providing supportive services or assistance under section 212(a) of NAHA ([42 U.S.C. 12742\(a\)](#)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability.

HOME-ARP NCS units may only be occupied by individuals or families that meet the criteria for one or more of the QPs. Access to HOME-ARP NCS units must be made to qualifying households without restrictions based on age, race, color, national origin, religion, sex, disability, familial status, or other factors. Furthermore, no individual or family may be denied admission to or removed from a HOME-ARP NCS unit on the basis or as a direct result of the fact that the individual or family is or has been a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking if the individual or family meets the criteria of one of the QPs. Additionally, HOME-ARP QPs are not subject to income restrictions.<sup>1</sup>

At this time, HOME-ARP funded NCS units must be available to serve all four QPs, but NCS owner/operators interested in prioritizing certain QPs in their referral process or limiting their units to serve only specific QPs are encouraged to apply. DCA reserves the right to make modifications to the HOME-ARP Allocation Plan and request approval from HUD to allow NCS owner/operators to limit the QPs they serve or prioritize certain QPs. All prioritization must be documented in the HOME-ARP Written Agreement/Contract with the owner/operator prior to occupancy.

## Eligible Referral Methods

The HOME-ARP Program has an emphasis on referral methods to units to ensure adequate and thorough marketing to qualifying populations. Owner/operators may use the following referral methods and outreach protocols to ensure HOME-ARP QPs have access to the funded units:

- A waiting list must be established for each HOME-ARP NCS development. All qualifying individuals or families must have access to apply for placement on the waiting list for an activity or project.

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<sup>1</sup> See HUD Notice CPD 21-10 Section IV: Qualifying Populations, Targeting, and Preferences for further details on QPs and DCA's HOME-ARP Qualifying Population Eligibility and Referrals Manual (*link to be added once published*).

Qualifying individuals or families on a waiting list must be accepted in accordance with the NCS preferences, if any are established, or in chronological order, insofar as practicable. All qualifying individuals or families must have access to apply.

- A standard coordinated entry (“CE”) system to determine QP eligibility cannot be the sole intake and assessment method since standard coordinated entry does not include all qualifying populations.
- Affirmative marketing procedures must be carried out to ensure Qualifying Populations, those who may be harder to reach, are made aware of, can access, and benefit from the NCS.

## II. Overview

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### Purpose

The purpose of this NOFO is to announce the availability of a cost reimbursement grant for the development of Non-Congregate Shelter (“NCS”) through the federal HOME-ARP Program. NCS is defined as one or more buildings that provide private units or rooms (lockable door and bathroom) as temporary shelter to individuals or families. These units do not require occupants to sign a lease or occupancy agreement and provide a quality emergency or transitional shelter space to those in need.

This funding opportunity aligns with DCA’s strategic goal to internally align new and existing resources to strengthen pathways along the housing continuum by providing a pathway to finance the construction and rehabilitation of shelter space across the state.

### Funding and Awards Available

Projects awarded under this NOFO will be eligible to receive a funding award in the form of a (1) cost reimbursement grant for the construction of Non-Congregate Shelter and an (2) optional cost reimbursement grant for supportive services.

A Cost Reimbursement Grant requires project owners to pay for costs associated with the project upfront and allows DCA to reimburse these expenses based on documentation submitted (e.g., invoices, receipts, and draw request form).

There is currently at least \$7,700,000.00 available for Non-congregate Shelters in DCA’s HOME-ARP Allocation Plan. DCA anticipates awarding up to 4 grants, depending on application quality and the dollar amount requested.

Awards will not exceed the amount necessary to make the Project financially feasible.

### Construction Grant Terms and Requirements

Grant Minimum: \$250,000

Grant Maximum: \$5,000,000

Grant Term: Funding to be spent by January 1, 2030

## Eligible Activities

Under this NOFO, applicants may request up to 100% of the total Project development cost. DCA will determine the total amount to award. However, additional funding for the development is encouraged. For the purposes of this NOFO, the following Project types will be allowed:

- A. Acquisition of existing structures and/or;
- B. Rehabilitation of existing structures (such as motels, nursing homes, or other facilities) or;
- C. The acquisition of vacant land and/or;
- D. Demolition of existing structures or;
- E. New construction.

HOME-ARP funds allocated under this NOFO may be used for the actual costs of acquiring or developing HOME-ARP NCS as follows:

- A. **Acquisition costs:** costs to acquire improved or unimproved real property.
- B. **Demolition costs:** costs of demolishing existing structures for the purpose of developing HOME-ARP NCS.
- C. **Development hard costs:** costs identified in [24 CFR 92.206\(a\)](#) to rehabilitate HOME-ARP NCS units, except costs must be for meeting the physical standards established in Section VI.E.7 of HUD Notice CPD 21-10.
- D. **Site improvements:** costs to make improvements to the Project site, including installation of utilities or utility connections and the construction or rehabilitation of laundry, community facilities, on-site management, or supportive service offices.
- E. **Related soft costs:** reasonable and necessary costs incurred by the owner associated with the financing, acquisition, and development of HOME-ARP NCS Projects, including costs identified in 24 CFR 92.206(d).

