

DISASTER RECOVERY: TORNADOES OF APRIL 2011

ECONOMIC REVITALIZATION LOAN POOL APPLICATION

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM



Application Deadline: October 15, 2012

For assistance in completing this application, please call 334-353-2028.

Forward original and two copies of completed application package to:

DIRECTOR
ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS
401 ADAMS AVENUE
POST OFFICE BOX 5690
MONTGOMERY, ALABAMA 36103-5690

Attn: CDBG Disaster Recovery Application

ECONOMIC REVITALIZATION LOAN POOL APPLICATION

DISASTER RECOVERY: TORNADOES OF APRIL 2011

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Eligible applicants are cities, counties (including direct recipients), and Indian tribes in the Alabama counties of Autauga, Bibb, Calhoun, Cullman, Cherokee, DeKalb, Greene, Fayette, Franklin, Jackson, Jefferson, Lawrence, Limestone, Marion, Madison, Marshall, Pickens, Talladega, Tuscaloosa, Shelby, St. Clair, and Walker.

A.1. Applicant: _____
_____ (County)

Mayor/Chairman/Chief

Address: _____

Phone: _____

Contact Person: _____

Address: _____

Phone: _____ FAX: _____ e-mail: _____

A.2. Requested Funds

\$ _____

Other Funds (list)

\$ _____

\$ _____

A.3. 2010 Population

A.4. House District _____
Senate District _____
Congressional _____

A.5. Briefly describe proposed Loan Program:

A.6. CERTIFICATIONS

- (a) A resolution passed by the City Council/ County Commission/Indian Tribe on _____ (date) has authorized the filing of this application by the Chief Local Elected Officer.
- (b) The public was informed about the local community development program including the proposed filing of this application in a public Hearing held on _____ (date) at _____(location).
- (c) The information presented in this application is true and correct to the best of my knowledge.
- (d) I certify that:
 - 1. The City/County/Tribe will minimize displacement of persons as a result of activities with CDBG funds and will assist persons actually displaced as a result of such activities.
 - 2. The City's/County's/Tribe's program will be conducted and administered in conformance with Public Law 88-352 and Public Law 90-284, and the City/County/Tribe will affirmatively further fair housing.
 - 3. The City/County/Tribe has conducted a Four Factor Analysis to identify any limited English proficiency persons and if required is conducting all citizen participation activities in compliance with a locally adopted Language Access Plan.
 - 4. The City/County/Tribe has held a public participation hearing to obtain the views of citizens on community development and housing needs.
 - 5. The City/County/Tribe has furnished information to citizens concerning the amount of funds available for proposed community development and housing activities that may be undertaken, including the estimated amount of funds proposed to be used for activities benefiting low- and moderate-income persons.
 - 6. The City/County/Tribe has made available to the public a summary of the proposed project to afford affected citizens an opportunity to comment.
 - 7. The City/County/Tribe is providing citizens with a reasonable access to records on past use of CDBG funds.

8. The City/County/Tribe will provide citizens with reasonable notice of, and opportunity to comment on, any substantial change proposed to be made in the use of CDBG funds.
9. The City/County/Tribe will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing any amount against properties owned and occupied by persons of very low, low and moderate income. If a fee or assessment is required, the City/County/Tribe will use CDBG funds to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds. The City/County/Tribe through proper certification to the State may assess any amounts against properties owned and occupied by persons of moderate income who are not persons of very low or low income if the City/County/Tribe lacks sufficient funds received under the CDBG program to pay those costs.
10. The City/County/Tribe is is not (please check one) delinquent on any State or Federal debt. (If "is", please attach an explanation.)

(e) I further certify that the City/County/Tribe is following a detailed Citizen Participation Plan which:

1. provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which Section 106 funds are proposed to be used, and in the case of a grantee described in Section 106(a), provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
2. provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by regulations of the Secretary, and relating to the actual use of funds under this title;
3. provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
4. provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities and review of program performance, which hearings shall be held after adequate notice, at

times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;

5. provides for a timely written answer to written complaints and grievances, within 15 working days where practicable;
6. identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate; and
7. provides citizens with reasonable advance notice of, and opportunity to comment on, proposed activities not previously described in the community development application, and for activities which are proposed to be deleted or substantially changed in terms of purpose, scope, location, or beneficiaries.

