

1. NSP3 Grantee Information

NSP3 Program Administrator Contact Information	
Name (Last, First)	Jacqueline Pickett
Email Address	jpickett@adcogov.org
Phone Number	720.523.6204
Mailing Address	4430 South Adams County Parkway, 1 st Floor, Suite C1900 Brighton, CO 80601

2. Areas of Greatest Need

Map Submission

The map generated at the HUD NSP3 Mapping Tool for Preparing Action Plan website is included as Attachments 1, 2, and 3.

Data Sources Used to Determine Areas of Greatest Need

Describe the data sources used to determine the areas of greatest need.

Response:

Adams County, Colorado is located in the Denver metropolitan area. Adams County's current population of 420,000 people is spread out over 1,182 square miles with the majority of the population concentrated on the western third of the county. The county contains a diverse mix of land uses varying from older first-ring cities to new green-field suburbs to expanses of open rangeland. All or portions of nine municipalities are found in Adams County. The City and County of Denver is contiguous to our southern border.

Roughly 85,000 residents live in unincorporated Adams County with the majority of the rest of the populations in the cities of Northglenn, Thornton, Westminster, Brighton, Commerce City, Aurora, Arvada and Federal Heights. The towns of Bennett, Strasburg and Watkins are located in the eastern plains and are predominately agricultural, but rapidly urbanizing communities. All communities with the exception of Westminster, Arvada and Aurora (which are their own entitlement communities) participate in the urban county partnership jurisdiction.

Historically poverty in Adams County has hovered around 9%. Populations with low-incomes and living in poverty are concentrated in a number of locations throughout the county, but predominately in the southwestern portion of the county including Aurora, Commerce City, the older communities of unincorporated Adams County, and portions of the older neighborhoods of Thornton, Federal Heights, Northglenn and Brighton.

Adams County Community Development looked at various resources to determine the areas of greatest need within the County. In order to determine the areas of greatest need for NSP3, ACCD looked to NSP1 as a starting point. Certain neighborhoods throughout the County continue to see a large number of foreclosures and ACCD looks to NSP3 to continue the effort to stabilize neighborhoods through homeownership. ACCD's NSP1 funding focused mainly in Thornton, Commerce City, and Unincorporated Adams County. While ACCD was able to purchase homes in other jurisdictions within the Urban County, the impact was not as great as only 1 or 2 homes were purchased within the entire city boundaries.

The NSP Mapping Tool also helped develop the three areas of greatest need provided in this NSP3 Action Plan. Looking at the successes of NSP1, areas were mapped that would help continue, and further, those successes.

Determination of Areas of Greatest Need and Applicable Tiers

Describe how the areas of greatest need were established and whether a tiered approach is being utilized to determine the distribution of funding.

Adams County will not be using a tiered approach to its funding. The three areas chosen will be utilized equally to

look for eligible properties to purchase. The areas of greatest need were established by finding smaller areas within the County where the biggest impact could happen, in conjunction with the homes purchased for NSP1 and determining their risk score. All three areas have a risk score of 18 or above and are small enough so that a greater impact will be achieved – especially since ACCD’s NSP3 funding allocation is smaller than NSP1.

Areas of Greatest Need

Project Name	Total Housing Units	NSP3Need Score
Sherrelwood	8261	18.77
Welby	4821	19.00
Commerce City	5108	19.68

Total Housing Units for All Shapes: 18190

Total NSP3 Need Score: 19.09

Please see Map 1, 2, and 3 for the Maps.

Please see Attachment 1,2, and 3 for NSP Mapping Tool Data

3. Definitions and Descriptions

Definitions

Term	Definition
Blighted Structure	<p>Section 115 of the 2006 International Building Code, adopted by Adams County, provides the guidelines for blighted structures.</p> <p style="text-align: center;">SECTION 1 15</p> <p style="text-align: center;">UNSAFE STRUCTURES AND EQUIPMENT</p> <p>115.1 Conditions.</p> <p>Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.</p> <p>115.2 Record.</p> <p>The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.</p> <p>115.3 Notice.</p> <p>If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare</p>