Examples of eligible soft costs (which is not exhaustive) are:

1. Legal fees for contracts and permits,
2. Appraisal fees,
3. Architectural and engineering design fees,
4. Marketing and outreach costs,
5. Project management costs,
6. Feasibility studies, and
7. Financing costs.

The following are not eligible soft costs:

1. Costs to provide information services such as affirmative marketing to prospective homeowners and tenants,
2. Costs of funding an initial operating deficit reserve, and
3. Costs of Project-specific assistance to community housing development organizations, including technical assistance and site control loans or seed money loans as specified in 24 CFR 92.301.

## Ineligible Activities

According to HUD guidelines, HOME-ARP funds may not be used to pay the operating or staffing costs of HOME-ARP NCS or for the following purposes:

- A. Providing additional HOME-ARP investment in a HOME-ARP NCS Project during the Restricted Use Period, except that additional HOME-ARP funds can be invested in the Project up to one year after

Project completion in HUD's Integrated Disbursement and Information System ("IDIS") for eligible costs.

- B. Paying costs of conversion of HOME-ARP NCS to another use.
- C. Providing non-Federal matching contributions required under any other Federal program.
- D. Providing assistance for uses authorized under Section 9 of the U.S. Housing Act of 1937 (42 U.S.C. 1437g) (Public Housing Capital and Operating Funds).
- E. Providing assistance to eligible low-income housing under 24 CFR part 248 (Prepayment of Low-Income Housing Mortgages).
- F. Paying for the acquisition of property owned by DCA/GHFA, except for property acquired by DCA/GHFA with HOME- ARP NCS funds, or property acquired in anticipation of carrying out a HOME-ARP NCS Project.
- G. Paying delinquent taxes, fees, or charges on properties to be assisted with HOME-ARP NCS funds.
- H. Paying for any cost that is not eligible under HUD Notice CPD 21-10.

### Eligible Project Size

There is a minimum of 3 units, but no maximum project size or unit count.

### Restricted Use Periods

Project Type	Restricted Use Period
New Construction	15 Years
Rehabilitation	10 Years
Acquisition Only	10 Years

### NCS Conversion to Permanent Housing

The American Rescue Plan authorizes the conversion of HOME-ARP NCS units into permanent housing under subtitle C of title IV of McKinney-Vento or permanent affordable housing during the restricted use period; however, there must be an allowance from HUD to do so. If converting the NCS to permanent housing, no HOME-ARP funds may be used for conversion. The conversion activity must be included in the written agreement between DCA and the owner/operator of the HOME-ARP NCS project in advance of the conversion activities. The initial written agreement must describe the conversion as a possible outcome of the HOME-ARP NCS project and specify the conditions under which conversion will be permitted.

Project Type	Minimum Use Period
Acquisition Only	3 Years
Moderate Rehab	5 Years if Total Investment < 75% of Appraised Value
Substantial Rehab	10 Years if Total Investment > 75% of Appraised Value
New Construction	10 Years

All HOME-ARP NCS projects must be operated as NCS for a minimum period of time prior to conversion. The minimum use period prior to conversion varies based on the original HOME-ARP NCS project type undertaken and the amount of funds invested in the project. If the HOME-ARP NCS project involves rehabilitation, the minimum use period prior to conversion is based on the total cost of the rehabilitation as a percentage of the total appraised value of the improved property. A larger investment for rehabilitation

will require operation as HOME-ARP NCS for a longer minimum use period prior to conversion.

### Optional Supportive Services Grant

HOME-ARP can fund supportive services to assist housing stability for QPs. Under this NOFO, NCS funded projects may be eligible for initial funding for service provider partners. HOME-ARP Funding may not cover all service expenses during the restricted use period. Applicants must submit a budget that includes a preliminary funding plan and commitments for services beyond the HOME-ARP Services amount in order to address service needs during the entire restricted use period of the HOME-ARP-funded NCS.

DCA will evaluate applications for Supportive Services Funding based on the feasibility and completeness of the proposed services and must meet the criteria under this notice under Eligible Applicant Teams (below).

## III. Timeline and Application Procedures

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### Eligible Applicant & Development Team Capacity

Applicants considered eligible under this NOFO must be one of the following:

- A nonprofit with 501(c)(3) or 501(c)(4) tax-exempt status (Attachment 1, see below) serving citizens or
- a City or County government in Georgia.

Applicant Teams must include:

- (1) A shelter operator or homeless service provider who currently serves one or more of the HOME-ARP QPs
- (2) A local or regional representative who can assist the HOME-ARP NCS development with completing local requirements for the development and operation of the shelter.
- (3) A team member with appropriate expertise to ensure the NCS development can complete all project finance and construction timelines (either through MOUs (Attachment 4, see below), contracts, or non-profit participation).

