



# COUNTY OF SANTA BARBARA

## NOTICE OF FUNDING AVAILABILITY for AFFORDABLE HOUSING DEVELOPMENT



### Community Services Department Division of Housing and Community Development



September 4, 2020

**Note: This NOFA is for housing development projects only. A separate NOFA will be issued for CDBG capital, facilities, infrastructure improvements, limited housing acquisition and/or rehab, and public services programs.**

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<http://www.countyofsb.org/housing>

Please check the website often for any updates to this NOFA



## Funds Available

The County Division of Housing and Community Development (HCD) is pleased to issue this Notice of Funding Availability (NOFA) to inform eligible organizations and affordable housing developers about current grant and loan opportunities. The federal funds listed below are allocated annually to the County by the U.S. Department of Housing and Urban Development (HUD). The amounts are estimated, based on the prior year allocations. The County Board of Supervisors (BOS) makes all funding decisions.

FUNDING SOURCE	EST. AMT. AVAILABLE	See Section
HOME Investment Partnerships (HOME)	\$2,914,944	I
Inclusionary Housing In-Lieu	\$1,192,000	I
No Place Like Home (NPLH) – County non-competitive funds	\$750,000	II
CDBG-DR	\$588,504	III

## Application Due Dates

See application instructions section in this NOFA. Contact HCD at [HCDNOFA@co.santa-barbara.ca.us](mailto:HCDNOFA@co.santa-barbara.ca.us) for instructions for applying for eligible programs not listed in this NOFA.

<p><b>September 15, 2020</b> <b>5:00 p.m.</b></p>	<ul style="list-style-type: none"> <li>Rental Housing Development Projects using any combination of HOME, In-Lieu, or non-competitive NPLH funds. <i>Submit Notice of Intent to Apply (Notice) by deadline using the form provided herein as Exhibit B (Word version on HCD website). Email Notice to: <a href="mailto:HCDNOFA@co.santa-barbara.ca.us">HCDNOFA@co.santa-barbara.ca.us</a>. Enter "Housing Development" in subject line.</i></li> </ul> <p><b><i>Only one Notice per Project will be accepted</i></b></p>
<p><b>October 1, 2020</b></p>	<ul style="list-style-type: none"> <li>Tenant-Based Rental Assistance (TBRA) <i>Submit Notice of Intent to Apply (Notice) using the Notice form provided herein as Exhibit B (Word version on HCD website). Email Notice to: <a href="mailto:HCDNOFA@co.santa-barbara.ca.us">HCDNOFA@co.santa-barbara.ca.us</a>. Enter "TBRA" in subject line.</i></li> <li>(By invitation) Housing Development Project Applications requesting any combination of HOME, In-Lieu or non-competitive NPLH. <i>After review of submitted Notices, applicants whose projects meet the thresholds outlined in the applicable sections in this NOFA will be invited to complete a full application. Applications are due by this deadline.</i></li> </ul>

## Applicant Training Schedule

NOFA applicant training is required to apply for funds in this Housing NOFA. Attendee(s) must be the agency’s executive director and/or staff responsible for program implementation. Applicants’ grant writers, consultants, and others are welcome to attend; however, their attendance will not count toward the attendance requirement.

<p><b>September 9, 2020</b> 2:00 p.m. – 3:30 p.m.</p>	<p>MANDATORY Applicant Training - Via Zoom, click on the link below to join the training on the date shown to the left. <a href="https://us02web.zoom.us/j/86519497673?pwd=U3N4dzYzV1Y4ZER5K0RhRDU4dVNMZz09">https://us02web.zoom.us/j/86519497673?pwd=U3N4dzYzV1Y4ZER5K0RhRDU4dVNMZz09</a> Meeting ID: 865 1949 7673 Passcode: 037567 To join by phone: 1-669-900-6833 Passcode 037567</p>
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If you are unable to attend the scheduled Housing NOFA applicant training, contact the staff listed at the end of this NOFA to request other arrangements.

## Committee Review and Board of Supervisors Hearing Dates

<p><b>November 4, 2020</b></p> <p>10:00 a.m. – 12:00 p.m.</p> <p>Meeting location or link to virtual meeting will be posted to HCD’s website at least 72 hours in advance. Applicants will be directly notified by email if their applications will be considered at the CLC meeting.</p>	<p><b>Capital Loan Committee (CLC)– Funding Recommendations</b></p> <p><i>CLC will review HCD staff recommendations for the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Housing development projects, utilizing any one or combination of funding source(s). Additional CLC meetings will be convened, as necessary, per the schedule outlined later in this NOFA</i></li> </ul> <p><i>CLC funding recommendations will be presented to the County Board of Supervisors for consideration of final funding awards.</i></p>
<p><b>December 8, 2020</b> (subject to change)</p> <p>9:00 a.m. call to order <a href="https://santabarbara.legistar.com/Calendar.aspx#current">https://santabarbara.legistar.com/Calendar.aspx#current</a></p>	<p><b>County Board of Supervisors Public Hearing</b></p> <p><i>Board will consider funding recommendations and may approve preliminary funding reservations for housing development projects.</i></p> <p>Applicants are encouraged to attend the Board of Supervisors public hearing to provide input on the funding recommendations</p>

## Introduction

The County Community Services Department's Division of Housing and Community Development (HCD) is pleased to announce the availability of funding for several grants and loans to support housing, including the acquisition, rehabilitation, and new construction of housing for low-income and/or homeless households. Funds support development of affordable housing that will serve Santa Barbara County residents.

County Community Development Block Grant (CDBG) funds for public services programs and facility improvements (including for limited housing projects, such as acquisition of small move-in ready housing and/or minor rehab) will be included in a separate NOFA to be released in later in the fall and will be posted at [www.countyofsb.org/housing](http://www.countyofsb.org/housing).

Applications for human services programs utilizing County general funds under the Human Services Commission will not be considered in the 2021-22 funding cycle. These three-year grants will be up for reallocation in the 2022-23 funding cycle.

**Please read this NOFA in its entirety before beginning an application. Direct questions to the County staff listed at the end of this document, or send questions to [HCDNOFA@co.santa-barbara.ca.us](mailto:HCDNOFA@co.santa-barbara.ca.us).**

## County Consolidated Plan

This, and the NOFA to follow, represent year three of the County's 2020-2025 Consolidated Plan period. Approved projects will be included in the year three Action Plan for FY 2021, which will be submitted to the County Board of Supervisors in spring 2021 for approval and submission to the U.S. Department of Housing and Urban Development (HUD), which allocates CDBG and HOME funds to the County. Applicants should refer to the priorities identified in the County's 2020-2024 Consolidated Plan when completing their applications. The priorities are derived from congressional goals, HUD priorities and local housing and community development needs. The priorities are also available in the application. The entire Consolidated Plan may be viewed at: <http://countyofsb.org/housing/asset.c/348>

## Application Instructions – Housing Development Applications

Applications for housing development (acquisition, new construction and/or rehabilitation) funds, including HOME, In-lieu and certain State funds (together "housing development funds") will be accepted in a phased process. Owners/Developers of proposed projects that wish to apply for housing development funds at any time through calendar year 2021, must first submit a **Notice of Intent (Notice) to apply by the deadline noted in this NOFA under Application Deadlines.**

Sections I – V describe the available funds for housing development. Detailed application procedures follow Section V.

**LATE OR INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

## Section I: HOME and IN-LIEU FUNDS

### **HOME Investment Partnership Program (HOME) Funds**

The primary purpose of the HOME program is to provide affordable housing to low-income households. HOME may be used for a variety of programs, including:

- Homeowner rehabilitation: HOME funds may be used to assist existing owner-occupants with the repair, rehabilitation or reconstruction of their homes.
- Homebuyer activities: Finance the acquisition and/or rehabilitation or new construction of homes for homebuyers.
- Rental housing: Affordable rental housing may be acquired and/or rehabilitated, or constructed.
- Tenant-based rental assistance (TBRA): Financial assistance for rent, security deposits and, under certain conditions, utility deposits may be provided to tenants. Assistance for utility deposits may only be provided in conjunction with a TBRA security deposit or monthly rental assistance program.

See application instructions below.

HOME Program information may be viewed at: <https://www.hudexchange.info/resource/2368/building-home-a-home-program-primer/>

***The County reserves the right to award HOME funds outside the NOFA process, as necessary to meet strict HUD commitment and expenditure deadlines or to fund acquisition of properties that are actively listed for sale and can be immediately occupied or occupied after completion of minor rehabilitation. All funding awards are subject to Board approval.***

### **HOME Consortium**

The County of Santa Barbara is the lead entity of the County HOME Consortium (Consortium), which is comprised of the County, and the cities of Buellton, Carpinteria, Goleta, Lompoc, Santa Maria, and Solvang. Each jurisdiction receives a distribution of HOME funds that may either be awarded to an eligible project or program in their respective communities or added to the County's distribution and made available to projects and programs throughout the County. The County administers the HOME program on behalf of the Consortium.

The table below shows the estimated 2021 HOME allocation.

Estimated FY 21-22 Allocation	\$1,265,645
County Administration (10%)	\$126,565
CHDO Set-aside (15%)	\$189,847 <sup>1</sup>
<b>Available for Projects</b>	<b>\$949,233</b>

The table below shows the distributions to partner cities.