	<p>immediately to the building official acceptance or rejection of the terms of the order.</p> <p>115.4 Method of service.</p> <p>Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.</p> <p>115.5 Restoration.</p> <p>The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and Chapter 34.</p>
Affordable Rents	<p>For any NSP-funded rental activity, "affordable rents" shall be defined as 30% of the household's adjusted income, less utility allowances as adopted by the Adams County Housing Authority for the Section 8 program, as appropriate. The maximum Affordable Rents shall not exceed the Fair Market Rents (FMR) as published annually by the U.S. Department of Housing and Urban Development for each county in Colorado.</p>

Descriptions

Term	Definition
Long-Term Affordability	<p>To ensure continued affordability ACCD uses the definition of affordable rents, rent schedule and utility allowances, affordability period and continued affordability as provided by HUD in 24 CFR 92.25 sections (a), (c), (e), (f) as well as 92.252(c).</p> <p>Specifically:</p> <p>(a) Rent limitation. HUD provides the following maximum HOME rent limits. The maximum HOME rents are the lesser of:</p> <ul style="list-style-type: none"> (1) The fair market rent for existing housing for comparable units in the area as established by HUD under 24 CFR 888.111; or (2) A rent that does not exceed 30 percent of the adjusted income of a family whose annual income equals 65 percent of the median income for the area, as determined by HUD, with adjustments for number of bedrooms in the unit. The HOME rent limits provided by HUD will include average occupancy per unit and adjusted income assumptions. <p>(b) Initial rent schedule and utility allowances. The participating jurisdiction must establish maximum monthly allowances for utilities and services (excluding telephone). The participating jurisdiction must review and approve rents proposed by the owner for units subject to the maximum rent limitations in paragraphs (a) or (b) of this section. For</p>

all units subject to the maximum rent limitations in paragraphs (a) or (c) of this section for which the tenant is paying utilities and services, the participating jurisdiction must ensure that the rents do not exceed the maximum rent minus the monthly allowances for utilities and services.

(c) Periods of Affordability. The HOME-assisted units must meet the affordability requirements for not less than the applicable period specified in the following table, beginning after project completion. The affordability requirements apply without regard to the term of any loan or mortgage or the transfer of ownership. They must be imposed by deed restrictions, covenants running with the land, or other mechanisms approved by HUD, except that the affordability restrictions may terminate upon foreclosure or transfer in lieu of foreclosure. The participating jurisdiction may use purchase options, rights of first refusal or other preemptive rights to purchase the housing before foreclosure or deed in lieu of foreclosure to preserve affordability. The affordability restrictions shall be revived according to the original terms if, during the original affordability period, the owner of record before the foreclosure, or deed in lieu of foreclosure, or any entity that includes the former owner or those with whom the former owner has or had family or business ties, obtains an ownership interest in the project or property.

HOME Investment per Unit	Length of the Affordability Period
Less than \$15,000	5 years
\$15,000 to \$40,000	10 years
More than \$40,000	15 years
New construction of rental housing	20 years
Refinancing of rental housing	15 years

(d) Subsequent rents during the affordability period. The maximum HOME rent limits are recalculated on a periodic basis after HUD determines fair market rents and median incomes. HUD then provides the new maximum HOME rent limits to participating jurisdictions. Regardless of changes in fair market rents and in median income over time, the HOME rents for a project are not required to be lower than the HOME rent limits for the project in effect at the time of project commitment.

Housing Rehabilitation Standards

The NSP funds will use the Adams County standards from its Homeowner Occupied Rehabilitation Program known as the Home Improvement Program.

