

## Schedule B Administrative Plan

### SHARS ID:

#### I. Outreach & Coordination

##### a. Marketing & Outreach

The Local Program Administrator (LPA) will conduct outreach in the awarded service area to inform service agencies and potential participants of the availability of financial assistance.

The LPA will develop and distribute informational materials to market program availability and explain program requirements. These will be distributed to:

- Service agencies working with the target population;
- Community groups in the target area; and
- Local governments and libraries.

#### II. Project Selection

##### a. Participant Intake, Eligibility, and Selection

The LPA will develop a written project selection process and criteria to ensure application intake occurs in a manner that is fair and equitable. This process must be used consistently throughout the contract term.

- The LPA must conduct a review to confirm eligibility of the participant home.
- The LPA shall demonstrate that the homeowner has been advised of the obligations of this program, including long term compliance, and has a budget that demonstrates capacity to maintain ownership and property standards for the regulatory period.
- The LPA will maintain file documentation on each application received, including initial application, income and eligibility determinations, and project selection decision.
- The LPA must advise applicants of the status of an application within 30 days.

##### b. Participant Qualification

The LPA will collect income information from the applicant to determine if the total household income that does not exceed 80 percent of area median income (AMI). The LPA may choose the method for calculate income and determining eligibility to be used consistently across all clients. The HUD Part 5 definition is the recommended method for use and the HUD Exchange Income Calculator is available at:  
<https://www.hudexchange.info/resource/2079/cpd-income-eligibility-calculator/>

##### c. Property Qualification

The LPA will verify and collect documentation that the housing unit meets the program eligibility requirements and make a determination as to whether the unit requires replacement. Specifically, the unit must be a dilapidated mobile or manufactured home wholly owned by the homeowner with no financial obligations, the primary residence of the homeowner, and the home must be sited on land owned by the homeowner.

##### d. Conflict of Interest

No person(s) who exercises or has exercised any functions or responsibilities with respect to the MMHR activities or who is or was in a position to participate in the decision-making process or gain inside information related to MMHR-assisted activities may obtain a financial interest or financial benefit from a MMHR-assisted activity or have a financial interest in any contract, subcontract, or agreement with respect to the MMHR-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or family ties during their tenure or for one year thereafter. Further, no officer, employee, agent, or consultant of a covered person or entity may occupy a MMHR-assisted affordable housing unit in the program.

#### III. Project Development

a. Eligible Costs

- Project Hard Costs

Costs related to construction and replacing the unit, including:

- Accessibility for disabled persons;
- Meeting applicable codes, standards, and ordinances;
- Permanent foundation;
- Site preparation and utility connections;
- Unit disposal;
- Unit installation;
- Unit purchase; and
- Construction of new unit.

Costs must be substantiated by legible invoices to be eligible for reimbursement. LPAs must retain all supporting documentation and proof of payment in the project files.

- Project Soft Costs (Project Delivery)

Costs incurred by the LPA to implement and deliver a specific MMHR assisted unit, including:

- Applicant intake/eligibility review – **for specific projects that DO move forward;**
- Architectural/engineering fees to include specifications and job progress inspections;
- Homeowner/contractor agreement execution;
- Advisory Service for Relocation;
- Environmental inspections/review;
- Legal and accounting fees;
- Dealer/installer set up coordination;
- Inspections;
- Preparation of cost estimate;
- Preparation of scope of work and specifications;
- Preparing for procurement and bidding process;
- NYS Code inspection;
- Recording fees/transaction taxes;
- Temporary relocation assistance;
- Title binders and insurance; and
- Travel for grant administration – **for work that IS project-specific.**

Project soft costs must be connected to a specific address and must be included in the per-unit total of MMHR funds invested in the unit that cannot exceed \$100,000 and may not exceed 10% of the project total.

- Administrative Costs

Costs incurred by the LPA to administer the overall program and are not directly connected to a specific unit, including:

- Applicant intake/eligibility review – **for units that DO NOT move forward;**
- Communication (postage, phone, website);
- Consultant fees for administration;
- General management/oversight/coordination;
- Office insurance/utilities/supplies;
- Project audit/CPA services;
- Staff salaries/wages for grant administration;
- Staff fringe for grant administration; and
- Travel for grant administration – **for work that IS NOT project specific.**

Administrative funds must be documented and allocable to the administration of the grant. Administrative funds must not exceed 7.5% of the contract total.

b. Project Budget & Scope

The LPA will estimate the cost of unit replacement using no more than \$100,000 MMHR funds per unit. Other funding sources may be leveraged as applicable.