Jurisdiction	Distribution	Pro Rata Share for Projects
County	39.24%	\$372,499
Buellton	1.42%	\$13,439
Carpinteria	3.91%	\$37,106
Goleta	8.72%	\$82,814

<sup>1</sup> These funds must be used by a County-certified Community Housing Development Organization (CHDO) for the development of housing

Santa Maria	31.95%	\$303,311
Solvang	1.63%	\$15,480
Lompoc	13.12%	\$124,584
CHDO Set-aside	15%	\$189,847
TOTAL	100%	\$1,139,080

**Notes:**

1. Amounts are subject to change based on the congressionally approved budget, anticipated to be announced in the spring.
2. The estimated allocation does not include unused funds from prior years and program income (loan repayments); these amounts are included in the total funds available listed earlier in this NOFA.

**HOME Tenant Based Rental Assistance (TBRA)**

Funds for TBRA may be made available contingent upon the number of housing development applications received for viable projects that meet the funding criteria provided in this NOFA. Priority will be given to the creation of permanent affordable units. After consideration of housing development applications, HCD will determine whether funds may be recommended for TBRA. Organizations that wish to apply for TBRA funds must submit a Notice of Intent to Apply per the instructions provided in this NOFA. Organizations approved for TBRA grants must agree to administer the program as County Subrecipients, meaning that organizations will administer the program on the County's behalf and must agree to adhere to strict HUD HOME regulations, which include, in part, that Subrecipients:

1. Develop TBRA written policies and procedures;
2. Ensure that tenants receive leases of at least 12 months;
3. Ensure that leases comply with the HOME program;
4. Enter into agreements with the owners of rental housing;
5. Inspect rental units using the HUD Housing Quality Standards checklist and for Lead-Based Paint hazards
6. Ensure that rents charged comply with TBRA requirements.

See application instructions on page 6.

**Affordable Housing Program (In-Lieu) Funds**

HCD's Affordable Housing Program collects fees from housing developers who pay a fee in lieu of building income-restricted units in their housing developments, as required by County ordinance. The fees may then be used to develop affordable housing in the Housing Market Area (HMA) from which they were collected or in the South Coast HMA.

Housing Market Area	<i>as of 07/22/20</i>
South Coast	\$7,086
Santa Maria	\$457,056
Lompoc	\$46,321
Santa Ynez	\$301,616
Unrestricted	\$379,940
TOTAL	\$1,192,019



## Section II: California No Place Like Home

The No Place Like Home Program (NPLH) is a program of the State of California that provides funding and tools to address affordability issues associated with creating housing units that are specifically set aside for persons with serious mental illness who are chronically homeless, homeless, or at-risk of being chronically homeless. Under the program, the State (and in some cases, the County) may make loans to reduce the initial cost of acquisition and/or construction or rehabilitation of housing and may set funds aside to subsidize extremely low rent levels over time.

Complete information may be found on the State's website at <http://www.hcd.ca.gov/grants-funding/active-funding/nplh.shtml#funds>. Applicants must read the information on the State's NPLH website and fully comprehend the NPLH program, and have all funding sources identified, before applying to the State or County for funds. The information provided herein is a summary only and discusses program applicability to Santa Barbara County. See application instructions provided in this NOFA.

The State's NPLH Guidelines (Guidelines) for the Program are organized into four Articles as follows:

Article I. General Program Requirements

Article II. Noncompetitive and Competitive Allocations

Article III. Alternative Process Allocation (*not applicable to Santa Barbara County*)

Article IV. Noncompetitive Allocation Shared Housing Requirements (*not applicable to this NOFA*)

### **Applicability to Santa Barbara County**

As noted in Article II of the NPLH Guidelines, funds are being awarded on both a non-competitive and a competitive basis.

**Non-Competitive Funds:** Approximately \$2.5 million was awarded to Santa Barbara County on a non-competitive basis (see Articles I, II, and IV of the Guidelines available at <https://www.hcd.ca.gov/grants-funding/active-funding/nplh.shtml>). Approximately \$750,000 of these non-competitive funds remain available to Santa Barbara County. The County may elect to use all, none, or a portion thereof for multi-family housing programs (see Article IV of the NPLH Guidelines available at <https://www.hcd.ca.gov/grants-funding/active-funding/nplh.shtml>). The County will underwrite applications for **Supportive** housing programs. Be mindful of the State's program deadlines and plan ahead for project review by all of the following: a) County inter-departmental team, b) review by the Capital Loan Committee, and c) County Board of Supervisors. Applicants also must have service contracts in place with the Department of Behavioral Wellness or other provider approved by the County Department of Behavioral Wellness to provide mental health supportive services and other services to NPLH tenants. To apply for NPLH competitive funds, complete a Notice of Intent to Apply form provided herein as Exhibit B (Word version available at [www.countyofsb.org/housing](http://www.countyofsb.org/housing)). Email to [HCDNOFA@co.santa-barbara.ca.us](mailto:HCDNOFA@co.santa-barbara.ca.us) and enter "NPLH Non-Comp" in the Subject line. Submit by the deadline stated in this NOFA.

### **Competitive Funds:**

Approximately \$52.5 million is available through the State's Round 2 Notice of Funding Availability to all mid-sized Counties on a competitive basis (see Articles I and II of the Guidelines available at: <https://www.hcd.ca.gov/grants-funding/active-funding/nplh.shtml>). Applications are made directly to the State with the County as a co-applicant. To begin the applications process, complete a Notice of Intent to Apply form provided herein as Exhibit B (Word version available at [www.countyofsb.org/housing](http://www.countyofsb.org/housing)). Email to [HCDNOFA@co.santa-barbara.ca.us](mailto:HCDNOFA@co.santa-barbara.ca.us) and enter "NPLH Competitive" in the Subject line. Submit by the deadline stated in this NOFA.

### **Other Requirements:**

To be eligible for funding under the non-competitive and competitive programs, all projects must comply the County's Coordinated Entry System (CES) and Homeless Management and Information System (HMIS). See description below.

### **Coordinated Entry System (CES)**

The Santa Maria/Santa Barbara County Continuum of Care (CoC) implemented a Coordinated Entry System (CES) in January 2018 after months of community-wide planning. NPLH will utilize CES for program referrals to housing. A hallmark of CES is prioritizing vulnerable individuals and families for services. To learn more about the Coordinated Entry System, click [Home for Good](#).

### **Homeless Management Information Systems**

All applicants must participate in the Homeless Management Information Systems (HMIS). The system requires data collection and reporting. The Santa Maria/Santa Barbara Continuum of Care operates with limited data sharing – referred to as an open HMIS system. Program participants sign a release of information and provide universal data elements to the system. HMIS participating agencies can view these universal data elements even if this data is entered by another agency. If a client does not sign the ROI, data is collected but is not viewable outside the HMIS Lead and agency entering data. To learn more about HMIS requirements, please view [HMIS User Central](#).

### **NPLH APPLICATION INSTRUCTIONS**

- **Non-Competitive funds:** Owners/Developers of proposed projects that wish to apply for Non-Competitive funds must first submit a Notice of Intent (Notice) to apply by the September 15, 2020 deadline. Proposed developments must be multi-family (5+ unit) projects and be able to meet all the funding commitment and expenditure deadlines outlined in the Guidelines. The County reserves the right to cap the amount of non-competitive funds used to preserve enough funds to leverage non-competitive funds and/or low-income housing tax credits (LIHTC) for other multi-family projects. The cap amount will be determined by the number of Notices received and the feasibility of proposed projects to meet the NPLH requirements, at the sole discretion of the County.

Apply by submitting a Notice, using the form provided herein as Exhibit B (Word version provided at [www.countyofsb.org/housing](http://www.countyofsb.org/housing)). Submit by the deadline to [HCDNOFA@co.santa-barbara.ca.us](mailto:HCDNOFA@co.santa-barbara.ca.us). Enter "NPLH Non-Competitive" in the subject line. If combining non-competitive and competitive funds, follow the instructions below for competitive funds.

- **Competitive funds:** Owners/Developers of proposed projects that wish to apply for Competitive funds, or a combination of Competitive and Non-Competitive funds must first submit a Notice of Intent (Notice) to apply by the September 15, 2020 deadline.

Apply by submitting a Notice, using the form provided herein as Exhibit B (Word version provided at [www.countyofsb.org/housing](http://www.countyofsb.org/housing)). Submit by the deadline to [HCDNOFA@co.santa-barbara.ca.us](mailto:HCDNOFA@co.santa-barbara.ca.us). Enter "NPLH Competitive" in the subject line.

The County will review Notices and select projects to move forward in the application process and provide a full Housing Development application by email. Projects for which applications will be submitted to the State for low-income housing tax credits in the first funding round for 9% credits, or by June 30, 2021 for 4% credits must submit a completed Housing Development application by the January 2021 deadline. Those projects will be reviewed by the County's Capital Loan Committee on the meeting date noted in this NOFA. The County will determine application deadlines for other LIHTC projects once the State publishes its 2021 application schedule. A sample of the application for all housing development projects is included herein as Exhibit A.

The Notice form (Exhibit B) requests the following information:

- Applicant name, organization, address and contact information
- Location of proposed project
- Whether acquisition/rehab and/or new construction
- Type of project (rental/for-sale/mixed-use) and number of total units
- Proposed income and rent restrictions and special populations to be served, if applicable, e.g. seniors, homeless, etc.
- Preliminary Sources and Uses (include all funding sources and amount of anticipated County funds)
- Status of project (site control, zoning, planned application date for tax credits, funding sources committed, etc.)

