



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Building and Development Services

Board Action

File #: 24-304

Commissioner Worley - Building & Development Services (Housing Rehabilitation) - To Approve and Adopt the Assistance Policy and the Procurement Policy Specific to the 2024 Essential Single-Family Rehabilitation Loan Pool (ESFRLP)

STAFF CONTACT

Lauren Lewis - Building Development Services (Housing Rehabilitation) - 704-866-3114

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The North Carolina Housing Finance Agency (NCHFA) requires that policies that outline the procurement procedures and the assistance guidelines specifically for the 2024 cycle of the Essential Single-Family Rehabilitation Loan Pool (ESFRLP) to be approved and adopted by the governing body. This program provides funds to assist very-low and low-income households with special needs in addressing housing conditions which pose imminent threats to life and/or safety or to provide accessibility modifications and other repairs necessary to prevent displacement of very-low and low-income homeowners with special needs such as frail elderly and persons with disabilities.

POLICY IMPACT

N/A

ATTACHMENTS

Post-Approval Documentation, Assistance Policy, and Procurement and Disbursement Policy

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	CCloninger	AFraley	BHovis	KJohnson	TKeigher	RWorley	Vote
2024-216	06/25/2024	TK	BH	A	A	A	A	A	A	A	U

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

**North Carolina Housing Finance Agency
2024 Essential Single-Family Rehabilitation Loan Pool (ESFRLP)
Post-Approval Documentation**

ESFRLP2416	Gaston County (Gaston)
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A. Instructions

Your Application for Funding under the 2024 cycle of the Essential Single-Family Rehabilitation Loan Pool (ESFRLP24) was approved for \$162,000 and assigned Funding Agreement number 2416. As a Member of the ESFRLP24 "Pool", \$162,000 has been set aside in the pool for your project and may be reserved (set up) on a unit-by-unit basis once units have been selected and required documents have been received and approved by the North Carolina Housing Finance Agency (the Agency). In accordance with ESFRLP24 Program Guideline (PG) 3.2.2 you may reserve funds for up to 3 units under your original \$162,000 set-aside. Funds for additional units may be reserved from the pool, depending on availability, on a unit-by-unit, first come, first served basis in accordance with PG 3.2 up until December 31, 2026.

Please provide the information and documentation requested in this packet and forward it to Mark Lindquist at mwlindquist@nchfa.com. The Case Manager assigned to your ESFRLP project is Chuck Dopler and can be reached at 919-981-5008 or via email at jcdopler@nchfa.com.

B. Status of Other Funds - *NA*

If the Application for Funding stated that other funds would be available to assist with the rehabilitation of the proposed housing units, the Member must provide documentation for each source of funds identified, with the exception of Rural Development 504 funds. The table immediately below summarizes the proposed amount of matching funds according to your application.

Source of Funds	Amount
Volunteer labor	\$0
Donated material	\$0
Matching local funds	\$0
	\$0
Total of matching funds committed to the ESFRLP23 project	\$0

C. Assistance Policy - *Attach*

Because ESFRLP24 beneficiaries are not necessarily pre-selected and approved through a public hearing process, it is especially important that ESFRLP24 Members *adopt* an Assistance Policy that thoroughly and clearly identifies the eligibility criteria for assistance, and for prioritizing applicants once they have been determined eligible. This policy should be fair, open and non-discriminatory. In addition, other facts, policies and procedures affecting potential applicants and/or recipients of assistance should be clearly communicated in your Assistance Policy. Be sure to include your policy on temporary relocation, if applicable. Please submit your *proposed* Assistance Policy as part of the completed Post Approval Documentation to the Agency. A model Assistance Policy is located on the NCHFA website, www.nchfa.com. You may choose to use the model as a template to develop your own policy.

D. Procurement and Disbursement Policies - *Attach*

ESFRLP24 Members must submit a copy of their Procurement Policy that is specific to ESFRLP24 and is written in accordance with 2 CFR 200, and 24 CFR 92.350 (equal opportunity standards), and a copy of their Disbursement Policy, to the Agency, for review and approval. Please submit a copy of your *proposed* Procurement Policy and a copy of your *proposed* Disbursement Policy for ESFRLP24, to the Agency, as part of your PAD. Initial delivery of the policies electronically in WORD format to your case manager is strongly encouraged.