Mayor/Chairman/Chief

Date

ECONOMIC REVITALIZATION LOAN POOL APPLICATION

DISASTER RECOVERY: TORNADOES OF APRIL 2011

Alabama's Disaster Recovery Program provides opportunities to communities with unmet economic revitalization needs as a result of the tornadoes of April 2011 to apply to ADECA for funds to set up a loan pool. The community must have credible experience managing a loan program. The loan pool will be governed by the requirements of Alabama's approved Action Plan for Disaster Recovery: Tornadoes of April 2011.

A detailed response to each item listed below will allow proper and thorough evaluation of proposed projects for funding consideration:

- B.1. Provide a pre-tornado assessment of inadequacies associated with housing and essential community development facilities.
- B.2. Assess (a) the full extent of damage in the community caused by the tornadoes; (b) the recovery activities completed or ongoing; and (c) the remaining unmet needs including the post-tornado housing needs for all income groups.
- B.3. Describe the activities the community plans to undertake to address the post-tornado housing needs of all income groups including transitional housing needs of homeless individuals and families, prevention of low-income individuals and families with children (especially those with incomes below 30 percent of the area median) from becoming homeless, and the special needs of persons who are not homeless but require supportive housing (e.g., elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents).
- B.4. Describe the community's short- and long-term recovery plans for restoring and rebuilding housing (including rental housing) and infrastructure, including plans for flood plain management; removal of barriers to reconstruction; adoption and enforcement of modern building codes to produce high quality, durable, energy efficient, mold resistant, and storm proof housing; and prior coordination with the planning requirements of other State and Federal programs and entities and describe how the community's use of grant funds will give priority to infrastructure development and/or rehabilitation.
- B.5. Describe the community's proposed loan program in the context of assisting in the revitalization of local economies damaged by the April 2011 storms. Explain the community's understanding of the economic revitalization process; how the community's use of grant funds will serve a need for an economic revitalization program; demonstrate credible records of capacity to underwrite, manage, and service loans and meet HUD program requirements. At a minimum, the program must establish eligibility criteria for businesses to qualify for the program; eligible uses of funds; assistance types such as low-interest, deferred payment, or forgivable loans; underwriting criteria; collateral requirements; and timeline. The

applicant must explain how it intends to ensure no duplication of benefits will occur with businesses that will be assisted with the loan pool program.

- B.6. Discuss any other funds leveraged or to be leveraged for these activities. A subrogation agreement will be required from each grantee to ensure that there is no duplication of benefits. In order to comply with HUD requirements relating to duplication of benefits, if funds are awarded by any other source for the same activities before or after the date of ADECA's grant award CDBG disaster recovery funds must immediately be repaid to ADECA.
- B.7. Economic loan projects generally meet the national objective of benefitting 51 percent low- and moderate-income persons by creating or retaining jobs of which at least 51 percent meet the low- and moderate-income threshold. Applicant must explain below the number of jobs, including the low- and moderate-income jobs that will be created or retained as a result of assistance provided to current or new businesses. The businesses must use an Employee Income Certification Form on each employee to document jobs and collect other required information (i.e., ethnicity, race, and previous year income range of new or retained employees). The applicant must assure and explain why it feels certain 51 percent of the jobs created or retained will be held by persons in low- and moderate-income households.

If the loan pool program is proposed to meet a national objective other than benefitting 51 percent low- and moderate-income persons, the applicant must explain in detail below how the alternate national objective will be met.

EMPLOYEE INCOME CERTIFICATION FORM

The following information must be provided by employees benefitting from activities assisted by Disaster Recovery: Tornadoes of April 2011 funds from the U. S. Department of Housing and Urban Development.