## Section III: CDBG-DR MHP

Santa Barbara County HCD will receive approximately \$588,504 in CDBG Disaster Relief (CDBG-DR) funding under the Multi-Family Housing Program (MHP) and will award these funds to one or more projects meeting qualifying criteria articulated herein and in the CDBG-DR MHP Addendum attached herein as Exhibit C. All applicants are strongly advised to review the following documents provided by State HCD as administrative guidelines and regulatory requirements associated with this funding source, which is provided pursuant to FEMA declared disaster DR 4353, related to the Thomas Fire.

CDBG-DR MHP Policies and Procedures (8-14-20 version) and as may be amended:

[https://www.hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr/cdbg-dr-2017/docs/DR-MHP\\_PP\\_3-19-2020\\_508-Compliant.pdf](https://www.hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr/cdbg-dr-2017/docs/DR-MHP_PP_3-19-2020_508-Compliant.pdf)

State HCD Multi-Family Housing Program Guidelines and Regulations:

<http://www.hcd.ca.gov/grants-funding/active-funding/mhp/docs/Round-1-MHP-Final-Guidelines.pdf>

Projects requesting CDBG -DR MHP funds and must prioritize available housing units for households affected by this disaster first and foremost.

## Section IV: Permanent Local Housing Allocation (PLHA)

In 2017, Governor Brown signed a 15-bill housing package aimed at addressing the state's housing shortage and high housing costs. Specifically, it included the Building Homes and Jobs Act (SB 2, 2017), which established a \$75 recording fee on real estate documents to increase the supply of affordable homes in California.

Because the number of real estate transactions recorded in each county will vary from year to year, the revenues collected will fluctuate.

The PLHA program will help to:

- Increase the supply of housing for households at or below 60% of area median income
- Increase assistance to affordable owner-occupied workforce housing
- Assist persons experiencing or at risk of homelessness
- Facilitate housing affordability, particularly for lower- and moderate-income households
- Promote projects and programs to meet the local government's unmet share of regional housing needs allocation
- Ensure geographic equity in the distribution of the funds

The County and the cities of Goleta and Santa Maria created a PLHA Consortium. The Consortium selected the Eligible Activities and percentage of Consortium funds to each, and included them in the PLHA Five-Year Plan that was submitted to the State. Further information on each of the Eligible Activities may be found in Section 301 of the State's Guidelines:

<https://www.hcd.ca.gov/grants-funding/active-funding/docs/PLHA-Final-Guidelines-11-19.pdf>

<b>County Consortium Eligible Activities</b>	<b>2019 Allocation</b>
<i>Estimated year one total allocation:</i>	<b>\$1,397,273</b>
§301(a)(1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is Affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary Operating subsidies	45%
<i>Estimated year one allocation:</i>	\$ 628,773
§301(a)(2) The predevelopment, development, acquisition, rehabilitation, and preservation of Affordable rental and ownership housing, including Accessory dwelling units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.	10%
<i>Estimated year one allocation:</i>	\$ 139,727
§301(a)(9) Homeownership opportunities, including but not limited to, down payment assistance. (County proposed use for homebuyer asst up to 150% AMI	15%
<i>Estimated year one allocation:</i>	\$ 209,591
§301(a)(6) Assisting persons who are experiencing or at risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.	30%
<i>Estimated year one allocation:</i>	\$ 419,182

**Applications are being solicited for Eligible Activities concerning affordable housing development and homeownership programs. This NOFA does not include solicitations for Eligible Activity 301(a)(6). One or more additional NOFAs may be published at a later date for programs that fall under this Eligible Activity.**

## Section V: Other State Funds

Information on additional State funds expected to be allocated to the County will be posted to County HCD's website at [www.countyofsb.org/housing](http://www.countyofsb.org/housing) as information becomes available.

Information also may be found on the State's website at <https://www.hcd.ca.gov/grants-funding/active-funding/index.shtml>.

## Application Procedures for Rental Housing Development

Applications for housing development (acquisition, new construction and/or rehabilitation) funds, including HOME, In-lieu, and certain State funds will be accepted in a phased process. Owners/Developers of proposed projects that wish to apply for HOME, In-Lieu, or non-competitive NPLH funds at any time in calendar year 2021, must first submit a **Notice of Intent (Notice) to apply by the deadline stated in this NOFA under Application Deadlines**. See instructions provided on page 6.

Phase 1: Projects that have all financing committed or, if applicable, are ready to apply to the State for low-income housing tax credits (LIHTC) on or before June 30, 2021 will be invited to complete a full application and submit by the **October 1, 2020** deadline in this NOFA. A sample of the application is included herein as Exhibit A and a Word version will be emailed. Projects that meet the criteria above will be reviewed by the County's Capital Loan Committee on the meeting date noted in this NOFA.

Phase 2: Projects that will have all financing committed or, if applicable, will be ready to apply to the State for low-income housing tax credits (LIHTC) after June 30, 2021 but before December 31, 2021, will be invited to apply at a later date. The County will determine application deadlines for other projects once the State publishes its 2021 application schedule.

Projects that do not meet the criteria listed in Phase 1 or 2 will not be considered and are invited to apply in the next NOFA cycle. Exceptions will be made for projects that plan to apply to the County and State for NPLH funds only (no other County-administered funds included), which will be considered in conjunction with the State's NOFA schedule.

**NOTE: HCD staff will confirm the readiness of a project to proceed or to apply for State LIHTC. Please adhere to the phasing schedule described above.**

The Notice form provided herein as Exhibit B (Word version on HCD's website at [www.Countyofsb.or/housing](http://www.Countyofsb.or/housing)) requests the following information:

- Applicant name, organization, address and contact information
- Location of proposed project
- Whether acquisition/rehab and/or new construction
- Type of project (rental/for-sale/mixed-use) and number of total units
- Proposed income and rent restrictions and special populations to be served, if applicable, e.g. seniors, homeless, etc.
- Preliminary Sources and Uses (include all funding sources and amount of anticipated County funds)
- Status of project (site control, zoning, planned application date for tax credits, funding sources committed, etc.)

In accordance with the HOME Consortium agreement with Consortium cities, potential applicants for HOME funds that do not first submit a Notice of Intent to apply (Notice) will not be added to the housing project pipeline and will not be considered for funding. Submitting a Notice does not guarantee an award of, or priority for, funds and a full application will be required and will be considered per the phasing schedule described above.

Applications are reviewed and underwritten by HCD staff and reviewed by the County's Capital Loan Committee. The Capital Loan Committee may concur with staff recommendations for funding or make other recommendations. Recommendations then are presented to the County Board of Supervisors for consideration of final funding awards.

Funding may be provisionally committed via "reservation," which will earmark funds for a specific project for a specific time period when the applicant plans to apply for LIHTC or other competitive State funds for the project. The County does not make commitments (executed agreements) until all funding sources are committed and, if applicable; an allocation of LIHTC or other State funding has been awarded by the State. (Some exceptions may apply, e.g. No Place Like Home (NPLH) competitive funds. The State allows applications for NPLH in advance of a tax credit application).

Project considerations include:

- Amount of request and percent of County funds to total project costs
- Project budget and status of financing commitments
- Project readiness<sup>2</sup> and timeline
- Population to be served
- Program meets a community need
- Applicant capacity and experience in managing construction projects
- Organizational and project financial capacity
- Commitment to comply with federal regulations, including income-qualifying beneficiaries per 24 CFR Part 5, compliance with the Davis-Bacon and Related Acts, and other federal and County requirements
- Property management experience and compliance with federal regulations
- Review of project's Sources and Uses, and projected operating proforma

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<sup>2</sup> Examples of project readiness include: site control, all financing committed, available plans, specifications, drawings, and maps, meets current zoning, site plan review completed, permit readiness, etc.

## County Contact Information

Division of Housing and Community Development  
123 E. Anapamu St, Suite 202, Santa Barbara, CA 93101

Director: George Chapjian  
Deputy Director, HCD: Dinah Lockhart

Program Manager: Laurie Baker [lbaker@co.santa-barbara.ca.us](mailto:lbaker@co.santa-barbara.ca.us)

### **Staff Contacts:**

#### **Housing Development**

- ✓ HOME Investment Partnerships Program
- ✓ Inclusionary Housing In-Lieu fees
- ✓ California No Place Like Home (NPLH)
- ✓ Permanent Local Housing Allocation Program (PLHA)

Ted Teyber  
Senior Housing Program Specialist  
Email: [eteyber@co.santa-barbara.ca.us](mailto:eteyber@co.santa-barbara.ca.us)  
Phone: (805) 568-3513

#### **Community Development Block Grant**

- ✓ Housing and Capital Projects
- ✓ CDBG Disaster Recovery

Carlos Jimenez  
Senior Housing Program Specialist  
Email: [cjimenez@co.santa-barbara.ca.us](mailto:cjimenez@co.santa-barbara.ca.us)  
Phone: (805) 568-835-29

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NOFA information will be posted on the County's HCD website at [www.countyofsb.org/housing](http://www.countyofsb.org/housing). Please check the website often for updated information and any NOFA revisions. A second NOFA will follow later in the fall to solicit applications for CDBG public services programs and capital projects.



## Other County Jurisdictions' Funding Opportunities

County CDBG funds will be included in a separate NOFA to be released in November which will be posted to the website at [www.countyofsb.org/housing](http://www.countyofsb.org/housing). The Cities of Santa Barbara, Goleta, Lompoc and Santa Maria each receive a direct allocation of CDBG funds from HUD and each city issues its own NOFA. The City of Santa Barbara also receives a direct allocation of HOME funds. Please contact the cities directly for more information.