E. Service Area Requirements and Public Contact

Your Application for Funding was approved for the following service area and amount:

Service Area	Approved Program Funds
Gaston	\$162,000

Your public contact's phone number will be published on the Agency website which is linked by several government and other resources. This person should be able to receive phone calls during most normal business hours and be knowledgeable about who in your organization can assist the public with access to the ESFRLP program.

Name	Phone	E-mail
Lauren Lewis	704-866-3114	lauren.lewis@gastongov.com

F. Fiscal Year and Audits. (Complete this section)

Members will be required to submit reports as required under NC State General Statute 143C-6-23 (Non-Government Organizations) or NC State General Statute 159-34 (Units of Local Government). Fiscal year begins 07/01 and ends 06/30.

G. Acknowledgement of Audit Compliance Reporting Responsibilities - Attach

Please have the financial person from your organization, responsible for coordinating the annual audit, complete and sign the enclosed "Audit Compliance Responsibilities" form and the FFATA questionnaire acknowledging their receipt. Then, return both documents with this PAD.

H. Organizational Documents. (Non-Government Organizations Only) - NA

1. Please provide a copy of your Conflict of Interest Policy in accordance with GS 143C-6-23.
2. Please provide a written statement, made under oath and completed by your board of directors or appropriate governing body stating that your organization does not have any overdue taxes, as defined by GS 105-243.1 at the federal, state and local level.
3. Please provide copies of organizational documents, including articles of incorporation, by-laws, and a listing of all current directors, officers and staff.

I. Intergovernmental Agreement - NA

Please provide a copy of an intergovernmental agreement between your governmental entity and the governmental entity in which you will be providing services under ESFRLP24, as required by GS 160-456.

J. Minimum Housing Codes - Attach

In those jurisdictions with an adopted minimum housing code, all units rehabilitated with ESFRLP funds must meet or exceed all local codes, rehabilitation standards, ordinances and zoning ordinances upon the completion of rehabilitation. Please attach any adopted minimum housing codes in your county service area. Contact your Case Manager if you have questions.

K. Requisition Approval Authorization Form, W9 and Direct Deposit - Attach

1. Enclosed in the PAD packet is a Signatory Certification and Project Access Authorization Form. Please have this signed by each individual authorized by your organization's governing board who will be requisitioning ESFRLP24 funds. Return the signed form to the Agency as part of the completed PAD. Be sure to provide a copy of the resolution passed by the governing board authorizing the requisitioning of funds by those persons whose signatures appear on the enclosed certification.
2. Enclosed is the Form W-9 Request for Taxpayer Identification Number and Certification. Please complete this form with the requested information and return the completed form with the PAD.
3. Enclosed is a form for Electronic Payments, which will authorize the Agency to make the required direct deposit of Program funds into your designated checking account. Please complete this form with the requested information and return the completed form with the PAD.

L. Language Access Plan - Attach

As recipients of federal funds, ESFRLP Members are required to comply with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 requiring them to take responsible steps to ensure meaningful access by persons with limited English proficiency. ESFRLP Members are required to provide the Agency with their four-factor analysis used to establish the need for a Language Access Plan (LAP) and the LAP, if required by the analysis. See the attached "NCHFA Guidance for Developing a Language Access Plan" and the Agency's LAP at www.nchfa.com as an example if you need to perform a four-factor analysis or create a plan.

M. ESFRLP Budget for Soft Costs

The Agency recommended ESFRLP24 budget for soft costs is provided below for your review and acceptance or your organization may propose to adjust the recommended budget.

Please check the appropriate response.