Applications must include the previous experience of all Applicant Team members, including the Project Sponsor, General Contractor, Development and/or Federal Grant Consultant, Architect, NCS Shelter Director, and Service Provider. Applicant Teams must include a current list of all members of the Board of Directors (Attachment 2, see below). Applicant Teams must demonstrate financial capacity to support the proposed Project during construction and through the Restricted Use Period by submitting the following, as available:

- A. Demonstrate at least three (3) years of experience providing homeless shelter and/or emergency shelter-related services in the State of Georgia.
- B. Have a minimum of three (3) years of experience assisting vulnerable individuals or families.
- C. Supportive Service Applicant has no direct or indirect interest in the ownership of an entity that contracts with the NOFO Applicant to provide land, goods, loans, financial support, or services for the project or where there is a financial, familial, or business relationship that permits less than arm's length transactions.

- D. If available, be an active member of the local Coordinated Entry System in which the service will be provided and compliant with HMIS reporting requirements of the local CoC.
- E. Have standards of financial accountability that conform to 24 CFR 84.21, Standards of Financial Management Systems, and provide the most recent audited financial statement with a Management Letter from a CPA firm (Attachment 3, see below).
- F. Nonprofit applicants also must meet the following criteria:
  - 1. Be organized and existing:
    - a. in the State of Georgia (as evidenced by a Certificate of Existence from the Georgia Secretary of State, dated no more than thirty (30) days prior to the application date); or
    - b. under the laws of another state and be qualified to do business in Georgia (as evidenced by a Certificate of Existence from the other state's Secretary of State dated no more than thirty (30) days prior to the application date and by a Certificate of Authorization to do business in Georgia from the Georgia Secretary of State dated no more than thirty (30) days prior to the application date).
  - 2. Have an IRS designation under Section or Section 501(c)(4). A 501(c)(3) non-profit applicant may not submit an application until they have received their determination from the IRS. A 501(c)(4) non-profit applicant must provide documentation satisfactory to DCA that the non-profit has filed the necessary materials with the IRS and received a response from the IRS demonstrating 501(c)(4) status.

## Timeline

Date	Action
March 3, 2025	Public Comment Period
March 12, 2025 @ 10:30 AM	Public Comment Webinar
March 17, 2025	NOFO Published and Application on Website
April 1, 2025 @ 1:00 PM	Q & A Webinar
April 8, 2025 @ 10:00 AM	Q & A Webinar
April 18, 2025	Application deadline
April 21-May 8, 2025	Application Reviews
May 9, 2025 ( <i>expected</i> )	Awards Announced

## Application Submission Guidelines

Every application should include the following for competitive review:

- The Application for Funding for HOME-ARP NCS, Signed and Dated, and uploaded via Emphasys (*Link will be added once NOFO is published*)
- Completed Service Plan and Budget Excel Workbook
- Attachment 1: Nonprofit IRS 501(c)(3) determination
- Attachment 2: Board of Directors List (Current list of all members of the Board of Directors, including name, address, and beginning and ending dates of terms)
- Attachment 3: Audited Financial Statement with Management Letter from a CPA Firm
- Attachment 4: MOUs outlining the roles and responsibilities of all additional service partners
- Attachment 5: Evidence of Zoning-Zoning Compliance Statement or a letter from a local governing body (e.i., City Council or Planning Commission) indicating awareness

- Attachment 6: Site Control (e.g., Warranty Deed, Ground Lease, Intergovernmental Agreement, LURA, Legal Survey Description)
- Attachment 7: HUD Affirmative Fair Housing Marketing Plan (AFHMP) [Form HUD-935.2A](#)
- Attachment 8: Map-Show all amenities within a 5-mile radius
- Attachment 9: Preliminary Plans for New Construction or Rehabilitation of Non-Congregate Shelter

All Non-Congregate Shelter applications should meet the following criteria:

- Funds used to develop NCS that can serve the four QPs of the HOME ARP program.
- If there are any additional service providers affiliated with the development, an MOU must be signed between the NCS and the additional Service Provider with detailed information on what assistance will be provided.
- If applying for services funding, DCA and the service provider (either the NCS or a separate provider) will establish a written agreement/contract for funding to ensure program compliance, record keeping, and payment processes related to services provision.
- HOME-ARP services to be provided must be pre-determined and stated in the written agreement.

DCA will accept applications via [Emphasys](#), not in paper form. Specific instructions for submission and all Application materials will be available on DCA's website March 17, 2025 – April 18, 2025.

## Evaluation of Applications

DCA will evaluate Applications in the following manner:

- Completeness-**
  - Completed Application forms and supporting documents (Attachments 1-9), and
  - Appropriate signatures on all necessary documents.
- Mandatory Application Criteria-** If the Project meets the requirements in the Mandatory Application Criteria section.
- Application Scoring Criteria-** DCA will assign scores based on the categories in the Application Scoring Criteria section.

DCA may reject incomplete applications and notify the Applicant Team with the reason(s) for denial.

## Financial Feasibility

All Applications must demonstrate that the Project is financially feasible, as substantiated in the NCS Services Plan and Budget and additional requested supporting documentation.