Name /Address of Employee: _____

Does the employer offer health care for this job? _____ Yes _____ No

Was the employee unemployed before taking this job? _____ Yes _____ No

Brief description of the job type/duties: _____

Number of Household Members: _____

If Female, are you head of household? _____ Yes _____ No

Is employee disabled? _____ Yes _____ No

ETHNICITY
 Hispanic or Latino?
 _____ Yes _____ No

RACE
 White _____
 Black/African American _____
 Asian _____
 American Indian/Alaskan Native _____
 Native Hawaiian/Other Pacific Islander _____
 Am. Indian/Alaskan Native and White _____
 Asian and White _____
 Black/African American and White _____
 Am. Indian/Alaskan Native and Black _____
 Other Multi-Racial _____

Please circle income level that most closely corresponds to your household income last year:

Household Size	1 person	2 person	3 person	4 person	5 person	6 person	7 person	8 person
Very Low-Income	\$0 to \$ _____	\$0 to \$ _____	\$0 to \$ _____	\$0 to \$ _____	\$0 to \$ _____	\$0 to \$ _____	\$0 to \$ _____	\$0 to \$ _____
Low-Income	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____
Moderate-Income	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____	\$ _____ to \$ _____
High-Income	Over \$ _____	Over \$ _____	Over \$ _____	Over \$ _____	Over \$ _____	Over \$ _____	Over \$ _____	Over \$ _____

I certify the above information to be true and correct to the best of my knowledge.

 Employee's Signature

 Date

**ALABAMA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
CERTIFIED ASSURANCES**

General Assurances

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms to the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval by the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating the prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead-based paint in the construction or rehabilitation of residential structures.
10. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination Statute(s) which may apply to the application.
11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), as amended (P.L. 100-17) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the potential activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), The Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the

Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333) regarding labor standards for federally assisted construction contracts.

14. Will comply with the flood insurance purchase requirements of Section 102 (a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (c) notification of violating facilities pursuant to EO 11738; (d) protection of wetlands pursuant to EO 11990; (e) evaluation of flood hazards in flood plains in accordance with EO 11988; (f) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (g) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended, (42 U.S.C. 7401 et seq.); (h) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (i) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.)
18. Will cause to be performed the required financial and compliance audits in accordance with Single Audit Act of 1984, as amended, and OMB Circular A-128.
19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

Special State Assurances

The applicant further assures and certifies that:

- (a) The proposed program benefits principally persons of low to moderate incomes, the latter being defined as persons in households having incomes at or below applicable income limits. Specifically the following percentages of low and moderate income beneficiaries serve as a minimum threshold depending on the type of project: 51% for public facilities activities and 100% for housing activities. Programs should be designed so as to give maximum feasible priority to activities which will benefit low and moderate income families or aid in the prevention of slums and blight. However, a proposed program may include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious threat to the health or welfare of the community where other financial resources are not available to meet such needs.
- (b) If it has a previous Community Development Block Grant Program which has not been closed out, it will, if requested by the State, present the State with documentation to adequately demonstrate that it can expeditiously close out the previous program and manage a future program.
- (c) The local governing body accepts the responsibility for citizen comments and concerns related to the proposed program.

Anti-Displacement Assurance

As the duly authorized representative of the applicant, I certify that the applicant will comply with:

1. Section 104(d) of Title I of the Housing and Community Development Act of 1974, as amended. This provision, authorized by Section 509(a) of the Housing and Community Development Act of 1987, contains requirements for a residential anti-displacement and relocation assistance plan. Each State recipient must adopt, make public, and certify to the State that it is following a "residential anti-displacement and relocation assistance plan."
2. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended through 1987, (Public Law 100-17, 101 Stat. 246-256). This provision extends Uniform Relocation Assistance coverage to any person (family individual, business, nonprofit organization or farms) displaced as a direct result of rehabilitation, demolition, or privately undertaken acquisition carried out for a federally assisted project or program.

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
2. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Certification Regarding Survey

If a survey to determine project beneficiaries was undertaken for the proposed project, such survey was conducted with full regard to obtaining accurate information. The City/County agrees that any evidence to the contrary could result in adverse consequences, including the repayment of grant funds.