- a. Member accepts Agency-recommended budget (per table below); or
☒ b. Member proposes to adjust the budget as follows (awardee complete on page 4)

ESFRLP Soft Costs/unit		2416
1.	Outreach & Advertising	\$300
2.	Environmental Review preparation	\$500
3.	Asbestos testing/clearance	\$600
4.	Radon testing (required)	\$100
5.	LBP inspection/risk assessment	\$600
6.	LBP clearance	\$400
7.	Loan document execution, recording & legal fees	\$500
8.	Pre-rehab Inspection including scope of work	\$900
9.	Work write-ups	\$1,500
10.	Cost estimate	\$400
11.	Construction management	\$3,500
12.	Flood Insurance (units in Flood Hazard Zones)	\$500
13.	Post-rehab value certification	\$200
Total ESFRLP Soft Costs/unit		\$10,000

Proposed Adjusted Budget

ESFRLP Proposed Soft Costs/unit		2416
1.	Outreach & Advertising	\$ 640
2.	Environmental Review preparation	\$ 940
3.	Asbestos testing/clearance	\$ 225
4.	Radon testing (required)	\$ 200
5.	LBP inspection/risk assessment	\$ 300
6.	LBP clearance	\$ 250
7.	Loan document execution, recording & legal fees	\$ 600
8.	Pre-rehab Inspection including scope of work	\$ 540
9.	Work write-ups	\$ 1150
10.	Cost estimate	\$ 855
11.	Construction management	\$ 4000
12.	Flood Insurance (units in Flood Hazard Zones)	\$ 0
13.	Post-rehab value certification	\$ 300
Total Proposed ESFRLP Soft Costs/unit		\$ 10,000

N. Certification

The Member certifies that the information provided herein and herewith is complete and accurate and that, if approved by the North Carolina Housing Finance Agency, it will be made part of the Funding Agreement by reference, superseding any conflicting information contained in the original Application for Funding without otherwise affecting said Application.


Anna Bry
 Attest

Clerk to the Board *4/30/24*
 Title Date

Kim Lee
 Authorized Signature

County Manager *4/30/24*
 Title Date

Gaston County
Assistance Policy
For the 2024 Cycle of the
Essential Single-Family Rehabilitation Loan Pool

What is the Essential Single-Family Rehabilitation Loan Pool?

Gaston County has been awarded Membership by the North Carolina Housing Finance Agency (“NCHFA”) under the 2024 cycle of the Essential Single-Family Rehabilitation Loan Pool (“ESFRLP24”). This program provides Members with funds via a “loan pool” to assist with the rehabilitation of moderately deteriorated homes that are owned and occupied by lower-income, special need households. ESFRLP24 assists eligible households by facilitating aging in place, meeting minimum housing code requirements, promoting long-term affordability, lowering operating costs, and stabilizing pre-1978 homes that include children aged 6 or under whose health is threatened by the presence of lead hazards.

Gaston County has been allocated an initial set-aside of \$162,000 which it plans to apply toward the rehabilitation of three homes in Gaston County. After demonstrating successful use of this allocation, the County may access additional funds, when available, on a unit-by-unit basis from the ESFRLP loan pool to assist additional homes.

This Assistance Policy describes who is eligible for assistance under ESFRLP, how applications for assistance will be ranked, what the terms of assistance are, and how the rehabilitation process will be managed. Gaston County has designed the ESFRLP project to be fair, open and consistent with its approved application for funding and with ESFRLP Program Guidelines.

The funds provided by NCHFA come from the US Department of Housing and Urban Development’s (HUD) Federal HOME Investment Partnerships Program. Assistance for construction-related costs (hard costs) will be provided as no interest, no payment loans which are forgiven at the rate of \$8,000 per year. Non-construction-related costs (soft costs including lead/asbestos inspections/clearances, radon testing and environmental reviews) will be provided in the form of a grant.

EMERGENCY and HEALTH Notifications: Due to the COVID-19 pandemic, increased awareness of the need to protect Gaston County representatives and the homeowners they serve from various health related exposures has become more apparent than ever. Homeowners participating in the ESFRLP program must agree to follow all local, state and federal guidelines for emergency preparedness surrounding the COVID-19 pandemic and any other emergency declared that includes their property address for the duration of construction on the property.

Who is Eligible to Apply?