DCA will evaluate the following to determine financial feasibility:

### **Maximum Request**

Applicants may request up to 100% of the total Project costs. However, the award will not exceed the amount DCA determines is necessary to make the Project financially feasible and Projects that leverage other funds will be prioritized higher than those requesting 100% of the total Project Costs.

### **Evidence of Project Construction Financing**

If appropriate to the Project, Applications must reflect adequate sources of financing to complete the development of the Project, including all relevant fees.



### **Evidence of Operational Financing through the Restricted Use Period**

Applications must reflect adequate sources of financing to operate the NCS through the duration of the restricted use period. Annual operating expenses must be adequate and reasonable, customary, and necessary when compared to similar Projects, locations, and populations served. If the Project is replacing existing shelter capacity, the Project will include evidence of committed funding such as ESG, State Housing Trust Fund, or the State Housing Accountability Program funding through DCA, or other verifiable operating funding sources which may include philanthropic contributions as approved by DCA. If the Project is proposing expanded or new capacity, the plan will include evidence of the organization's ability to cover operational expenses, including securing additional sources of funds for any operating gap during the Restricted Use Period

Applications should break even during each year of the Restricted Use Period unless there is:

- A. A capitalized operating reserve maintained outside the control of the Project owner or shelter operator and sufficient to fully fund all operating deficits;
- B. Evidence of commitment of secured sources for operating; or
- C. An appropriate and acceptable plan for securing additional sources of funds for any operating gap.

### **Evidence of Reserves**

Applicant Teams must be financially stable and have adequate cash reserves to meet all financial obligations while waiting on reimbursement from DCA.

## IV. Timeline and Application Procedures

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NCS Development Program and construction of NCS units that correspond with the outline below must be completed and submitted with the Application.

DCA will consider only Projects that demonstrate readiness to proceed with financing and development, as evidenced by meeting the mandatory application criteria described in this section.

### **NCS Application, Shelter Operations and Service Plan**

The NCS Application is a separate document that provides a complete overview of a project scope, building and unit features, and the additional request for supportive services. Applicant Teams must provide shelter operations and service plan information through the provided Excel Workbook, found [here](#). This should include the Project's approach to shelter with service support for all four HOME-ARP Qualifying Populations.

Shelter plans (Attachment 9) must include one of the following objectives to be carried out at the end of the compliance period:

- to continue to operate as NCS or;
- convert units to affordable rental housing units, or;
- convert units into permanent supportive housing after the HOME-ARP compliance period.

This information will be submitted in the "Shelter Operations and Services Plan" tab of the application

workbook.

## Supporting Documentation

### Site Control

All NCS projects must demonstrate site control of their proposed project location for just the footprint of the HOME-ARP Funded space. Supporting documentation (Attachment 6) of site control includes the following:

- Warranty Deed
- Ground Lease
- Intergovernmental Agreement
- Land Use Restrictive Agreement (“LURA”)
- Legal Survey Description

The submitted documentation should also clearly identify the following:

- Expiration date for purchase option(s), purchase agreement(s), or letter(s) of intent.
- Legal description of the site(s).
- The sale or lease price of the Site(s), which must align with acquisition costs in the NCS Application and may only include the acquisition costs attributable to the Site. Applications must include a detailed narrative and calculation of the Site sale or lease price on a per square footage basis. If site control documentation is for property larger than the Site.
- A map (Attachment 8) showing the location(s) of the Site(s) and all amenities within a 5-mile radius. If site control is for a property larger than the Site(s), the Site(s) must be delineated on the map.
- Aerial photograph(s) of the Site(s) with the boundaries of the Site(s) clearly delineated and surrounding uses clearly visible.

### Zoning

The Application must include either a Zoning Compliance Statement (Attachment 5) verifying that all Sites are currently zoned for the proposed use of a Non-Congregate Shelter or a letter from their local governing body (i.e. City Council or Planning Commission) indicating their awareness of the proposed plans with the site and their willingness to work with the Applicant to address zoning issues.

### Construction and Regulatory Compliance

All HOME-ARP NCS units and common areas must meet all applicable State and local codes, ordinances, and requirements, as noted in Appendix II.

### Site and Market Information

Applications must provide documentation of compliance with the affirmative marketing plan (Attachment 7) as set forth in [24 CFR 92.351](#) and the MBE/WBE plan at the time of Application.

## V. Competitive Scoring Criteria

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NCS Applications will be scored following the criteria below. Responses to the questions in all parts of the

application should best reflect the criteria. Additional information may be requested by DCA after submission to substantiate any statements made.

Scoring Category	Maximum Points	Category Weight
Leveraging Other Capital Funding Sources and Readiness to Proceed	15	15%
Shelter Operator and Service Provider consultant with Demonstrated Ability to Provide Positive Shelter Outcomes	30	30%
Proven Need in Community and People with Lived Experience in the Design	30	30%
Services Offered and Amenities Available to Residents	25	25%
<b>Total</b>	<b>100</b>	<b>100%</b>

Applicant Teams who also apply for the Optional Supportive Services Funding and pass all the criteria for that section will receive 15 additional points for a **possible total of 115 points**.