### **Santa Barbara**

Website: [www.santabarbaraca.gov/services/hhs/cdbg](http://www.santabarbaraca.gov/services/hhs/cdbg)

Contact: Elizabeth Stotts

Phone: (805) 564-5461

Email: [estotts@SantaBarbaraCA.gov](mailto:estotts@SantaBarbaraCA.gov)

### **Goleta**

Website:

<http://www.cityofgoleta.org/city-hall/neighborhood-services-and-public-safety/neighborhood-services/community-development-block-grant-program>

Contact: Claudia Dato

Phone: (805) 961-7568

Email: [cdato@cityofgoleta.org](mailto:cdato@cityofgoleta.org)

### **Lompoc**

Website: [www.cityoflompoc.com/comdev/](http://www.cityoflompoc.com/comdev/)

Contact: Chanel Ovalle

Phone (805) 875-8245

Email: [c\\_cvalle@ci.lompoc.ca.us](mailto:c_cvalle@ci.lompoc.ca.us)

Lompoc accepts applications for public services programs only.

### **Santa Maria**

Website:

[www.cityofsantamaria.org/city-government/departments/community-development/special-projects/community-development-block-grant-cdbg-program](http://www.cityofsantamaria.org/city-government/departments/community-development/special-projects/community-development-block-grant-cdbg-program)

Contacts:

Rosie Rojo (Narez) – [rnarez@cityofsantamaria.org](mailto:rnarez@cityofsantamaria.org) - (805) 925-0951 ext. 2381

Alicia Vela – [avela@cityofsantamaria.org](mailto:avela@cityofsantamaria.org) – (805) 925-0951 ext. 2469

### **Housing Trust Fund of Santa Barbara County (HTF)** (countywide)

Website: <http://www.sbhousingtrust.org>

Contacts:

Jennifer McGovern – [j.mcgovern@sbhousingtrust.org](mailto:j.mcgovern@sbhousingtrust.org) – (805) 685-1949

Yvette Lounsbury – [ylounsbury@sbhousingtrust.org](mailto:ylounsbury@sbhousingtrust.org) – (805) 845-3585

HTF provides low-cost capital for affordable housing production and homebuyer assistance for first-time homebuyers.

## Support for Identifying Sites for Housing the Homeless

The County developed a countywide map that shows the zones where emergency shelters and Low Barrier Navigation Centers (LBNC) are allowed “by right” (i.e., permitted without a conditional use permit, discretionary review/approval, or CEQA environmental review) pursuant to State and local regulations. For example, the County’s zoning ordinances allow emergency shelters in certain industrial, commercial, and high-density residential zones. On July 31, 2019, Governor Newsom approved Assembly Bill (AB) 101. In part, AB 101 requires the County to allow LBNCs as a use by right in “areas zoned for mixed use and nonresidential zones permitting multifamily uses,” provided the LBNCs meet specified requirements. (See Government Code §§ 65660 and 65662.) County Planning and Development’s “by-right” zoning map identifies potential sites where projects may be located. This map is available at the following link: <https://arcgis/1uKj9L>.


This [map](#), and the below Supportive Housing, LBNC, and Emergency Shelter Zone chart are available to assist affordable housing providers, and community non-profit agencies begin planning for the use of available and future funding for the development of housing for unhoused community residents.

	AB 2162 (Supportive Housing)	AB 101 (Low Barrier Navigation Centers)	Emergency Shelters
Zoning Requirements	"Zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses" [Government Code § 65651(a)]	"Areas zoned for mixed use and nonresidential zones permitting multifamily uses" (Government Code § 65662)	N/A
Allowable Zones	R-2 (Inland and Coastal), DR (Inland and Coastal), PRD (Inland and Coastal), MR-O (Inland Area), CM-LA (Inland Area), MU (Inland Area), OT-R (Inland Area), OT-R/LC (Inland Area), OT-R/GC (Inland Area), C-1 (Inland Area), C-2 (Inland and Coastal), C-3 (Inland Area), CN (Inland Area), PI (Inland and Coastal), SR-M (Coastal Zone), SR-H (Coastal Zone), CH (Coastal Zone), and C-V (Coastal Zone)	R-2 (Inland and Coastal), DR (Inland and Coastal), PRD (Inland and Coastal), MR-O (Inland Area), CM-LA (Inland Area), MU (Inland Area), OT-R (Inland Area), OT-R/LC (Inland Area), OT-R/GC (Inland Area), C-1 (Inland Area), C-2 (Inland and Coastal), C-3 (Inland Area), CN (Inland Area), PI (Inland and Coastal), SR-M (Coastal Zone), SR-H (Coastal Zone), CH (Coastal Zone), and C-V (Coastal Zone)	CS (Inland Area), M-RP (Inland and Coastal), M-1 (Coastal Zone), and SR-H (Coastal Zone)

EXHIBIT A

SAMPLE HOUSING DEVELOPMENT APPLICATION

DO NOT COMPLETE THIS SAMPLE APPLICATION. AN APPLICATION WILL BE PROVIDED AS NEEDED.

 <p style="text-align: center;"><b>County of Santa Barbara</b></p> <p style="text-align: center;"><b>APPLICATION</b> For Funding Assistance for Affordable Housing Development</p>	<p style="text-align: center;">Housing and Community Development Division Community Services Department 123 E. Anapamu St., 2<sup>nd</sup> Floor Santa Barbara, CA 93101</p>	
	DATE RECEIVED (HCD use only)	
PROJECT NAME:	AMOUNT REQUESTED: \$	
<b>APPLICANT CONTACT INFORMATION</b>		
Organization Name:	HOME Consortium City Name, if applicable:	
Address:	Address:	
Federal Tax ID #:	Federal Tax ID #:	
DUNS #:	DUNS #:	
To register for a DUNS #: <a href="http://fedgov.dnb.com/webform/">http://fedgov.dnb.com/webform/</a>	To register for a DUNS #: <a href="http://fedgov.dnb.com/webform/">http://fedgov.dnb.com/webform</a>	
Chief Elected Official, Executive Director, or President:	Designated Contact Person for Application:	
Name:	Name:	
Title:	Title:	
Address:	Address:	
Phone #:	Phone #:	
Fax #:	Fax #:	
Email:	Email:	
<b>TYPE OF ORGANIZATION</b>		<b>TYPE OF PROJECT</b>
<input type="checkbox"/> Municipality/County/Consortium	<input type="checkbox"/> Rental	
<input type="checkbox"/> Nonprofit	<input type="checkbox"/> Homeownership	
<input type="checkbox"/> CHDO (Community Housing Development Organization)	<input type="checkbox"/> Transitional Housing (24-month limit)	
<input type="checkbox"/> CBDO (Community Based Development Organization)	<input type="checkbox"/> Group Home (permanent housing)	
<input type="checkbox"/> Public Housing Authority	<input type="checkbox"/> Shelter	
<input type="checkbox"/> Private Entity	<input type="checkbox"/> Other (Specify)	
<b>TYPE OF ACTIVITIES (check all activities to be undertaken in the project)</b>		
<input type="checkbox"/> New Construction	<input type="checkbox"/> Rehabilitation (rental)	
<input type="checkbox"/> Pre-Development, e.g. feasibility studies (CHDO only)	<input type="checkbox"/> Rehabilitation (homeowner)	
<input type="checkbox"/> Acquisition of land or buildings		

### PROJECT INFORMATION

To check a box, position cursor over box and double-click. Select "checked"

<b>PROJECT TYPE</b> <input type="checkbox"/> Senior Housing (62 yrs and older) <input type="checkbox"/> Family Housing (2+ bdrms) <input type="checkbox"/> Farm Worker Housing <input type="checkbox"/> Transitional Housing (max. 24 months) <input type="checkbox"/> Shelter for _____ (homeless, fleeing from abuse, etc.) <input type="checkbox"/> Shared Housing for _____ population <input type="checkbox"/> Special Needs Housing for persons with: _____		<input type="checkbox"/> 100% of the units will be income/rent restricted <input type="checkbox"/> Mixed Income/rent (market rate/affordable) <input type="checkbox"/> Mixed Use (Commercial/Residential) <input type="checkbox"/> _____	
<b>PROJECT LOCATION:</b> Street Address: (If not available, please describe the specific location) _____ City _____ County _____ Zip _____ # Acres _____ Legal Description (Attach) County Supervisorial District _____ (refer to <a href="http://sbcassessor.com/ElectionDataLookup/Default.aspx">http://sbcassessor.com/ElectionDataLookup/Default.aspx</a> )			
<b>SITE CONTROL:</b> (choose one and attach documentation)	<input type="checkbox"/> <b>OWNED</b> Submit copy of Deed	<input type="checkbox"/> <b>UNDER CONTRACT/OPTION</b> Expiration Date: _____ Current owner of record: _____ See "Acquisition" question under Regulatory Review section	<input type="checkbox"/> <b>LEASED</b> Term: _____
<b>ZONING AND SITE PLAN:</b> Current zoning of site (fill in zoning type and attach documentation): _____ Does the proposed use conform to the current zoning? <input type="checkbox"/> Yes <input type="checkbox"/> No If nonconforming, when will a zone amendment be approved? _____ Has the site plan for your project been approved? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, when will site plan be approved? _____			
<b>COMMUNITY SUPPORT:</b> Describe efforts made to build local support for the project and the results of those efforts. (Required for zone change and federal funding). State N/A or none, as applicable or describe future efforts. _____			
<b>LOWERING THE COST OF AFFORDABLE HOUSING:</b> Has, or do you anticipate, that the local government will assist this project by, for example, defer water tap or other fees, provide local funding. If yes, please describe. _____			

**SOURCE(S) OF FUNDING/FINANCING:** List all anticipated funding sources. Attach commitment letters, if avail.

SOURCE OF ALL FUNDS TO DEVELOP PROJECT	Amount	Grant or Loan	Pending/Firm	Est. Closing date
TOTAL DEVELOPMENT COSTS				
PERMANENT FINANCING (RENTAL HOUSING)	Amount	Int. Rate	Term	Est. Closing date
TOTAL				
TAX CREDITS	Est. Credits	Est. Equity	Equity Partner	Est. Closing Dt
Application Date: _____				

Attach a complete development budget and identify sources for each line item. Attached completed tax credit application, if applicable.