There are three major requirements to be eligible for ESFRLP assistance:

- 1) The housing unit to be rehabilitated with ESFRLP funds must be located in Gaston County, and must be owner-occupied. The household occupying the unit must have an elderly, disabled and/or veteran (see definitions) fulltime household member or a child aged 6 or under threatened by lead hazards in the home;
- 2) The gross annual household income must not exceed 80% of the Area Median Income for the County (see income limit table on the following page) and;
- 3) The cost of rehabilitation cannot exceed the ESFRLP Program limit of \$40,000 and must include all Essential Rehabilitation Criteria as described in the ESFRLP Administrator's Manual for the 2024 cycle (available online at www.NCHFA.com).

Unfortunately, not all homes can be rehabilitated to meet the Essential Rehabilitation Criteria with the limited funding available. Some otherwise-eligible households may be deemed ineligible for assistance because their homes fail this test.

What Types Of Houses Are Eligible?

Properties are eligible only if they meet all of the following requirements:

- The property must require at least \$5,000 of improvements to meet the more stringent of either the ESFRLP Property Standards or the local minimum housing code.
- Site-built and off frame modular units listed as real property are eligible for assistance. Manufactured housing is eligible for assistance if the foundation and utility hookups are permanently affixed including removal of all transportation equipment (e.g. wheels, axles, tongue) and installation of a full masonry foundation and tie-downs.
- No more than fifty percent (50%) of the total area of the unit may be used for an office or business (e.g. day care, hair salon, room rental, etc.). Program funds may only be used to improve the residential exterior, interior, and systems portion of the mixed use buildings.
- The property must be free of environmental hazards and other nuisances as defined by all applicable codes or regulations, or any such hazards or nuisances must be corrected as part of the rehabilitation of the home. Gaston County's Rehabilitation Specialist will determine the presence of any known environmental hazards/nuisances on the site and if they can be removed through rehabilitation.
- Properties cannot be located in the right-of-way of any impending or planned public improvements. Gaston County staff will assist in making this determination.
- The property cannot be located on a site that is endangered by mudslides, landslides or other natural or environmental hazards. If needed, the Rehabilitation Specialist will work with the homeowner to make this determination.
- The property cannot be located in the 100 year flood plain. (*Gaston County will verify if the home is in the 100 year flood plain.*)
- The property cannot have been repaired or rehabilitated with public funding of \$30,000 or more within the past 10 years without NCHFA approval.
- The property must be current on all property taxes with no outstanding past taxes owed.

- Properties that have a known infestation of bed bugs, fleas, mites, or any other ectoparasites will not be evaluated until the infestation has been eliminated.
- If any ESFRLP Program representative for the County suspects that the home is being used for criminal activity or the homeowners are engaging in criminal activity, the household will not be served. Properties that have been approved will be removed from the program if criminal activity is suspected. Homeowners that disagree with this decision must employ the complaint process outlined in the Assistance Policy.

2024 Income Limits for Gaston County's Essential Single-Family Rehabilitation Loan Pool

Number in Household	30% of Median ("Extremely Low" Income)	50% of Median ("Very Low Income")	80% of Median ("Low Income")
1	22,300	37,100	59,400
2	25,450	42,400	67,850
3	28,650	47,700	76,350
4	31,800	53,000	84,800
5	34,350	57,250	91,600
6	36,900	61,500	98,400
7	39,450	65,750	105,200
8	42,000	70,000	111,950

*Income limits are subject to change based on annually published HUD HOME Limits. This update will not require a re-approval by the governing body.

How are applications ranked?

There are many more ESFRLP-eligible households (with eligible houses) than can be assisted with the available funds. Therefore, Gaston County has devised the following priority system to rank eligible applicants, determine which of them will be selected for assistance and in what order. Under this system applicants will receive points for falling into certain categories. Applications will be ranked according to which household receive the most points. If there are more eligible applicants with eligible houses than can be treated with existing funding, Gaston County may be able to treat additional houses with unrestricted pool funds. Pool applicants will come from the original applicant list and be considered according to which received the most points and meets income eligibility criteria. If alternate pool applicants are not identified on the original applicant list and must be solicited, the solicited, eligible, pool applicants will be selected on a first come, first to qualify, first served basis.