DCA will score eligible applications based on the information submitted and rank them according to the totals. DCA may deny points based on information available (including verifications) or if an application does not contain the correct forms or required information. The Applicant Team’s commitment to scoring criteria is binding and will be incorporated into the Written Agreement.

### Leveraging and Readiness to Proceed

Projects may earn points for leveraging non-DCA resources amounting to more than 10% of the Project’s Total Development Costs, as reflected in the Project budget and being ready to begin construction within six (6) months of award.

Projects must submit the completed NCS Services Plan and Budget for evidence supporting this section.

### Experience and the Ability to Provide Positive Shelter Outcomes

In the Application workbook, under the Shelter Operations and Services Plan tab, Applicant Teams must:

- Demonstrate significant experience in shelter operations,
- Provide supportive services beyond the mandatory experience requirements as outlined in Section 3, and
- Demonstrate the past performance of achieving positive shelter outcomes (e.g., individuals finding stable housing, increased employment rates, improved physical and mental health, reduced crime rates, access to essential services like healthcare and counseling, and a pathway to self-sufficiency, etc.), and
- Clearly demonstrate service provision experience with at least one of the QPs that the proposed NCS will be serving, and
- Detail the positive outcomes achieved in the shelters they have operated, and
- Substantiate the positive outcomes using data from HUD’s Homeless Management Information System (“HMIS”) or comparable databases for the one-year period ending June 30, 2024.

Projects that meet the criteria above will receive points as follows:

Demonstrated Positive Outcomes	Points
26-50% population served with positive outcome	10
51-75% population served with positive outcome	20
76% and over population served with positive outcome	30

### Proven Need and People with Lived Experience

Projects may earn up to 30 points for demonstrating a proven need for NCS in the community it intends to serve and including persons with lived experience in the project design. These can be elaborated on in the Shelter Operations and Services Plan tab of the Completed Service Plan and Budget Excel Workbook.

Eligible projects will also be prioritized in jurisdictions that are not located within other HOME-ARP Participating Jurisdictions (PJs); in other words, PJs that received their own HOME-ARP Funding, and are not in the Georgia Balance of State PJ. HUD’s HOME-ARP Participating Jurisdictions include the City of Albany, Athens-Clarke County, City of Atlanta, Augusta-Richmond County, Columbus-Muscogee County, Macon-Bibb County, City of Savannah, Clayton County, DeKalb County, Fulton County, Gwinnett County, and Cobb County. However, Eligible Projects in other HOME-ARP PJs are still encouraged to apply.

### Services Offered and Amenities Available to Participants

In the Shelter Operations and Services Plan tab of the Application workbook, Applicants will be given an opportunity to elaborate on a full description of the services to be provided, how they will be funded, and carried out.

DCA will award points in this category as follows:

One or more services provided per category	Points
<ul style="list-style-type: none"> <li>• Case Management</li> <li>• Counseling</li> <li>• Developing, securing, and coordinating services</li> <li>• Obtaining federal, State, and local benefits</li> <li>• Monitoring and evaluating program participant progress</li> <li>• Developing an individualized housing and service plan, including a path to permanent housing stability</li> <li>• Conducting re-evaluations of the program participant’s eligibility for the types and amounts of assistance the program participant receives</li> </ul>	5
<ul style="list-style-type: none"> <li>• Mental and outpatient health services</li> <li>• Substance abuse treatment services/substance use services</li> </ul>	5
<ul style="list-style-type: none"> <li>• Housing search and counseling services</li> <li>• Securing Utilities/Payment of Application Fees</li> <li>• Outreach to and negotiation with owners</li> </ul>	5
<ul style="list-style-type: none"> <li>• Access to a common kitchen/food prep area</li> <li>• Meal services</li> </ul>	5
<ul style="list-style-type: none"> <li>• Access to Transportation</li> </ul>	5
<b>Maximum Points</b>	<b>25</b>

## VI. Post-Award Requirements

Aside from costs associated with preparing an Application (for example, Physical Needs Assessments), no Project costs may be incurred prior to the closing of the award and funding of the Project.

Applicant Teams must agree to comply with all applicable Federal and State of Georgia requirements. Such requirements may have a significant impact on the costs and complexity of the Project. The Applicant Team may not undertake or commit any funds to physical or choice-limiting actions, including property acquisition, demolition, tenant relocation, rehabilitation, conversion, repair, or construction, prior to receipt of environmental clearance from HUD.