The LPA will inspect the property, document dilapidation, and identify a replacement plan. Work scope must comply with program requirements.

c. Temporary Relocation Assistance

The LPA shall make funds available for temporary relocation assistance to eligible property owners who are unable to voluntarily relocate during the demolition and construction phases of the project. Short term storage of homeowner appliances and possessions are also eligible costs.

d. Property Standards

The LPA shall meet the property standards as applicable for program assisted units to ensure that the housing is decent, safe, and sanitary and meets all applicable Federal, State, and/or Local Code requirements upon completion.

- The new unit must be installed according to the installer's specifications and program guidelines as applicable.
- The new unit must meet the Manufactured Home Construction and Safety Standards at 24 CFR Part 3280.
- The new unit must be installed on a permanent foundation meeting the requirements of 24 CFR Part 3285.
- The new unit must be connected to permanent utility hookups.
- If the replacement unit is modular or site-built, the unit must meet all State and/or Local Code requirements for new construction.
- The LPA must ensure disposal of the unit in a NYS Department of Conservation (DEC) certified disposal facility. If demolition of the sub-standard unit is necessary, the LPA must adhere to the NYS Department of Labor (DOL) Code Rule 56 requirements for asbestos testing and removal prior to disposal.

e. Environmental Review

The LPA will conduct a Site-Specific Environmental Review for each participating project site. Project activities may not proceed until the Office of Community Renewal (OCR) has approved the Site-Specific Environmental Review. The Environmental Compliance Handbook and Forms are available at: <https://hcr.ny.gov/mobile-manufactured-home-replacement-program-mmhr#funding-round-materials>.

#### IV. **Contractor Selection**

a. Procurement Requirements

The LPA is required to establish a standard procedure for contractor selection. The procurement process must be free of collusion or intimidation, and the LPA must exercise appropriate oversight over the entire process to ensure that it is fair, efficient, and free of actual and perceived conflicts of interest.

For each project, the LPA will issue a request for contractor bids that details the work. A clear, written scope of work for the project must be the basis for the bids or proposals. The bids or proposals for all activities must be submitted directly to the LPA by the contractor or vendor.

Proposals must be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. At a minimum, two bids must be received for each project and activity to establish the reasonableness of costs.

The LPA must select the lowest responsible bidder, and must document the bid solicitation, review, and selection process. Documentation must be maintained in the LPAs project files.

If pre-1978 property, the work must be conducted by an EPA RRP Certified Renovator, if applicable.

b. Contracting Procedures

The LPA will enter into a contract with the participating property owner to provide the program financial assistance. The contract will outline the roles and responsibilities for both the LPA and the participating property owner. At a minimum, the contract must specify:

- Agreed-upon scope of work;
- Cost;
- Completion deadline;
- Payments will be made on a cost incurred or reimbursement basis only;
- LPA has the right to inspect work at any time;
- LPA may terminate the award and cancel the contract should the work be inconsistent with the program rules outlined; agreed-upon scope of work or project design, stated timeline, or if insurance is not maintained by the contractor;
- Property owner will cooperate with the LPA requirement to monitor the ongoing maintenance of the property to the ten-year term.

Exceptions to these procedures, including work done by LPA staff, require prior approval of OCR.

**V. Construction Monitoring & Quality Control**

a. Construction Monitoring

The LPA retains the right to inspect work in progress at any time. The LPA must perform periodic inspections of activities to monitor adherence with program rules, environmental hazard compliance, and general project progress. These visits shall be documented in LPA project files.

b. Final Inspection

A final inspection is required before submitting a final payment request. The LPA must verify that the work was completed properly and is consistent with the contracted scope of work. A final inspection report and Certificate of Occupancy shall be retained in the LPA project files and copies must be submitted with the requests for reimbursement.

**VI. Ongoing Maintenance**

a. Obligations

Property owners, for a period of ten (10) years from the date of final inspection (“Regulatory Period”), shall take all necessary steps to ensure the Premises or the assisted unit at the Premises shall at all times be maintained in good operating order and condition, and all necessary repairs, renewals replacements, additions and improvements shall, from time to time, be promptly made.

During the Regulatory Period, the Recipient shall require the Owner to obtain consent from the LPA should the Premises or the assisted unit at the Premises be sold, moved, demolished, materially altered, or leased.

b. Note & Mortgage

Assistance to homeowners will be in the form of a Deferred Payment Loan (DPL). A ten (10) year declining balance lien in the form of a Note & Mortgage, duly filed at the County Clerk’s office, will be utilized for replacement projects. No interest or payments will be required on the DPL unless the property is sold or transferred before the ten-year term expires. In such cases funds will be recaptured from the proceeds of the sale of the home on a declining balance basis, unless an income-eligible family member accepts ownership and resides in the home for the remainder of the ten-year term.

The LPA will monitor projects assisted during the ten-year term and maintain appropriate project files throughout the compliance period. The LPA must make project files available for review upon request by New York State Homes & Community Renewal or Housing Trust Fund Corporation.