**Priority Ranking System for Gaston County's
2024 Essential Single-Family Rehabilitation Loan Pool**

<i>Special Needs (for definitions, see below)</i>	<i>Points</i>
Disabled Household Member	5
Elderly Household (62 or older)	5
Military Veteran Household	5
Household with a child under age 6 with lead Hazards in the home	5
Multiple Disabled, Elderly or Veteran Household Members (more than 1)	5
<i>Income (See Income Table above)</i>	<i>Points</i>
Less than 30% of County Median Income	5
30% to 50% of County Median Income	4
50% to 80% of County Median Income	3

****NOTE**** *If the household has more than one special need as outlined above then that applicant will receive the allotted points for all applicable categories (e.g. If a household has an elderly household member who is also disabled and has a child under 6 threatened by lead, that applicant would receive 15 priority points.*

In the case of equivalent rankings based on the above criteria, the applicant with the lowest percentage of median income will rank highest.

Applicants that are not selected for rehabilitation with the initial set-aside pool of funds will be evaluated on a first come first to qualify basis to receive assistance if funds from the remaining 2024 loan pool are available.

Definitions under ESFRLP are:

- *Elderly:* An individual aged 62 or older.
- *Disabled:* A person who has a physical, mental or developmental disability that greatly limits one or more major life activities, has a document of such impairment, or is regarded as having such impairment.
- *Head of Household:* The person or persons who own(s) the house.
- *Household Member:* Any individual who is an occupant (defined below) of the unit to be rehabilitated shall be considered a "household member" (the number of household members will be used to determine household size and all household members-18 years old or older- are subject to income verification).
- *Occupant:* An occupant is defined as any immediate family member (mother, father, spouse, son/daughter of the head of household) who has resided in the dwelling unit for at least 3 months prior to the submission of the family's application; or non-immediate family member who has resided in the dwelling at least 3 months prior to the submission of the family's application.
- *Veteran:* A person who is a military veteran, is defined as one who served in the active military, naval, or air service (e.g. Army, Navy, Air Force, Marine Corps, and Coast Guard; as a commissioned officer of the Public Health Service; or as a commissioned officer of the National Oceanic and Atmospheric Administration or its predecessors), and who was discharged or released there from under conditions other than dishonorable. Provide DD-214

form to demonstrate.

Recipients of assistance under ESFRLP will be chosen by the above criteria without regard to race, color, religion, national origin, sex, familial status and disability.

What Are The Terms of Assistance Under ESFRLP

The form of ESFRLP assistance is a 0% interest, forgivable loan covering the hard costs associated with the rehabilitation of the home and a grant for the soft costs. These will be two separate documents or sets of documents.

The Loan: NCHFA will create loan documents for the homeowner(s) including a Promissory Note and Deed of Trust covering hard costs for the rehabilitation in an amount not to exceed \$40,000. This loan covering the hard costs remains 0% interest and forgivable at \$8,000 per year for as long as the owner resides in the home or until the balance is reduced to \$0. The term of the loan is dependent upon the loan amount and the number of years it takes to bring the balance of the loan to \$0 when forgiven at \$8,000 per year. For example, if the amount of the loan is \$33,452 then the term is 5 years (\$32,000 forgiven over the first 4 years and \$1,452 forgiven at the end of the 5th year). The maximum term of the typical loan will be five years.

As long as the borrower lives in the home, no payments on the loan will be required. If the recipient prefers, the loan can be paid off at any time to NCHFA, either in installments or as a lump sum payment. Furthermore, under certain circumstances NCHFA may allow assumption or refinancing of the loan. Should an heir inherit the property and choose to live in the house as their permanent residence, they may assume the loan without being income eligible. However, the lien remains on the property as per the original loan terms. A buyer who may wish to buy the property to live in may assume the loan so long as they can document that they are income-eligible ($\leq 80\%$ AMI). Default can occur if the property is sold or transferred to another person and/or if the borrower fails to use the home as a principal residence, without prior written approval of the North Carolina Housing Finance Agency.