### Construction Submissions

The NCS project team must submit documents to DCA throughout the design and construction stages. Owners/Developers may be asked to submit some or all of the following documents within 60 days after an award letter for NCS funding:

<p>DCA:</p> <ul style="list-style-type: none"> <li>• Design &amp; Construction Transmittal Form</li> <li>• "Review Set" CD Log</li> <li>• "Review Set" of Drawings</li> <li>• "Review Set" of Specifications</li> <li>• Schedule of Values (review set of CDs)</li> <li>• Amenities &amp; Design Options Re-Cert Form</li> </ul>	<p>Accessibility Consultant:</p> <ul style="list-style-type: none"> <li>• DCA Qualifications Package</li> <li>• Agreement</li> <li>• Contractor and Sub-Training Sessions Action Plan</li> </ul>
Construction Schedule "Draft"	Contractor Approval Package (see HOME underwriting Policies of the 2020 QAP)
Owner/Contractor Agreement "Draft"	HERS Rater Consultant Agreement-(agreement/proposal)
Other Construction Hard Cost Work Scope (support docs)	<p>3<sup>rd</sup> Party</p> <ul style="list-style-type: none"> <li>• Cost Reviewer DCA Qualifications Package</li> <li>• Front-End Cost Review</li> </ul>
Acquisition Soft Cost-Site Demolition Work Scope	Federal Work Authorization (E-Verify) Affidavits
LOD/Carry-Over Letter	Construction Compliance Inspector Agreement
Geotechnical Report (new construction only)	Owner/Architect Agreement-Executed
<p>DCA Approved:</p> <ul style="list-style-type: none"> <li>• Architectural Waivers/Optional Amenities (including evidence of DCA approval)</li> <li>• Project Concept Changes</li> </ul>	

### Federal Cross-Cutting Compliance

Applicants must comply with all applicable federal or state laws, regulations, and other requirements now or hereafter in effect, including all those contained and referenced in this NOFO, including but not limited to requirements stated below.

- National Environmental Policy Act (NEPA) Environmental Reviews. Land acquisition and commencement of construction cannot occur until DCA staff complete the NEPA Environmental

Review. This process takes a minimum of 120 days from the time the DCA staff receives completed forms. The Environmental Review Manual may be found [here](#).

- Uniform Relocation Act (URA). More information can be found on Page 71 of [HUD Notice CPD-21-10](#).
- Labor Requirement information can be found [here](#).
  - Davis-Bacon Act
  - Section 3 of the Housing and Urban Development Act of 1968
  - Minority-and Women-Owned Business Enterprises (MBE/WBE)
- Fair Housing: The following is a non-exhaustive list of state and federal fair housing laws:
  - Fair Housing Act of 1968 as amended in 1988 ("Fair Housing Act")
  - Section 504 of the Rehabilitation Act of 1973 ("Section 504")
  - The Americans with Disabilities Act of 1990 ("ADA")
  - *Olmstead v. L.C.*, 527 U.S. 581 (1999)
- Excluded Parties: DCA will check all names of all Participants against the EPLS found on the federal System for Award Management website at [www.sam.gov](http://www.sam.gov). DCA may rescind a conditional approval of a funding award if a Participant appears on EPLS.
- Restricted Use Period. The restricted use period begins at project completion as defined in Section VI.E.8 of the HOME-ARP Implementation Notice CPD-21-10 and must be imposed for at least the following periods:

Project Type	Restricted Use Period
New Construction	15 Years
Rehabilitation	10 Years
Acquisition Only	10 Years

## Management Documents

Project Owners must prepare management documents, which may include but are not limited to a tenant selection plan, management plan, management agreement, marketing plan, and other documents, as required.

## Reporting and Monitoring

DCA will assess property and unit condition, compliance with affordability and targeting requirements, and financial stability through audit submissions. DCA will inspect the Project from time to time; the Owner must cooperate with such physical inspections (see more in Appendix II).

## Appendix I – Definitions

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**“Acquisition”** - means the costs of acquiring improved or unimproved real property.

**“Allocation Plan”** – shall mean DCA’s submitted and HUD-approved HOME-ARP Allocation Plan, which shall dictate and guide its distribution of HOME-ARP funds under this NOFO. HUD required an Allocation Plan to describe how each Participating Jurisdiction intends to distribute its HOME-ARP funds and how it will use these funds to address the needs of HOME-ARP qualifying populations.

**“Applicant Team”** – shall mean a duly formed, validly existing entity, organized under the laws of the State of Georgia, or any other State, that is applying for funds for a Project pursuant to this Notice of Funding Opportunity. The Applicant Team shall own or control the Owner of the Project. Project consultants and other like professionals shall not be Considered as Applicants.

**“Application”** – shall mean an entire set of required and requested documents, in electronic form, as prescribed in this Notice of Funding Opportunity and submitted by an Applicant Team to DCA.

**“Completion”** – Project completion for HOME-ARP NCS means:

- All necessary title transfer requirements and construction work have been performed,
- The project complies with the requirements of [The HOME-ARP Notice](#), including the HOME-ARP NCS property standards as evidenced by a final inspection,
- The project is actively operating as a HOME-ARP NCS,
- Final drawdown of HOME-ARP funds has been disbursed, and
- Project completion information is entered into IDIS.

**“Compliance Period”** – shall mean the period of time under which any and all DCA resources utilized to finance a Project are applicable and monitored according to their respective funding source’s specific rules and guidance.

**“Continuum of Care” (“CoC”)** – A local planning body that coordinates housing and services planning and funding for homeless families and individuals. The CoC tracks and manages the homeless needs and services in its area.

**“Conversion”** – means a change in the use of a HOME-ARP NCS facility into permanent housing. Conversion is NOT an eligible activity type or cost.