**PROPOSED USE OF FUNDS** requested from Santa Barbara County (click all that apply):

To check box, click twice on the box and select "check"

**Hard Costs:**

- Acquisition of land only
- Acquisition of land and building(s)
- Site preparations
- Demolition
- Construction materials and labor
- \_\_\_\_\_

**Soft Costs**

Includes, financing fees, credit reports, title binders and insurance, recordation fees, transaction taxes, legal and accounting fees, including cost certification, appraisals and market studies, architectural/engineering fees, including specifications and job progress inspections, phase I Environmental Site Assessment, NEPA Environmental Assessment, builders' or developers' fees, affirmative marketing, initial leasing and marketing costs, etc.

**1. Project Description**

- a. For acquisition/new construction projects - describe the proposed development - no. of buildings, building uses (commercial/residential), no. of housing units, description of common spaces, site amenities, e.g. gardens, play area, etc. Attach site plans, elevations, floor plans and/or photos.  
\_\_\_\_\_
- b. For acquisition and rehabilitation projects, describe the current site, building(s), current use, number of housing or commercial units and whether or not currently occupied.  
\_\_\_\_\_
- c. If any housing or commercial buildings are occupied, describe temporary or permanent relocation plans. Contact HCD for assistance with federal or state requirements.  
\_\_\_\_\_

**2. Community Amenities:**

Include the project's proximity to community amenities and services such as public transportation, employment, schools, shopping, social services, places of worship, etc.  
\_\_\_\_\_

**3. Housing Unit mix**

	30% AMI	40% AMI	50% AMI	60% AMI
Studio				
1 bd/1bth				
2 bd/1 bth				
2 bd/2 bth				
3 bd/1 bth				
3 bd/2 bth				
Other _____				
<b>TOTAL UNITS</b>				

- 4. Describe unit amenities, including materials and appliances, that will improve energy efficiency: \_\_\_\_\_
- 5. Describe any planned energy efficiencies for the site or units, including design features, siting, materials, etc. Include which requirements or criteria that will be followed, if any, such as EnergyStar, Green Build, LEED, etc.  
\_\_\_\_\_
- 6. Submit copy of market study
- 7. Submit copy of appraisal with build-out value

8. Timeline

<i>Edit or change line items as appropriate</i>	Expected date of completion	Comments
Site Acquisition		
Zoning/Planning approvals		
All funding confirmed		
General Contractor selected		
Start of construction/rehab		
Certificate of Occupancy		
Lease Up		

9. Outcomes: Other than providing affordable units, describe any other proposed outcomes:

\_\_\_\_\_

10. Experience:

- a. Identify similar projects that the applicant has completed in the last five years. Include number of units, percent affordable, funding sources, current occupancy rate, name of property manager, and results of any federal or state regulatory audits.

\_\_\_\_\_

- b. Describe the experience of developer and staff who will oversee the project. Describe if consultants will be used. Include whether experience included complying with federal or state regulations. Attach resumes.

\_\_\_\_\_

- c. Describe the experience of the management staff or company that will manage this project. Include similar projects managed, size of properties, number of affordable units, what regulatory requirements are applicable, e.g. HOME, LIHTC units, etc. and the results of regulatory audits.

\_\_\_\_\_

**PROJECT PROFORMA**

**Rental Projects:**

Attach a complete development budget and identify sources for each line item. Attached a proposed operating proforma, going out 20 years. Attached completed tax credit application, if applicable.

**Home-Ownership Development Projects:**

A homeownership spreadsheet will be emailed to you upon request.

**COMPLETE THE FOLLOWING CHECKLIST FOR PROJECTS USING WITH FEDERAL FUNDS**

<b>Acquisition, Demolition and Displacement</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
HUD Handbook 1378, 24 CFR 92.354 <a href="http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/13780">http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/13780</a>			
Does the Project involve acquisition of land or buildings?			
Does the Project involve demolition of building(s)?			
Does the project involve changing the use of current structures, such as converting existing residential buildings or units to non-residential uses or vice-versa?			
<b>Labor Requirements</b>			
Has the payment of Davis-Bacon wages been factored in the project proforma? <i>HOME Program: The Davis-Bacon Act is triggered with 12 or more HOME-Assisted units. Contact HCD to determine how many units will be HOME-Assisted.</i> <i>CDBG Housing: The Davis-Bacon Act is triggered with 7 or more total units.</i>			
Applicant agrees to comply with Contract Work Hours and Safety Standards Act, as amended (40 USC 327-333):			
Applicant agrees to comply with the Copeland (Anti-Kickback) Act (40 USC 276c):			
Applicant agrees to comply with Fair Labor Standards Act of 1938, As Amended (29 USC 201, et. seq.):			
Applicant agrees to comply with the Procurement requirements (2 CFR Part 200)			
<b>Lead-Based Paint</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Were any existing buildings on the site constructed before 1978?			
<b>Environmental Review</b>			
Has a Phase I Environmental Site Assessment been completed for the site? If yes, provide copy of full report			
Has an Environmental Assessment been completed in accordance with the National Environmental Policy Act (NEPA)? 24 CFR Part 58. If yes, provide copy of full report			
For projects involving rehabilitation or demolition, has a Phase II Environmental Site Assessment been completed for Asbestos Containing Materials (ACM) or other environmental concerns identified in the Phase I?			
<b>Fair Housing</b>			
Applicant agrees to comply with Title VI of the Civil Right Act of 1964, as amended (42 U.S.C. 2000d et seq.)			
Applicant agrees to comply with the Fair Housing Act (42 U.S.C. 3601-3620)			
Applicant agrees to establish Steps to Affirmatively Further Fair Housing. 24 CFR 570.487(b) & 24 CFR 92.351			
Applicant agrees to comply with Equal Opportunity in Housing (Executive Order 11063, as amended by Executive Order 12259):			
Applicant agrees to comply with Age Discrimination Act of 1975, As Amended (42 U.S.C. 6101):			
<b>Accessibility (see Attachment A)</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Does or will the project have 5 or more units?			
<i>For new construction or substantial rehabilitation<sup>3</sup> of projects with 5 or more units, at least 5% of the units (or 1 unit, whichever is greater) must be accessible to persons with mobility impairments and an additional 2% of the units (or 1 unit, whichever is greater) must be accessible to persons with sensory impairments. The remaining units must meet the accessibility requirements of the Federal and State Fair Housing Act, which require that all units in buildings with an elevator and all ground floor units in other buildings be ADA accessible.</i>			
Number of units for persons with mobility impairment (5%) _____			
Number of units for persons with sensory impairment (2%) _____			
Number of parking spaces for persons with disabilities _____			

<sup>3</sup> "Substantial rehabilitation" is defined as a project where the costs of rehabilitation exceed 75% of the replacement cost

Will all community spaces be accessible?			
Applicant agrees to comply with the requirements of Section 504 (See Attachment A)			
<b>Affirmative Marketing (5 or more HOME-assisted units)</b>			
Submit copy of Affirmative Marketing Plan (contact HCD for assistance)			
Affirmative Marketing Plan elements			
<ul style="list-style-type: none"> <li>✓ Methods for informing the public, owners and potential tenants about fair housing laws and the applicant's Fair Housing policies (for example: use of the Fair Housing logo, or equal opportunity language);</li> <li>✓ A description of what owners and/or the applicant will do to affirmatively market housing assisted with HOME funds;</li> <li>✓ A description of what owners and/or the applicant will do to inform persons not likely to apply for housing without special outreach;</li> <li>✓ Maintenance of records to document actions taken to affirmatively market HOME-assisted units and to assess marketing effectiveness; and</li> <li>✓ Description of how efforts will be assessed and what corrective actions will be taken where requirements are not met.</li> </ul>			
<b>Debarment</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
The applicant agrees that it will check all contractors and sub-contractors against the federal excluded parties list at <a href="http://www.sam.gov">www.sam.gov</a> and will not contract with or allow its contractor(s) to sub-contract with any entity that is listed.			
<b>Minority and Women Business Enterprise and Section 3 Outreach</b>			
Applicant agrees that it will collect the information required for Minority and Women Business Enterprise report, required by the HOME program. The report requires information on the number and dollar amount of each contract and subcontract, along with owner gender, race and ethnicity.			
Will the Project involve contracts or subcontracts of \$100,000 or more? If yes, Section 3 applies. <i>24 CFR 85.36(e)</i>			
<b>Site and Neighborhood Standards</b>			
Applicant agrees that it will comply with Site and Neighborhood Standards. <i>24 CFR 92.202</i>			
<b>Financial Management</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Applicant agrees to comply with 24 CFR 200 (administrative rules, cost principals, and single audit requirements)			
<b>Program Income</b>			
Will the Project involve loan origination to program beneficiaries, e.g. homebuyer mortgages, homeowner rehab loans, etc.? (Not applicable to rental housing)			
If yes, submit program policies and procedures, including applicant eligibility, income restrictions, loan terms, and procedures on repayment, resale, if applicable, refinancing, short-sale, and foreclosure, etc.			
Describe how program income (loan payments, payoffs, etc.) will be used. _____			

**AUTHORIZED SIGNATURE**

The Department Director or Chief Elected Office of a governmental unit, top official of a private corporation, the Board President of a non-profit organization must sign below. The authorized signatory may delegate signature authority to another representative, such as the Executive Director, by resolution or official, approved meeting minutes. Please attached documentation.