The Grant: To pay for soft costs including application outreach/intake/management, environmental reviews/inspections/testing and project assessment/documentation/estimating/bidding, NCHFA will create a Grant Agreement not to exceed \$10,000. The grant has no repayment or recovery terms.

What Kinds Of Work Will Be Done?

Each house selected for assistance must be rehabilitated to meet ESFRLP Rehabilitation Criteria. That means every house must, upon completion of the rehabilitation:

- meet the more stringent requirements of either NCHFA's Essential Property Standard or Gaston County's Minimum Housing Code. These are "habitability standards" which set minimum standards for decent, safe and sanitary living conditions. Additionally, the home must meet applicable Lead-Based Paint regulations 24 CFR part 35.
- retain no "imminent threats" to the health and safety of the home's occupants or to the home's "structural integrity". (An example of an imminent threat to occupants as well as to the home's structural integrity is an infestation of insects or a crawlspace that is too damp).

These requirements are spelled out in full in the ESFRLP Administrator's Manual which you may view, at reasonable times, upon request, at the Building Inspections office of Gaston County or anytime online at www.NCHFA.com.

In addition to the above items that must be done to satisfy NCHFA requirements, the scope of work may include approved items meant to reduce future maintenance and operational costs or to further protect homes from natural disasters and/or home modifications designed to enable greater accessibility for household members to function more independently as they age.

Once the rehabilitation is complete, major systems in the home that, with reasonable maintenance and normal use, should be capable of lasting another 5 years include: structural support, roofing, cladding and weatherproofing, plumbing, electrical and heating/cooling systems.

Of course, contractors performing work funded under ESFRLP are responsible for meeting all local requirements for permits and inspections. All work done under the program must be performed to meet NC State Residential Building Code standards. (This does not mean, however, that the whole house must be brought up to current Building Code Standards.) Upon the date of approval by Gaston County of the contractors request for final payment, a one-year warranty on all products and workmanship will begin.

What About Lead-based Paint?

Until it was discovered to be a health hazard, lead was used for centuries to make house paints. Now we know that lead exposure is a serious problem for everyone and especially small children. Selling lead paint was outlawed in 1978, but many older buildings still contain lead paint and children are still being poisoned.

Under ESFRLP, a lead hazard evaluation must be performed on every home selected for rehabilitation that was built before 1978. The specific type of evaluation and the appropriate lead hazard reduction work performed will depend on the total amount of Federal funds used to rehabilitate the home, as per 24 CFR part 35. If required, lead-based paint hazard reduction and/or abatement will be performed by contractors who are trained and certified to perform such work.

It may be necessary for the household to relocate during the construction process for the protection against lead poisoning. If relocation is required, it shall be the responsibility of the homeowner to pay for the relocation.

Who Will Do The Work On The Homes?

Gaston County is obligated under ESFRLP to ensure that quality work is done at reasonable prices and that all work is contracted through a fair, open, and competitive process. To meet these requirements, Gaston County will invite bids only from licensed General Contractors who are part of an "Approved Contractors Registry". For additional information about procurement and disbursement procedures, please refer to Gaston County ESFRLP Procurement and Disbursement Policy for the 2024 cycle.

- At least three qualified members of the Approved Contractors Registry (on a rotating basis) will be invited to bid on each job, and the lowest responsive and responsible bidder will be selected for the contract.
- All contractors working on pre-1978 units must be Renovate, Repair and Paint Rule (RR&P) Certified Renovators working for Certified Renovation firms.
- Homeowners who know of quality rehabilitation contractors that are not on the approved contractor's registry are welcome to invite them to apply.

What Are The Steps In The Process, From Application To Completion?