**“Coordinated Entry” (“CE”)** – shall mean a centralized or coordinated process required for the CoC and ESG program to coordinate program participant intake, assessment, and referrals within the CoC area. Under 24 CFR 578.3, HUD requires each CoC to establish and operate a standard CE system with the goals of increasing the efficiency of local crisis response and improving fairness and ease of access to resources for eligible homeless and at-risk populations.

**“Emergency Solutions Grants Program” (“ESG Program”)** – shall mean the federal grant program designed to assist people with quickly regaining stability in permanent housing after experiencing a housing crisis and/or homelessness. The ESG Program authorizes HUD to make grants to States, units of general-purpose local government, and territories for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, for the payment of certain expenses related to operating emergency

shelters, for essential services related to emergency shelters and street outreach for the homeless, and for homelessness prevention and rapid re- housing assistance.

An **“Environmental Review”** is a screening process designed to discover environmental concerns, recognized environmental conditions (RECs), historically recognized environmental conditions (HRECs), controlled recognized environmental conditions (CRECs), and non-scope issues that may potentially impact the subject property, and to ensure that “all appropriate inquiry” or “AAI” (as the EPA defines that term in [40 CFR Part 312](#)) is conducted.

**“HOME Investment Partnership Program” (“HOME”)** – shall mean a federal block grant program created by the National Affordable Housing Act of 1990.

**“HOME-ARP”** – shall mean the HOME Investment Partnerships American Rescue Plan Program, which provides funding to HOME Participating Jurisdictions to reduce homelessness and increase housing stability across the country.

**“Identity of Interest”** – shall mean the existence of any of the following conditions:

- when one or more of the officers, directors, stockholders, members, or partners of the Owner is also an officer, director, stockholder, member, or partner of any other Participant;
- when any officer, director, stockholder, member or partner of the Owner has any financial interest whatsoever in any other Participant;
- when any Participant advances any funds or sells or donates property to the Owner;
- when any Participant provides and pays, on behalf of the Owner, the cost of any architectural services or engineering services other than those of a surveyor, general superintendent, or engineer employed by any other Participant in connection with its obligations under its contract with the Owner; or
- when any Participant takes stock or any interest in the Owner entity, as part of the consideration to be paid.

**“IDIS”** – refers to the Integrated Disbursement and Information System, a nationwide database system used by HUD that allows grantees to request and track funding from HUD. HUD uses this information to report to Congress and to monitor grantees.

**“Minimum Compliance Period”** is defined as the period the HOME-ARP project (i.e., rental housing, NCS, supportive services, PBV) must continue to comply with the requirements of HUD Notice CPD-21-10 (HOME-ARP Notice) found here: <https://www.hud.gov/sites/dfiles/OCHCO/documents/2021-10cpdn.pdf>.

**“Non-Congregate Shelter” (“NCS”)** – shall mean one or more buildings that:

- Provide private units or rooms with lockable doors and a bathroom,
- Serve as temporary shelter to individuals and families that meet the definition of one or more of the QPs, and
- Do not require occupants to sign a lease or occupancy agreement.

**“Nonprofit organization”** means any corporation, trust, association, cooperative, or other organization that is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; is not organized primarily for profit; and uses its net proceeds to maintain, improve, or expand its operations. The term nonprofit organization includes nonprofit institutions of higher education and hospitals. For financial reporting purposes guidelines issued by the American Institute of Certified Public



Accountants should be followed in determining nonprofit status.

**“Owner”** – shall mean the duly formed, validly existing, single-purpose entity, organized under the laws of the State of Georgia, or any other state, that is awarded funds for a Project pursuant to this Notice of Funding Opportunity and which owns or will own the Project. The Owner shall be owned or controlled by the Applicant.

**“Participant”** – shall mean a member of the Project’s development team, including Applicant, general contractor, architect, and/or property manager.

**“Participating Jurisdiction” (“PJ”)** – shall mean the term given to any state, local government, or consortium that has been designated by HUD to administer a HOME Program. DCA is the PJ that administers HOME-ARP for the State of Georgia.

**“Project”** – means a site or sites together with any building or buildings located on the site(s) that are under common ownership, management, and financing to be assisted with HOME-ARP funds as a single undertaking under 24 CFR part 92 and the HOME-ARP Notice.

**“Qualifying Populations” (“QPs”)** – shall mean the individuals or families which HOME-ARP funds must be used to primarily benefit, which are as follows:

- Homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a));
- At-risk of homelessness, as defined in section 401(1) of the McKinney-Vento Homeless Assistance Act (42U.S.C. 11360(1));
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, as defined by the Secretary;
- In other populations where providing supportive services or assistance under section 212(a) of the Act (42
- U.S.C. 12742(a) would prevent the family’s homelessness or would serve those with the greatest risk of housing instability;
- Veterans and families that include a veteran family member that meets one of the preceding criteria.