- **Code / Health & Safety Repairs** – The first priority of the Housing Rehab Program is to eliminate, or otherwise “cure” any and all pre-existing Code violations and Health & Safety hazards. Therefore, all rehab projects must correct any pre-existing code deficiencies and/or health & safety related repairs needed. This includes preexisting construction found that was done without permits (room additions, garage conversions, patio additions, etc). All such pre-existing construction must be either brought up to code and obtain approved building permits, or must be demolished, as part of the rehab project.
- **Lead Based Paint Hazards** – An additional priority of the Housing Rehabilitation Program is to reduce any lead-based paint hazards present in homes. A Lead-Based Paint test (XRF testing) and a Risk Assessment are required on all rehabilitation

	<p>projects to identify the existence and scope of any lead-based paint hazards in the home. The standards of “Lead-Based Paint Poisoning Prevention in Federally Owned and Federally Assisted Housing” found at 24 CFR Part 35 apply.</p> <ul style="list-style-type: none"> • General Property Improvements – Once the cost of repairing all code deficiencies, health and safety items, lead-based paint hazards, and termite repairs are totaled up, then any additional program funding may be used to address general property improvements. General property improvements may include a wide variety of items such as painting, replacement of fixtures, replacement of cabinets and vanities, replacement of flooring, etc. General property improvements may NOT include any materials or items that are of a type and quality which exceeds the standards for similar properties in the area, or that far exceed the basic standards of “decent, safe, and sanitary housing.” The minimally acceptable standards may be found at 24 CFR 983.101.
--	--

4. Low-Income Targeting

Low-Income Set-Aside Amount

Enter the low-income set-aside percentage in the first field. The field for total funds set aside will populate based on the percentage entered in the first field and the total NSP3 grant.

<p>Identify the estimated amount of funds appropriated or otherwise made available under the NSP3 to be used to provide housing for individuals or families whose incomes do not exceed 50 percent of area median income.</p>
<p>Response: Total low-income set-aside percentage (must be no less than 25 percent): 25.00% Total funds set aside for low-income individuals = \$400,000</p>

Meeting Low-Income Target

<p>Provide a summary that describes the manner in which the low-income targeting goals will be met.</p>
<p>Response: Adams County Community Development will utilize homeownership and Activity E: Redevelopment to target the low-income population at or below 50% of Area Median Income. ACCD hopes to solicit a partner to construct and sell homes to the low-income population. This approach was utilized in NSP1 with a successful partnership to build new homes on vacant land to eligible homeowners.</p>

5. Acquisition and Relocation

Demolition or Conversion of LMI Units

<p>Does the grantee intend to demolish or convert any low- and moderate-income dwelling units (i.e., ≤ 80% of area median income)?</p>	<p>Adams County does not intend to demolish or convert low-and moderate-income dwelling units.</p>
--	--

If yes, fill in the table below.

Question	Number of Units
<p>The number of low- and moderate-income dwelling units—i.e., ≤ 80% of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities.</p>	<p>N/A</p>

The number of NSP affordable housing units made available to low-, moderate-, and middle-income households—i.e., ≤ 120% of area median income—reasonably expected to be produced by activity and income level as provided for in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion).	N/A
The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income.	N/A

6. Public Comment

Citizen Participation Plan

Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment or abbreviated plan.
<p>Response:</p> <p>Adams County posted this Action Plan on its website and also published a notice in the <i>Denver Post</i> for the appropriate 15 day public comment period. The Plan was also made available in Community Development Offices located at 4430 South Adams County Parkway, Suite C1900, Brighton, CO 80601.</p> <p>Copies of the plan were translated into Spanish and made available upon citizen request.</p>

Summary of Public Comments Received.

The summary of public comments received is included as an attachment.

7. NSP Information by Activity

Enter each activity name and fill in the corresponding information. If you have fewer than seven activities, please delete any extra activity fields. (For example, if you have three activities, you should delete the tables labeled “Activity Number 4,” “Activity Number 5,” “Activity Number 6,” and “Activity Number 7.” If you are unsure how to delete a table, see the instructions [above](#).

The field labeled “Total Budget for Activity” will populate based on the figures entered in the fields above it.

Consult the [NSP3 Program Design Guidebook](#) for guidance on completing the “Performance Measures” component of the activity tables below.