Certification Regarding Excessive Force

The undersigned certifies that it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

Certification Regarding Preventing Entrance and Exit

The undersigned certifies that it has adopted and is enforcing applicable state and local laws against physically barring entrance or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

Mayor/Chairman/Chief

Date

Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing
and Urban Development

OMB Approval No. 2510-0011 (exp. 8/31/2009)

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information

Indicate whether this is an Initial Report or an Update Report

1. Applicant/Recipient Name, Address, and Phone (include area code):	2. Social Security Number or Employer ID Number:
3. HUD Program Name	4. Amount of HUD Assistance Requested/Received
5. State the name and location (street address, City and State) of the project or activity:	

Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3). <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9 <input type="checkbox"/> Yes <input type="checkbox"/> No.
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If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However,** you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds

(Note: Use Additional pages if necessary.)

Part III Interested Parties. You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

(Note: Use Additional pages if necessary.)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature: X	Date: (mm/dd/yyyy)
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Public reporting burden for this collection of information is estimated to average 2.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

Privacy Act Statement. Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is optional. The SSN or EIN is used as a unique identifier. The information you provide will enable HUD to carry out its responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. They will also help ensure that HUD assistance for a specific housing project under Section 102(d) is not more than is necessary to make the project feasible after taking account of other government assistance. HUD will make available to the public all applicant disclosure reports for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15. HUD will use the information in evaluating individual assistance applications and in performing internal administrative analyses to assist in the management of specific HUD programs. The information will also be used in making the determination under Section 102(d) whether HUD assistance for a specific housing project is more than is necessary to make the project feasible after taking account of other government assistance. You must provide all the required information. Failure to provide any required information may delay the processing of your application, and may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §4.38.

Note: This form only covers assistance made available by the Department. States and units of general local government that carry out responsibilities under Sections 102(b) and (c) of the Reform Act must develop their own procedures for complying with the Act.

Instructions

Overview.

A. Coverage. You must complete this report if:

- (1) You are applying for assistance from HUD for a specific project or activity and you have received, or expect to receive, assistance from HUD in excess of \$200,000 during the fiscal year;
- (2) You are updating a prior report as discussed below; or
- (3) You are submitting an application for assistance to an entity other than HUD, a State or local government if the application is required by statute or regulation to be submitted to HUD for approval or for any other purpose.

B. Update reports (filed by "Recipients" of HUD Assistance):

General. All recipients of covered assistance must submit update reports to the Department to reflect substantial changes to the initial applicant disclosure reports.

Line-by-Line Instructions.

Applicant/Recipient Information.

All applicants for HUD competitive assistance, must complete the information required in blocks 1-5 of form HUD-2880:

1. Enter the full name, address, city, State, zip code, and telephone number (including area code) of the applicant/recipient. Where the applicant/recipient is an individual, the last name, first name, and middle initial must be entered.
2. Entry of the applicant/recipient's SSN or EIN, as appropriate, is optional.
3. Applicants enter the HUD program name under which the assistance is being requested.
4. Applicants enter the amount of HUD assistance that is being requested. Recipients enter the amount of HUD assistance that has been provided and to which the update report relates. The amounts are those stated in the application or award documentation. NOTE: In the case of assistance that is provided pursuant to contract over a period of time (such as project-based assistance under section 8 of the United States Housing Act of 1937), the amount of assistance to be reported includes all amounts that are to be provided over the term of the contract, irrespective of when they are to be received.
5. Applicants enter the name and full address of the project or activity for which the HUD assistance is sought. Recipients enter the name and full address of the HUD-assisted project or activity to which the update report relates. The most appropriate government identifying number must be used (e.g., RFP No.; IFB No.; grant announcement No.; or contract, grant, or loan No.) Include prefixes.

Part I. Threshold Determinations - Applicants Only

Part I contains information to help the applicant determine whether the remainder of the form must be completed. **Recipients filing Update Reports should not complete this Part.**

If the answer to *either* questions 1 or 2 is No, the applicant need not complete Parts II and III of the report, but must sign the certification at the end of the form.