Signature

Date

Name printed: \_\_\_\_\_ Title: \_\_\_\_\_



## Attachment A

### Accessibility Requirements

Removal of Physical Barriers
<ul style="list-style-type: none"> <li>• For <b>new construction</b> of multi-family projects, 5 percent of the units in the project (but not less than one unit) must be accessible to individuals with mobility impairments, and an additional 2 percent of the units (but not less than one unit) must be accessible to individuals with sensory impairments.               <ul style="list-style-type: none"> <li>• The Section 504 definition of <b>substantial rehabilitation</b> multi-family projects includes construction in a project with 15 or more units for which the rehabilitation costs will be 75 percent or more of the replacement cost. In such developments, 5 percent of the units in the project (but not less than one unit) must be accessible to individuals with mobility impairments, and an additional 2 percent (but not less than one unit) must be accessible to individuals with sensory impairments.</li> </ul> </li> <li>• When <b>rehabilitation less extensive than substantial rehabilitation</b> is undertaken, alterations must, to the maximum extent feasible, make the unit accessible to and usable by individuals with handicaps, until 5 percent of the units are accessible to people with mobility impairments. Alterations to common spaces must, to the maximum extent feasible, make the project accessible. Accessible units must be, to the maximum extent feasible, distributed throughout projects and sites and must be available in a sufficient range of sizes and amenities so as to not limit choice.</li> <li>• Owners and managers of <b>projects with accessible units</b> must adopt suitable means to assure that information regarding the availability of accessible units reaches eligible individuals with handicaps. They also must take reasonable non-discriminatory steps to maximize use of such units by eligible individuals. When an accessible unit becomes vacant, before offering the unit to a non-handicapped individual, the owner/manager should offer the unit: first, to a current occupant of the project requiring the accessibility feature; and second, to an eligible qualified applicant on the waiting list requiring the accessibility features.</li> <li>• The usual standards for ensuring compliance with <b>Section 504</b> are the Uniform Federal Accessibility Standards (UFAS), although deviations are permitted in specific circumstances.</li> </ul>
Provide Program Accessibility
Individuals with handicaps must be able to find out about, apply for and participate in Federally assisted programs or activities. Special communication systems may be needed for outreach and ongoing communication (e.g., Telecommunications Devices for the Deaf (TDD), materials on tape or in Braille, accessible locations for activities and meetings). Policies and procedures must be non-discriminatory (e.g., housing providers may not ask people with handicaps questions not asked of all applicants, screen individuals with handicaps differently or assess an individual's ability to live independently).
Make Employment Accessible
Employers shall not discriminate. Employers must remove physical and administrative barriers to employment and make reasonable accommodations for individuals with known handicaps (e.g., job restructuring, providing readers or sign interpreters, making facilities accessible).
Administrative Requirements
If recipients or subrecipients have 15 or more employees, they must designate a Section 504 Coordinator, and notify program participants and employees of non-discrimination policies. All recipients and subrecipients must conduct self-evaluations of compliance with Section 504.

For any recipient or subrecipient principally involved in housing or social services, **all** of the activities of the agency -- not just those directly receiving Federal assistance -- are covered under Section 504.

- Contractors and vendors are subject to Section 504 requirements only in the work they do on behalf of a recipient or subrecipient.
- The ultimate beneficiary of the Federal assistance is not subject to Section 504 requirements.
- Under Section 504, recipients and subrecipients are not required to take actions that create undue financial and administrative burdens or alter the fundamental nature of the program.


### Attachment B

<b>CHECKLIST FOR REQUIRED DOCUMENTS</b>	Rental – New Construction	Rental – Acquisition/Rehab	Homeownership – New Construction	Homeownership – Down Payment	Homeownership – Rehabilitation	Pre-Development & Needs Assess.	<b>Applicable</b>	<b>Received</b>	<b>Comments</b>
Environmental Site Assessment	X	X	X	Contact HCD	Contact HCD	Contact HCD	Yes <input type="checkbox"/>		
NEPA Environmental Assessment, if complete	X	X	X				Yes <input type="checkbox"/>		
Appraisal at build out	X	X	X				Yes <input type="checkbox"/>		
Market Study	X	X	X				Yes <input type="checkbox"/>		
Site Control (Deed, Option or Lease)	X	X	X				Yes <input type="checkbox"/>		
Funding Commitment Letters	X	X	X				Yes <input type="checkbox"/>		
Development Budget	X	X	X				Yes <input type="checkbox"/>		
20-year operating proforma or tax credit application	X	X					Yes <input type="checkbox"/>		
Section 504 compliance plan	X	X	X				Yes <input type="checkbox"/>		
Preliminary Title Report (PTR)	X	X	X				Yes <input type="checkbox"/>		
Legal Description	X	X	X				Yes <input type="checkbox"/>		
Most recent audited financial statements of owner and developer	X	X	X				Yes <input type="checkbox"/>		
Project staff resumes	X	X	X				Yes <input type="checkbox"/>		
Relocation Plan							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		
							Yes <input type="checkbox"/>		

## EXHIBIT B

This Notice of Intent to Apply (Notice), aka preliminary application, is to be submitted in response to the County's annual Notice of Funding Availability (NOFA) only by the deadline stated in the NOFA. See NOFA and the bottom of this form for when a full application will be required.

A Word version is available at [www.countyofsb.org/housing](http://www.countyofsb.org/housing) or request the Word version by writing to [HCDNOFA@co.santa-barbara.ca.us](mailto:HCDNOFA@co.santa-barbara.ca.us). Enter "Request NOI form" in the subject line.

	<p><b>County of Santa Barbara</b></p> <p><b>NOTICE OF INTENT TO APPLY</b></p> <p>For</p> <p>Funding Assistance for Affordable Housing Development</p>	<p>Housing and Community Development Division Community Services Department 123 E. Anapamu St., 2<sup>nd</sup> Floor Santa Barbara, CA 93101</p>	
		DATE RECEIVED (HCD use only)	
PROJECT NAME:		AMOUNT REQUESTED: \$	
APPLICANT CONTACT INFORMATION		PROPOSED PROJECT LOCATION	
Organization Name: Address: Contact Person for Application: Name: Address: Phone #:            Email:		Street Address: (If not available, please describe the specific location) _____ City _____ County _____ Zip _____ # Acres _____ County Supervisorial District _____ (refer to <a href="http://sbcassessor.com/ElectionDataLookup/Default.aspx">http://sbcassessor.com/ElectionDataLookup/Default.aspx</a> )	
TYPE OF ORGANIZATION		TYPE OF PROJECT	
<input type="checkbox"/>	Municipality/County/Consortium	<input type="checkbox"/>	Rental
<input type="checkbox"/>	Nonprofit	<input type="checkbox"/>	Homeownership
<input type="checkbox"/>	CHDO (Community Housing Development Organization)	<input type="checkbox"/>	Transitional Housing (24-month limit)
<input type="checkbox"/>	CBDO (Community Based Development Organization)	<input type="checkbox"/>	Group Home (permanent housing)
<input type="checkbox"/>	Public Housing Authority	<input type="checkbox"/>	
<input type="checkbox"/>	Private Entity	<input type="checkbox"/>	Other (Specify)
TYPE OF ACTIVITIES (check all activities to be undertaken in the project)			
<input type="checkbox"/>	New Construction	<input type="checkbox"/>	Rehabilitation (rental)
<input type="checkbox"/>	Pre-Development, e.g. feasibility studies (CHDO only)	<input type="checkbox"/>	Rehabilitation (homeowner)
<input type="checkbox"/>	Acquisition of land or buildings	<input type="checkbox"/>	

### PROJECT INFORMATION

To check a box, position cursor over box and double-click. Select "checked"

<b>PROJECT TYPE</b> <input type="checkbox"/> Senior Housing (62 yrs. and older) <input type="checkbox"/> Family Housing (2+ bdrms) <input type="checkbox"/> Farm Worker Housing <input type="checkbox"/> Transitional Housing (max. 24 months) <input type="checkbox"/> Veteran Housing <input type="checkbox"/> Permanent Supportive Housing <input type="checkbox"/> Shared Housing for _____ population <input type="checkbox"/> Special Needs Housing for persons with: _____	<input type="checkbox"/> 100% of the units will be income/rent restricted <input type="checkbox"/> Mixed Income/rent (market rate/affordable) <input type="checkbox"/> Mixed Use (Commercial/Residential) <input type="checkbox"/> _____
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<b>SITE CONTROL:</b>	<input type="checkbox"/> <b>OWNED</b>	<input type="checkbox"/> <b>UNDER CONTRACT/OPTION</b> Expiration Date: _____ Current owner of record: _____	<input type="checkbox"/> <b>LEASED</b> Term: _____
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**ZONING AND SITE PLAN:**  
 Current zoning of site: \_\_\_\_\_  
 Does the proposed use conform to the current zoning?  Yes  No  
 If nonconforming, when will a zone amendment be initiated and estimate date of approved? \_\_\_\_\_  
 Has the site plan for the project been approved?  Yes  No  
 If not, when will site plan be approved? \_\_\_\_\_  
 Has CEQA been completed for the project?  Yes  No  
 If not, when will CEQA be completed and who will be the lead agency? \_\_\_\_\_