Activity Number 1											
Activity Name	Acquisition and Rehabilitation										
Uses	Select all that apply: <table border="1"> <tr> <td><input type="checkbox"/></td> <td>Eligible Use A: Financing Mechanisms</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Eligible Use B: Acquisition and Rehabilitation</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Eligible Use C: Land Banking</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Eligible Use D: Demolition</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Eligible Use E: Redevelopment</td> </tr> </table>	<input type="checkbox"/>	Eligible Use A: Financing Mechanisms	<input checked="" type="checkbox"/>	Eligible Use B: Acquisition and Rehabilitation	<input type="checkbox"/>	Eligible Use C: Land Banking	<input type="checkbox"/>	Eligible Use D: Demolition	<input type="checkbox"/>	Eligible Use E: Redevelopment
<input type="checkbox"/>	Eligible Use A: Financing Mechanisms										
<input checked="" type="checkbox"/>	Eligible Use B: Acquisition and Rehabilitation										
<input type="checkbox"/>	Eligible Use C: Land Banking										
<input type="checkbox"/>	Eligible Use D: Demolition										
<input type="checkbox"/>	Eligible Use E: Redevelopment										
CDBG Activity or Activities	Acquisition, Rehabilitation, Disposition, Homebuyer Assistance										
National Objective	Low/Mod Housing										
Activity Description	ACCD acquire and rehabilitate approximately 7 eligible homes in the areas of greatest need. The homes will be rehabilitated to Adams County rehabilitation standards and sold to eligible homeowners at or below 120% of area median income. ACCD will solicit rehabilitation contractors to carry out the construction work and ensure both vicinity hiring and Section 3 compliance in its solicitation. Adams County Community Development will market the homes to potential clients throughout the metropolitan										

	area through various methods; realtors, newspaper, and its website. Additionally, financing mechanisms will be offered to ensure continued affordability while securing an affordability period on the property. ACCD will utilize the recapture method to ensure long term affordability and the affordability period will correlate to the amount of funding provided to the new homeowner.	
Location Description	Selected locations described above in 3 areas of greatest need.	
Budget	Source of Funding	Dollar Amount
	NSP3	\$1,400,000
	NSP1 Program Income (Other funding source)	\$?? \$
Total Budget for Activity	\$1,400,000	
Performance Measures	Acquire, Rehabilitate and Resell 7 units	
Projected Start Date	March 1, 2011	
Projected End Date	March 1, 2014	
Responsible Organization	Name	Adams County
	Location	4430 South Adams County Parkway, Suite C1900 Brighton, CO 80601
	Administrator Contact Info	720.523.6200, jpickett@adcogov.org

Activity Number 2		
Activity Name	Redevelopment	
Use	Select all that apply:	
	<input type="checkbox"/> Eligible Use A: Financing Mechanisms	
	<input type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation	
	<input type="checkbox"/> Eligible Use C: Land Banking	
	<input type="checkbox"/> Eligible Use D: Demolition	
<input checked="" type="checkbox"/> Eligible Use E: Redevelopment		
CDBG Activity or Activities	(Enter each applicable CDBG Activity or Activities)	
National Objective	LMMH 25%	
Activity Description	<p>Prior to beginning this activity, ACCD will solicit a partner to carry out redevelopment activities under NSP3. This partner will be obtained through a public process and would most likely be a Community Development Agency experienced in acquiring property, building new construction, and marketing to eligible homeowners. One of the Metro-Area Community Development Housing Organizations (CHDO) would be the ideal choice to undertake NSP3 Redevelopment Activities.</p> <p>Adams County has a great need for homeownership opportunities for households/individuals making at or below 50% of AMI and will use Activity E to provide affordable and efficient housing to potential new homeowners. ACCD will work with its partners to ensure high quality, affordable housing is provided and continue to ensure affordability by a lien on the home and an affordability period.</p>	
Location Description	Commerce City or Unincorporated Adams County	
Budget	Source of Funding	Dollar Amount
	NSP3	\$400,000
	(Other funding source)	\$
Total Budget for Activity	\$400,000	
Performance Measures	Up to 6 new homeownership units	
Projected Start Date	March 1, 2011	

Projected End Date	March 1, 2014	
Responsible Organization	Name	Adams County
	Location	4430 South Adams County Parkway, Suite C1900 Brighton, CO 80601
	Administrator Contact Info	720.523.6200, jpickett@adcogov.org