Part II. Other Government Assistance and Expected Sources and Uses of Funds.

A. Other Government Assistance. This Part is to be completed by both applicants and recipients for assistance and recipients filing update reports. Applicants and recipients must report any other government assistance involved in the project or activity for which assistance is sought. Applicants and recipients must report any other government assistance involved in the project or activity. Other government assistance is defined in note 4 on the last page. For purposes of this definition, other government assistance is expected to be made available if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the assistance will be forthcoming.

Both applicant and recipient disclosures must include all other government assistance involved with the HUD assistance, as well as any other government assistance that was made available before the request, but that has continuing vitality at the time of the request. Examples of this latter category include tax credits that provide for a number of years of tax benefits, and grant assistance that continues to benefit the project at the time of the assistance request.

The following information must be provided:

1. Enter the name and address, city, State, and zip code of the government agency making the assistance available.
2. State the type of other government assistance (e.g., loan, grant, loan insurance).
3. Enter the dollar amount of the other government assistance that is, or is expected to be, made available with respect to the project or activities for which the HUD assistance is sought (applicants) or has been provided (recipients).
4. **Uses of funds.** Each reportable use of funds must clearly identify the purpose to which they are to be put. Reasonable aggregations may be used, such as "total structure" to include a number of structural costs, such as roof, elevators, exterior masonry, etc.

B. Non-Government Assistance. Note that the applicant and recipient disclosure report must specify all expected sources and uses of funds - both from HUD *and any other source* - that have been or are to be, made available for the project or activity. Non-government sources of

funds typically include (but are not limited to) foundations and private contributors.

Part III. Interested Parties.

This Part is to be completed by both applicants and recipients filing update reports. Applicants must provide information on:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Note: A financial interest means any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residency of an individual in housing for which assistance is being sought is not, by itself, considered a covered financial interest.

The information required below must be provided.

1. Enter the full names and addresses. If the person is an entity, the listing must include the full name and address of the entity as well as the CEO. Please list all names alphabetically.
2. Entry of the Social Security Number (SSN) or Employee Identification Number (EIN), as appropriate, for each person listed is optional.
3. Enter the type of participation in the project or activity for each person listed: i.e., the person's specific role in the project (e.g., contractor, consultant, planner, investor).
4. Enter the financial interest in the project or activity for each person listed. The interest must be expressed both as a dollar amount and as a percentage of the amount of the HUD assistance involved.

Note that if any of the source/use information required by this report has been provided elsewhere in this application package, the applicant need

not repeat the information, but need only refer to the form and location to incorporate it into this report. (It is likely that some of the information required by this report has been provided on SF 424A, and on various budget forms accompanying the application.) If this report requires information beyond that provided elsewhere in the application package, the applicant must include in this report all the additional information required.

Recipients must submit an update report for any change in previously disclosed sources and uses of funds as provided in Section I.D.5., above.

Notes:

1. All citations are to 24 CFR Part 4, which was published in the Federal Register. [April 1, 1996, at 63 Fed. Reg. 14448.]
2. Assistance means any contract, grant, loan, cooperative agreement, or other form of assistance, including the insurance or guarantee of a loan or mortgage, that is provided with respect to a specific project or activity under a program administered by the Department. The term does not include contracts, such as procurements contracts, that are subject to the Fed. Acquisition Regulation (FAR) (48 CFR Chapter 1).
3. See 24 CFR §4.9 for detailed guidance on how the threshold is calculated.
4. "Other government assistance" is defined to include any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance from the Federal government (other than that requested from HUD in the application), a State, or a unit of general local government, or any agency or instrumentality thereof, that is, or is expected to be made, available with respect to the project or activities for which the assistance is sought.
5. For the purpose of this form and 24 CFR Part 4, "person" means an individual (including a consultant, lobbyist, or lawyer); corporation; company; association; authority; firm; partnership; society; State, unit of general local government, or other government entity, or agency thereof (including a public housing agency); Indian tribe; and any other organization or group of people.