**COMMUNITY SUPPORT:** Describe efforts made to build local support for the project and the results of those efforts. (Required for zone change and federal funding). State N/A or none, as applicable, or describe future efforts.  
 \_\_\_\_\_

**SOURCE(S) OF FUNDING/FINANCING**

- Attach Sources and Uses, including estimated equity, if applicable

**11. Project Description**

d. For acquisition/new construction projects - describe the proposed development - no. of buildings, building uses (commercial/residential), no. of housing units, description of common spaces, site amenities, e.g. gardens, play area, etc. Attach site plans, elevations, floor plans and/or photos.  
 \_\_\_\_\_

e. For acquisition and rehabilitation projects, describe the current site, building(s), current use, number of housing or commercial units and whether or not currently occupied.  
 \_\_\_\_\_

f. Are any residential or commercial buildings on the site currently occupied? Yes  No

g. If no, when were they last occupied? \_\_\_\_\_

h. If yes, will temporary and/or permanent relocation of existing tenants be required? Yes  No

**12. Community Amenities:**

Include the project’s proximity to community amenities and services such as public transportation, employment, schools, shopping, social services, places of worship, etc.  
 \_\_\_\_\_

### 13. Timeline

<i>Edit or change line items as appropriate</i>	Expected date of completion	Comments
Site Acquisition		
Zoning/Planning approvals		
Tax Credit Allocation Committee Application Submitted (if applicable)		
All funding confirmed (including LIHTC if applicable)		
General Contractor selected		
Start of construction/rehab		
Certificate of Occupancy		
Lease Up		

Submit this Notice of Intent to Apply, with supplemental and attachments, as desired\* via County’s City Data Services Internet application program. Instructions and deadline are provided in the Notice of Funding Availability (NOFA) posted at <http://countyofsb.org/housing>.

A full application will be requested, along with required supplemental information and documents, for projects that are ready to proceed for consideration of a funding reservation or commitment of County funds. Application due dates will be determined at that time. Projects will be reviewed for readiness using the following criteria:

- a. Projects that have all financing committed and, if applicable, are ready to apply to the State for low-income housing tax credits (LIHTC) on or before June 30 of the coming year.
- b. Projects that will have all financing committed and, if applicable, will be ready to apply to the State for low-income housing tax credits (LIHTC) after June 30 but before December 31 of the coming year. (At County discretion, projects may move forward in the process if applicants will be applying in the first round for 9% credits in January of the coming year.)
- c. Projects that do not meet the criteria listed in numbers 1 or 2 above will not be considered and are invited to apply in the next NOFA cycle. Exceptions will be made for projects that plan to apply to the County and State for NPLH funds only (no other County-administered funds included), which will be considered in conjunction with the State’s NOFA schedule.

For more information, contact: Ted Teyber at [teyber@co.santa-barbara.ca.us](mailto:teyber@co.santa-barbara.ca.us) or (805)568-3513

Submitted by (print name): \_\_\_\_\_

Signature: \_\_\_\_\_

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

## Exhibit C

### **2020-21 Supplemental Addendum to Santa Barbara County Housing and Community Development Division's Annual NOFA Project Solicitation and Review Process State of California CDBG Disaster Relief Multi-Family Housing Program (CDBG-DR MHP)**

*Background:* Pursuant to Federal Emergency Disaster Declaration (DR-4535) related to the 2017 Thomas Fire, congress appropriated supplemental funding under the Community Development Block Grant (CDBG) program to address federally-declared disasters that had occurred throughout the nation, including the Thomas Fire. This supplemental CDBG funding is referred to as CDBG-DR.

The state of California received a portion of this funding and has sub-allocated to Santa Barbara County CDBG Disaster Relief (CDBG-DR) funds to mitigate housing damage and loss resulting from the Thomas Fire. State HCD is overlaying these funds under the regulatory umbrella of its Multi-Family Housing Program (MHP), and also references the funding as CDBG-DR MHP.

*Funds Available:* Under this NOFA, up to **\$588,504 in CDBG-DR MHP** funds is available to interested developers of affordable housing. The funding criteria and policies and procedures are contained within the NOFA document as well as CDBG-DR MHP specific criteria outlined herein and as may be updated, amended and revised from time-to-time by state HCD and the county.

**A link to state HCD's website containing the CDBG-DR MHP Policies and Procedures may be found at:**

[https://www.hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr/cdbg-dr-2017/docs/DR-MHP\\_PP\\_3-19-2020\\_508-Compliant.pdf](https://www.hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr/cdbg-dr-2017/docs/DR-MHP_PP_3-19-2020_508-Compliant.pdf)

**Program guidelines and regulations for the state's Multi-Family Housing Program** can be found at the following Internet link:

<http://www.hcd.ca.gov/grants-funding/active-funding/mhp/docs/Round-1-MHP-Final-Guidelines.pdf>

*State HCD CDBG-DR MHP Process, Policies and Procedures:*

The following sections address CDBG-DR MHP Funding and Criteria, Project Eligibility Requirements, Project Application Requirements, Federal Cross Cutting Requirements, and Process.

#### **I. CDBG-DR MHP Funding and Criteria:**

1. *Source of Funding:* State of California, HCD, CDBG-DR MHP; related to 2017 FEMA-Declared Disaster: DR 4353, Thomas Fire, for Housing Damage and Loss Mitigation.
2. *Form and Term of Funding:* **Funding provided for new construction of affordable multi-family housing units within greater Santa Barbara County.** Project proposals **must provide for priority marketing and outreach to Low/Moderate income residents displaced from rental housing during Thomas Fire.**

***CDBG-DR MHP will be awarded in the form of “0” interest, 20-year term, deferred, loan.***

3. ***Minimum Award:*** Under state HCD CDBG-DR MHP program guidelines, the minimum allowable award is in the amount of \$200,000/per project. However, ***County staff anticipates funding one (1) “shovel-ready” new construction project in an amount up to \$588,504 under CDBG-DR MHP.***
4. ***Maximum Award:*** Under CDBG-DR MHP program regulations, the maximum allowable award is not to exceed 40% of the project total development cost.

**NOTE TO APPLICANTS: Although state CDBG-DR MHP program guidelines allow for consideration of “scattered-site” projects, given timing and other constraints attendant to this funding, staff will not consider scattered site projects under this funding resource in the absence of interested developers first having met and conferred with county staff.**

5. ***Project Leveraging Requirements:*** ***CDBG-DR MHP requires a minimum of 60% of additional leveraged resources*** above-and beyond the CDBG-DR MHP project allocation amount in light of the project’s total development cost.
6. ***HOME Program Per-Unit Subsidy Limits:*** Santa Barbara County will underwrite CDBG-DR MHP project proposals utilizing prevailing HOME Per-Unit Subsidy Limits as per table below.

<b>Number of Bedrooms</b>	<b>Non-Elevator</b>	<b>LA High Cost</b>	<b>Per-Unit Subsidy Limit</b>
0	\$58,151	2.4	\$139,562
1	\$68,418	2.4	\$164,203
2	\$82,514	2.4	\$198,034
3	\$105,621	2.4	\$253,490
4	\$117,666	2.4	\$282,398

**II. CDBG-DR MHP Project Eligibility Requirements**

1. ***Eligible Applicants:*** Affordable Housing developers, including entities designated as Community Housing Development Organizations (CHDO’s), by Santa Barbara County HCD, as well as 501(c)(3) non-profit affordable housing developers are welcome to apply under the CDBG-DR MHP program.

Private, for -profit, housing developers are also encouraged to apply; however, applications from private developers must demonstrate prior experience and track-record in development and operations of affordable housing and/or collaboration with a non-profit entity with capacity in this regard.