Activity Number 3		
Activity Name	Redevelopment	
Use	Select all that apply:	
	<input type="checkbox"/>	Eligible Use A: Financing Mechanisms
	<input checked="" type="checkbox"/>	Eligible Use B: Acquisition and Rehabilitation
	<input type="checkbox"/>	Eligible Use C: Land Banking
	<input type="checkbox"/>	Eligible Use D: Demolition
<input checked="" type="checkbox"/>	Eligible Use E: Redevelopment	
CDBG Activity or Activities	All CDBG Related Activities 1&2	
National Objective	N/A Administration	
Activity Description	Administration of NSP3 Activities	
Location Description	Activities carried out related to above-mentioned activities and will be to support the Adams County NSP3 program.	
Budget	Source of Funding	Dollar Amount
	NSP3	\$197,322
	(Other funding source)	\$
	(Other funding source)	\$
Total Budget for Activity	\$197,322	
Performance Measures	N/A	
Projected Start Date	March 1, 2011	
Projected End Date	March 1, 2014	
Responsible Organization	Name	Adams County
	Location	4430 South Adams County Parkway, Suite C1900 Brighton, CO 80601
	Administrator Contact Info	720.523.6200, jpickett@adcogov.org

8. Certifications

Certifications for State and Entitlement Communities

- (1) **Affirmatively furthering fair housing.** The jurisdiction certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.
- (2) **Anti-displacement and relocation plan.** The applicant certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan.
- (3) **Anti-lobbying.** The jurisdiction must submit a certification with regard to compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.
- (4) **Authority of jurisdiction.** The jurisdiction certifies that the consolidated plan or abbreviated plan, as applicable, is authorized under state and local law (as applicable) and that the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.
- (5) **Consistency with plan.** The jurisdiction certifies that the housing activities to be undertaken with NSP funds are consistent with its consolidated plan or abbreviated plan, as applicable.
- (6) **Acquisition and relocation.** The jurisdiction certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the notice for the NSP program published by HUD.
- (7) **Section 3.** The jurisdiction certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- (8) **Citizen participation.** The jurisdiction certifies that it is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.
- (9) **Following a plan.** The jurisdiction certifies it is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD. [Only States and entitlement jurisdictions use this certification.]
- (10) **Use of funds.** The jurisdiction certifies that it will comply with the Dodd-Frank Wall Street Reform and Consumer Protection Act and Title XII of Division A of the American Recovery and Reinvestment Act of 2009 by spending 50 percent of its grant funds within 2 years, and spending 100 percent within 3 years, of receipt of the grant.
- (11) **The jurisdiction certifies:**
 - a. that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income; and
 - b. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against

the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

- (12) **Excessive force.** The jurisdiction certifies that it has adopted and is enforcing:
- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
 - b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

(13) **Compliance with anti-discrimination laws.** The jurisdiction certifies that the NSP grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(14) **Compliance with lead-based paint procedures.** The jurisdiction certifies that its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(15) **Compliance with laws.** The jurisdiction certifies that it will comply with applicable laws.

(16) **Vicinity hiring.** The jurisdiction certifies that it will, to the maximum extent feasible, provide for hiring of employees that reside in the vicinity of NSP3 funded projects or contract with small businesses that are owned and operated by persons residing in the vicinity of NSP3 projects.

(17) **Development of affordable rental housing.** The jurisdiction certifies that it will abide by the procedures described in its NSP3 Abbreviated Plan to create preferences for the development of affordable rental housing for properties assisted with NSP3 funds.