**“Referral Methods”** – shall mean the method used to identify the next individual or household to receive assistance after an initial assessment process that determines the individual or household is an eligible HOME-ARP Qualifying Population. Participating Jurisdictions are required to provide access to HOME-ARP projects and activities to all four HOME-ARP QPs through one or more of the referral methods described in HUD Notice CPD 21-10. All NCS Projects funded under this RFA must use one of the following referral methods:

- Referral Method 2: Use of Standard Coordinated Entry with Other Referral Methods; or
- Referral Method 3: Use of a Project/Activity Waiting List.

Referral Method 1: Use of HOME-ARP Expanded Coordinated Entry, as outlined in HUD Notice CPD 21-10, is not considered an allowable referral method under DCA’s current Allocation Plan and will only be considered an allowable referral method under this NOFO at DCA’s discretion.

**“Restricted Use Period”** – shall mean the period HOME-ARP NCS Projects must comply with HOME-ARP requirements. For both acquisition-only Projects and for rehabilitation Projects, the Restricted Use Period is 10 years. For new construction, the Restricted Use Period is 15 years. The NCS may remain as HOME-ARP

NCS for the Restricted Use Period or may be used as NCS under the ESG Program.

**“Site”** – shall mean a parcel of land on which the Project will be developed, described by a unique legal description which will be encumbered by the Regulatory Agreement. A Project may consist of multiple Sites.

**“Written Agreement”** – shall mean a document that complies with [24 CFR 92.504](#) and outlines the following responsibilities between DCA and the awarded Applicant of DCA HOME-ARP NCS Funding:

- Required Provisions,
- Program Requirements,
- Records and Reports,
- The Disbursement of Funds,
- Compliance/Enforcement, and
- Other General Provisions

## Appendix II – Property & Construction Standards

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### Minimum HOME-ARP NCS Property Standards

All HOME-ARP NCS units and common areas must meet all applicable State and local codes, ordinances, and requirements and the applicable provisions of HUD's Lead Safe Housing Rules at 24 CFR Part 35. In addition, all HOME-ARP NCS projects must meet the following minimum safety, sanitation, accessibility, and privacy standards:

- Must be structurally sound to protect occupants from the elements and not pose any threat to health and safety of the occupants.
- Must be accessible in accordance with section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR part 8; the Fair Housing Act (42 U.S.C. 3601 et seq.) and implementing regulations at 24 CFR part 100; and Title II of the Americans with Disabilities Act (42 U.S.C. 12131 et seq.) and implementing regulations at 24 CFR part 35, all as applicable.
- Must provide each individual or family with an acceptable, individual room to sleep which includes adequate space and security for themselves and their belongings.
- Must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of occupants.
- Must have a water supply free of contamination.
- Must have in-unit sanitary facilities that are in proper operating condition and are adequate for personal cleanliness and the disposal of human waste.
- Must provide necessary heating/cooling facilities in proper operating condition.
- Must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances.
- Food preparation areas, if any, must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
- Must provide one working smoke detector and one working carbon monoxide detector in each unit. All smoke and carbon monoxide detectors and alarm systems must be designed for hearing-impaired residents. All public areas of the shelter must have at least one working smoke detector and one carbon monoxide detector. There must also be a second means of exiting the building in the event of fire or other emergency.

### Minimum HOME-ARP NCS Rehabilitation Standards

HOME-ARP NCS rehabilitation projects must meet all applicable State and local codes, ordinances, and requirements, or in the absence of such codes, International Residential Code or the International Building Code (as applicable), and must comply with the Lead Safe Housing Rule at 24 CFR Part 35. Additionally, PJs must consider the remaining useful life of major systems. PJs are encouraged to use a Capital Needs Assessment to determine the reasonable and necessary investment of HOME-ARP funding in rehabilitation projects and expected cost of ongoing replacement needs during the restricted use period. If HOME-ARP funding will capitalize a replacement reserve, the PJ must determine the remaining useful life of major systems through a Capital Needs Assessment or other PJ inspection documented in writing, in accordance with requirements for capitalized replacement reserve costs in VI.E.3.

### Minimum HOME-ARP NCS New Construction Standards

HOME-ARP NCS projects that are newly constructed must meet all applicable State and local codes,

ordinances, and requirements, or in the absence of such codes, the International Residential Code or the International Building Code (as applicable to the type of structure). HOME-ARP funds cannot be used to fund a replacement reserve for newly constructed HOME-ARP NCS.

### On-going Property Standards and Inspections

PJs must develop ongoing inspection procedures to verify that HOME-ARP NCS projects meet the minimum HOME-ARP NCS property standards established in this Notice throughout the restricted use period. A PJ's inspection procedures must require annual inspections that are applied consistently to all HOME-ARP NCS projects. When deficiencies are identified, a follow-up inspection to verify that deficiencies are corrected must occur within 6 months. The PJ may establish a list of non-hazardous deficiencies for which correction can be verified by third party documentation (e.g., paid invoice or work order) rather than reinspection. If life-threatening deficiencies exist, the owner or operator of the HOME-ARP NCS must correct such deficiencies immediately. In such instances, the PJ must re-inspect to verify the deficiency has been corrected within 14 days.