***For-sale housing project proposals are not allowed under CDBG-DR MHP; only rental projects will be considered under this CDBG-DR MHP NOFA.***

2. ***Project Size:*** The minimum overall project size shall be ***no fewer than eight (8) units; the minimum number of dedicated CDBG-DR MHP units provided shall be no fewer than (4) units, irrespective of overall project size, OR 30% of the total affordable units.***

**Project Location and Type: *New Construction Projects throughout Santa Barbara County are permitted under CDBG-DR MHP.***

The proposed Project must meet one of the following project types: *1) Large Family, 2) Special Needs, 3) Seniors, 4) Supporting Housing, and 5) At High Risk.*

3. **Affordability Requirements: *Dedicated CDBG-DR MHP units are subject to prevailing HIGH HOME rent limits for Santa Barbara County.***
4. **Period of Affordability: *Under CDBG-DR MHP, new construction projects have a 20-year use and compliance period.*** For provisions related to projects not meeting these requirements over the term of the development's operations, please refer to the CDBG-DR MHP Policies and Procedures at the link provided herein on page 1 and the Recapture Provisions at Section V below.
5. **Project Prioritization Criteria: *CDBG-DR projects must meet one (1) of the following state HCD CDBG-DR MHP project priorities:***
  - Provide housing for extremely-low income individuals or families;
  - Provide a greater ratio of affordable units to total units;
  - Accommodate "deep affordability" with at least 10% of the units below 30% AMI;
  - Provide permanent Supportive Housing (PSH) units. The HCD Supportive Housing Multifamily Housing Program (SHMHP) defines a PSH Multifamily Housing Project as a Project with a minimum of five Supportive Housing units, or a minimum of 40 percent of total units, whichever is greater, and must have associated supportive services for the intended target population living in the restricted units, pursuant to California Health and Safety Code Section 50675.14. If proposed Projects have fewer than five Supportive Housing units or 40 percent of total units available as Supportive Housing, these Projects will remain higher priority than a Project with a comparable number of affordable rent units.
  - Provide residential units for Elderly Persons.
  - Provide residential units for people with at least one Disability. Disabled people are among the groups considered as being most vulnerable and at risk of suffering negative effects from natural disasters.
  - Provide residential units for Low-Income Immigrants. Post-disaster Low-Income Immigrants face additional barriers to disaster relief based on immigration status, Limited English Proficiency, and fear of compromising future efforts for permanent legal status.



**III. CDBG-DR MHP Project Application Requirements:** The following CDBG-DR MHP project application requirements may be found in referencing the Santa Barbara County NOFA at the pages as indicated below.

Project Application NOFA References:

- *Project Description*, Page 17
- *Sources and Uses Statement*, Page(s) 16,18
- *Financing/Funding Commitments*, Page 16
- *Environmental Review*, Page 19, 22
- *Project Proforma*, Page 18
- *Project Schedule/Timeline*, Page 18
- *Development Team Experience*, Page 18
- *Project Marketing Plan*, Page 20
- *Market Study*, Page 17
- *Site Control/Land Use*, Page 16

Additional CDBG-DR MHP project application requirements related to projects providing supportive services-enriched housing are detailed below.

*Project Supportive Services Plan:* Project proposing to provide supportive services for special needs and/or general tenant population are required to submit a supportive services plan and budget along with their project proposal.

**IV. CDBG-DR MHP Federal Cross-Cutting Requirements:** The following CDBG-DR MHP federal cross-cutting requirements may be found in referencing the Santa Barbara County NOFA at the pages indicated below.

- *Environmental Review*, Page 19, 22
- *Equal Opportunity Requirements*, Page 19
- *Davis-Bacon/Labor Standards*, Page 19
- *Section 3*, Page 20
- *Uniform Relocation Act*, Page 20
- *Fair Housing/Affirmative Marketing*, Page 19
- *Lead Based Paint*, Page 19

Additional CDBG-DR MHP requirements involving meeting CDBG-DR MHP National Objectives, addressing Duplication of Benefits, restrictions on Eminent Domain, and Building Code Standards are reflected below.

Please note that this list is not exhaustive and applicants should refer to the CDBG-DR MHP Policies and Procedures at: [https://www.hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr/cdbg-dr-2017/docs/DR-MHP\\_PP\\_3-19-2020\\_508-Compliant.pdf](https://www.hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr/cdbg-dr-2017/docs/DR-MHP_PP_3-19-2020_508-Compliant.pdf)

### *National Objective/Low-Mod Benefit:*

Under CDBG-DR-MHP program requirements, all projects must meet the low to moderate income housing (LMH) national objective, which requires that 51% of units are designated as LMH. ***Proposed Projects that do not have more than 51% of units as LMI may only be funded for the proportional amount of assisted units.*** While proposed Projects may be mixed-income units, ***CDBG-DR funds are limited to the Affordable Units for occupation by Low- to Moderate-Income Households in accordance with the policies in Section 2.6 of the CDBG-DR Policies and Procedures document.*** Generally speaking, most, if not all, projects considered for funding by Santa Barbara County HCD contain units that are all affordable, at or below 80% AMI, if not 60% AMI.

### *Duplication of Benefit:*

Under CDBG -DR MHP, a Duplication of Benefits (DOB) calculation must be completed prior to funding and prior to closing. DOB occurs when a program beneficiary receives assistance from multiple sources for a cumulative amount that exceeds the total need for a particular recovery purpose. The amount of the duplication is the amount of assistance provided in excess of the need. ***CDBG DR-MHP shall only provide assistance to the extent that the disaster recovery need has not been fully met by funds that have already been paid, or will be paid, from another source.***

### *Eminent Domain:*

A Subrecipient may not undertake any involuntary acquisition of property in connection with an eligible Project unless the HCD has given its advance written consent. ***Santa Barbara County HCD will not consider projects proposing to undertake Eminent Domain.***

### *Building Code/Standards:*

***All Subrecipients are required to follow California Green Buildings Standards Code (CALGreen), requirements for construction permits and approvals.*** Subrecipients shall ensure access to local verifications that demonstrate CALGreen compliance in the Project plans and in the constructed development at construction close out.

The CALGreen requirements and checklist are available on the State website as follows:

Guidance: <https://www.hcd.ca.gov/building-standards/calgreen/index.shtml>

Checklist:

<https://www.hcd.ca.gov/building-standards/calgreen/docs/ResidentialOccupanciesAppChecklist.docx>

### *Wildland-Urban Interface building codes (WUI codes):*

All eligible multifamily housing under this program that is located in a CAL FIRE high fire zone must comply with WUI codes, found in Title 24, Chapter 7a of the California Building Code, which offer specific material, design and construction standards to maximize ignition- resistance. All Subrecipients must require new construction to adhere to WUI standards. For more information, visit

<https://www.hcd.ca.gov/building-standards/state-housing-law/wildland-urban-interface.shtml>.

### *Broadband Infrastructure.*

Any Substantial Rehabilitation or new construction of a building with more than four rental units must include installation of broadband infrastructure, except where the Subrecipient documents that: 1) The location of the new construction or Substantial Rehabilitation makes installation of broadband infrastructure infeasible; 2) The cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden; or 3) The structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

### **V. NOFA/CDBG-DR MHP Process:**

*Timeline:* Please refer to the County NOFA in regard to the project timeline. ***For CDBG-DR MHP projects considered for award, these must be completed and occupied no later than February 2025.***

*Application Submission Process:* Please refer to the County NOFA for information and detail regarding the application process. ***Staff will work with selected developers for CDBG-DR MHP funds to process the CDBG-DR MHP funding application to State HCD via the state's Grants Network Portal.***

*Underwriting Criteria:* Staff anticipates that, in all likelihood, projects receiving reservations and future commitment of County Affordable Housing funds articulated in the NOFA, as well as CDBG-DR MHP, will apply for State of California Tax Credit Allocation Committee (TCAC), 4% and or 9% tax credits, which may include bond financing. As such, TCAC underwriting criteria will be utilized, including subsidy layering review and Duplication of Benefits.

*Scoring and Selection Criteria:* Project scoring and selection criteria are articulated on Page 8 of the County NOFA.

*Award Process:* The county award timeline and funding schedule is predicated on developments being ready for final loan commitment of all funding sources, i.e., all project resources having been acquired and realized, including Tax Credits and related financing. The preliminary award process and timeline is reflected on page 2 of the County NOFA, and will include CDBG-DR MHP.

*Appeal Process:* As noted on page 2 of the County NOFA, Santa Barbara County's Capital Loan Committee deliberates and reviews project applications based on staff's review and reporting of project proposals; this is in the context of a Brown Act public meeting. Capital Loan Committee recommendations are then forwarded to the Santa Barbara County Board of Supervisors for final determination during a public hearing. As such, the County Board of Supervisors serves in capacity as final arbiter of funding recommendations and may address applicant appeals at this time.

In the event that a selected project is uploaded to the State Grant Portal Network and this project is denied for one reason or another by state HCD, the county, in conferral and consult with the applicant, will address this through state HCD's Appeal Process articulated in Section 3.9 of the CDBF-DR Policies and Procedures Manual.

*Legal Documents:* All legal documents for final funding commitments for county funding are drafted by county staff, subject to review and concurrence, by County Counsel, Risk Management, Auditor Controller, and county HCD Executive Leadership. These include loan agreements, regulatory agreements, Deeds of Trust and related documents. These documents are reviewed in the context of other funding commitments as well and subject to Board of Supervisors final authorization and approval.

*Recapture Provisions:* A Subrecipient and/or Developer may be required to repay all, or a portion of the funds received. The reasons for recapture include, but are not limited to the following:

- A Subrecipient does not comply with the terms of the standard agreement;
- A Subrecipient and/or Developer withdraws from the Program prior to completion of the Project and fails to meet a national objective;
  
- A Developer does not meet the affordability requirements for the specified 20-year period.
  
- A Subrecipient and/or Developer is found to have used program funds for an ineligible activity or cost; and/or,
  
- A Developer does not report the receipt of additional insurance, SBA, FEMA, non-profit assistance and/or any other Duplication of Benefits received after award.
  
- Funds are remaining after the Project is completed, the expenditure deadline has passed, or the Master Standard Agreement has expired.

The method of recapturing funds and the timeframe for doing so are determined on an individual Project basis. However, the recapture method and timeframe will be consistent with 2 CFR part 200 or other applicable cost principles. Complete recapture provisions will be included in the standard agreement with the Subrecipient and must also be included in any agreements between the Subrecipient and Developer.