Signature/Authorized Official

Date

Title

Certifications for Non-Entitlement Local Governments

- (1) **Affirmatively furthering fair housing.** The jurisdiction certifies that it will affirmatively further fair housing.
- (2) **Anti-displacement and relocation plan.** The applicant certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan.
- (3) **Anti-lobbying.** The jurisdiction must submit a certification with regard to compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.
- (4) **Authority of jurisdiction.** The jurisdiction certifies that the consolidated plan or abbreviated plan, as applicable, is authorized under state and local law (as applicable) and that the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.
- (5) **Consistency with plan.** The jurisdiction certifies that the housing activities to be undertaken with NSP funds are consistent with its consolidated plan or abbreviated plan, as applicable.
- (6) **Acquisition and relocation.** The jurisdiction certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the notice for the NSP program published by HUD.
- (7) **Section 3.** The jurisdiction certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- (8) **Citizen participation.** The jurisdiction certifies that it is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.
- (9) **Use of funds.** The jurisdiction certifies that it will comply with the Dodd-Frank Wall Street Reform and Consumer Protection Act and Title XII of Division A of the American Recovery and Reinvestment Act of 2009 by spending 50 percent of its grant funds within 2 years, and spending 100 percent within 3 years, of receipt of the grant.
- (10) **The jurisdiction certifies:**
 - a. that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income; and
 - b. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.
- (11) **Excessive force.** The jurisdiction certifies that it has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
- b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

(12) **Compliance with anti-discrimination laws.** The jurisdiction certifies that the NSP grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(13) **Compliance with lead-based paint procedures.** The jurisdiction certifies that its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(14) **Compliance with laws.** The jurisdiction certifies that it will comply with applicable laws.

(15) **Vicinity hiring.** The jurisdiction certifies that it will, to the maximum extent feasible, provide for hiring of employees that reside in the vicinity of NSP3 funded projects or contract with small businesses that are owned and operated by persons residing in the vicinity of NSP3 projects.

(16) **Development of affordable rental housing.** The jurisdiction certifies that it will abide by the procedures described in its NSP3 Abbreviated Plan to create preferences for the development of affordable rental housing for properties assisted with NSP3 funds.

Signature/Authorized Official

Date

Title

DRAFT

Appendix: NSP3 Action Plan Contents Checklist

The checklist below is an optional tool for NSP3 grantees to help to ensure that all required elements of the NSP3 Substantial Amendment or the Abbreviated Plan are submitted to HUD. This checklist only includes the minimum required elements that must be included in the NSP3 Action Plan and grantees may want to add additional details. This document must be protected, as described above, in order to use the checkboxes in this checklist.

1. NSP3 Grantee Information

	Yes
Did you include the Program Administrator's name, address, phone, and email address?	<input type="checkbox"/>

2. Areas of Greatest Need

	Yes
Does the narrative description describe how funds will give priority emphasis to areas of greatest need?	<input type="checkbox"/>
Does the narrative description specifically address how the funds will give priority emphasis to those areas:	
• With the highest percentage of home foreclosures?	<input type="checkbox"/>
• With the highest percentage of homes financed by subprime mortgage related loan?; and	<input type="checkbox"/>
• Identified by the grantee as likely to face a significant rise in the rate of home foreclosures?	<input type="checkbox"/>
Did you create the area of greatest needs map at http://www.huduser.org/NSP/NSP3.html ?	<input type="checkbox"/>
Did you include the map as an attachment to your Action Plan?	<input type="checkbox"/>
<i>ONLY Applicable for States:</i> Did you include the needs of all entitlement communities in the State?	<input type="checkbox"/>

3. Definitions and Descriptions

	Yes
Are the following definitions and topics included in your substantial amendment?:	<input type="checkbox"/>
• Blighted structure in context of state or local law,	<input type="checkbox"/>
• Affordable rents,	<input type="checkbox"/>
• Ensuring long term affordability for all NSP funded housing projects,	<input type="checkbox"/>
• Applicable housing rehabilitation standards for NSP funded projects	<input type="checkbox"/>

4. Low-Income Targeting

	Yes
Did you identify the estimated amount of funds appropriated to provide housing that meets the low-income set aside target?	<input type="checkbox"/>
Did you provide a summary describing how your jurisdiction will meet its low-income set aside goals?	<input type="checkbox"/>

5. Acquisition & Relocation

	Yes
For all acquisitions that will result in displacement did you specify:	
• The planned activity,	<input type="checkbox"/>
• The number of units that will result in displacement,	<input type="checkbox"/>
• The manner in which the grantee will comply with URA for those residents?	<input type="checkbox"/>

6. Public Comment

	Yes
Did you provide your draft of the NSP3 substantial amendment for a minimum of 15 days for public comment?	<input type="checkbox"/>
Did you include the public comments you received on the NSP3 substantial amendment in your plan?	<input type="checkbox"/>

7. NSP Information by Activity

	Check all that apply
Did you include a description of all eligible NSP3 activities you plan to implement with your NSP3 award?	<input type="checkbox"/>
For each eligible NSP3 activity you plan to implement did you include:	
• Eligible use or uses?	<input type="checkbox"/>
• Correlated eligible CDBG activity or activities?	<input type="checkbox"/>
• Associated national objective?	<input type="checkbox"/>
• How the activity will address local market conditions?	<input type="checkbox"/>
• Range of interest rates (if any)?	<input type="checkbox"/>
• Duration or term of assistance?	<input type="checkbox"/>
• Tenure of beneficiaries (e.g. rental or homeowner)?	<input type="checkbox"/>
• If the activity produces housing, how the design of the activity will ensure continued affordability?	<input type="checkbox"/>
• How you will, to the maximum extent possible, provide for vicinity hiring?	<input type="checkbox"/>
• Procedures used to create affordable rental housing preferences?	<input type="checkbox"/>
• Areas of greatest need addressed by the activity or activities?	<input type="checkbox"/>
• Amount of funds budgeted for the activity?	<input type="checkbox"/>
• Appropriate performance measures for the activity (e.g. units of housing to be acquired, rehabilitated, or demolished for the income levels represented in DRGR) ?	<input type="checkbox"/>
• Expected start and end dates of the activity?	<input type="checkbox"/>
• Name and location of the entity that will carry out the activity?	<input type="checkbox"/>

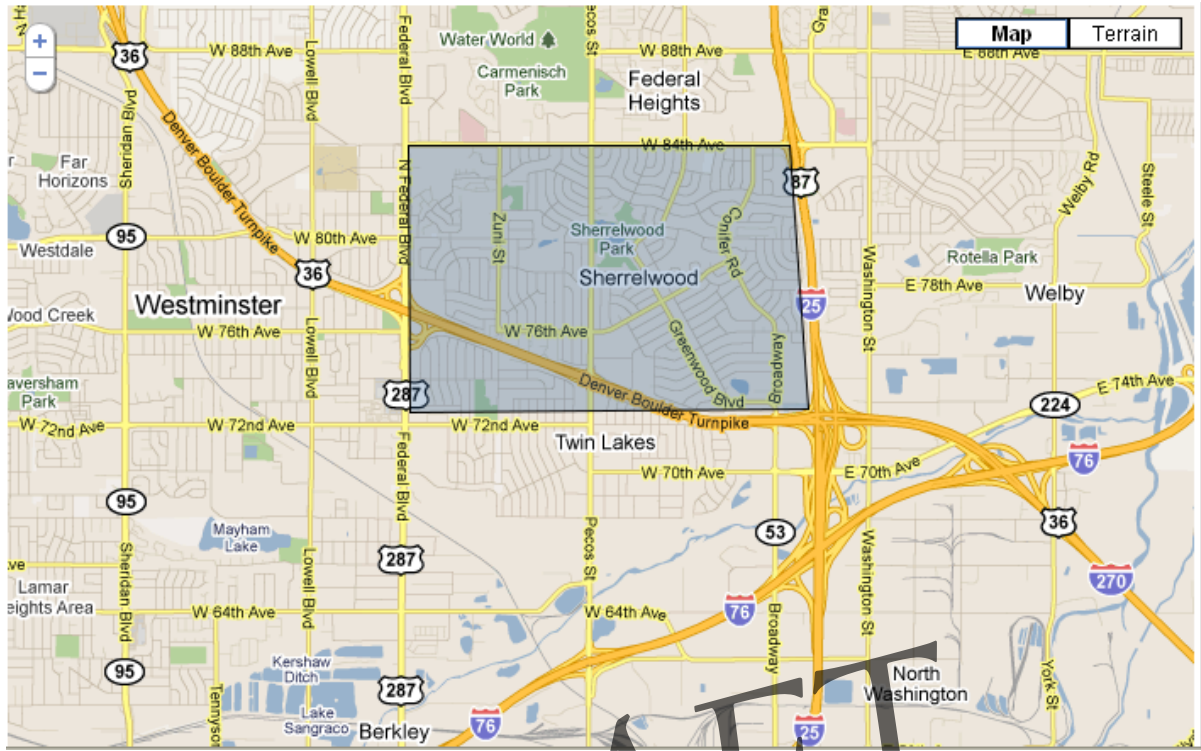
8. Certifications

	Yes
Did you sign and submit the certification form applicable to your jurisdiction?	<input type="checkbox"/>

9. Additional Documentation

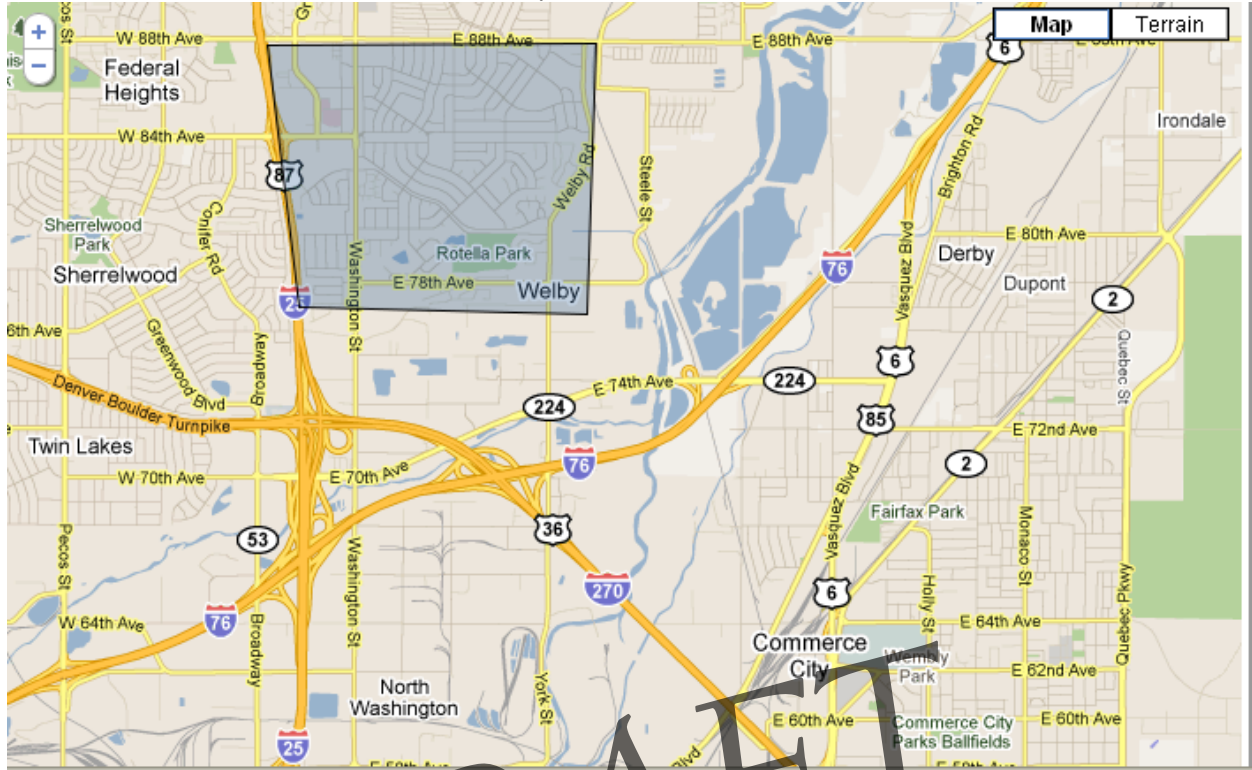
	Yes
Did you include a signed SF-424?	<input type="checkbox"/>

Attachment 1: Area of Greatest Need - Sherrelwood



DRAFT

Attachment 2: Area of Greatest Need - Welby



DRAFT

Attachment 3: Area of Greatest Need – Commerce City





DRAFT