You now have information about how to apply for the Essential Single-Family Rehabilitation Loan Pool and what type of work can be done through the Program. Let's go through the steps for getting the work done:

1. **Completing a pre-application form:** Homeowners who wish to apply for assistance must do so between August 2nd and August 31st of 2024. All inquiries taken after August 31st will be placed on a waiting list and contacted to complete information for a first come first to qualify basis if remaining funds and time exist. Apply by contacting Lauren Lewis, Housing Rehab Specialist I at 704-866-3114 or Angie Sanford, DHHS Economic Support Services at 704-862-7963. Proof of ownership, income and special needs will be required. Those who have applied for housing assistance from Gaston County in the past will not automatically be reconsidered and must complete a new pre-application form.
2. **Client Referral and Support Services** Many homeowners seeking assistance through the Essential Single-Family Rehabilitation Loan Pool may also need other services. If the ESFRLP staff meet the homeowner during the application process, they will provide pamphlets and a list of the agencies with contact information for the resources and programs available in the County. For households that meet the requirements of the pre-application step and qualify to receive assistance through the ESFRLP program, additional verbal discussion will be offered during the Screening of applicants and/or Pre-rehab inspection steps of the program.

3. **Preliminary inspection:** Gaston County's Rehabilitation Specialist will visit the homes of top ranking households to determine the need and feasibility of the home for rehabilitation. Homeowners must inform staff of any known pest infestations prior to the visit. The County staff has the right to deny an application based on health and safety concerns that may put their staff and/or contractors at risk.
4. **Notice of Disposition:** After Gaston County receives applications and visited the homes of the top ranking households, a letter will be sent to the applicants advising them of their status. The applicants who are either low ranking or whose homes are not appropriate for the program will be notified they will not be served under the program. Applicants whose homes appear to be appropriate for the program and who have the highest ranking will be notified that they were selected to be served pending income verification, home ownership and other qualification checks as required by the program. Those applicants who were not selected to be served at first, but who rank highly and have homes appropriate to be served under the program, will be notified of their status as alternates.
5. **Screening of applicants:** Applications will be rated and ranked by Gaston County based on the priority system outlined on pages 4 & 5, and the feasibility of rehabilitating the house. Households to be offered assistance in the first round of homes served will be selected no later than December 20th, 2024. Household income will be verified for program purposes only (information will be kept confidential). NCHFA will verify ownership of the property by conducting a title search. From this review, the five most qualified applicants will be chosen according to the priority system described above; there will be a list of two (2) alternates. Gaston County will then submit to NCHFA an ESFRLP Loan Application and Reservation Request for each potential borrower for approval. Applicants not selected for ESFRLP assistance will be notified in writing.
6. **Written agreement:** A Home Owner Agreement, between the homeowner and Gaston County, will be executed as part of the Loan Application and Reservation Request procedure (that formally commits funds to a dwelling unit). This agreement will certify that the property is the principal residence of the owner, that the post-rehab value of the property will not exceed 95% of the 203(b) limits established by HUD and defines the ESFRLP maximum amount and form of assistance being provided to the homeowner, the scope of work to be performed, the date of completion and the rehabilitation criteria and standards to be met.
7. **Pre-rehab inspection & unit evaluation:** Gaston County's Rehabilitation Specialist will visit the home again for a more thorough inspection. All parts of the home must be made accessible for inspection, including the attic and crawlspace. The owner should report any known problems such as electrical short circuits, blinking lights, roof leaks, etc. Each unit will be evaluated for energy-saving

opportunities such as air-sealing and duct-sealing as well as for environmental concerns, such as lead based paint hazards, radon and asbestos.

8. **Work write-up:** The Rehabilitation Specialist will prepare complete and detailed work specifications (known as the "work write-up"). A final cost estimate will also be prepared by the Rehabilitation Specialist and held in confidence until bids are received from contractors.
9. **Lead and Other Testing:** Gaston County will arrange for a certified firm to inspect all pre-1978 constructed homes for potential lead hazards (required) and asbestos hazards (as deemed necessary by the Rehabilitation Specialist in all homes built during, before and after 1978). All homes will be tested for radon. The owner will receive information covering the results of the tests and any corrective actions that will be needed as part of the rehabilitation.
10. **Bidding:** The work write-up and bid documents will be conveyed to all contractors from the Approved Contractor Registry who will be given no less than seven days in which to inspect the property and prepare bid proposals. Each contractor will need access to all parts of the house in order to prepare a bid. A bid opening will be conducted at the Gaston County Administration building Housing Rehab conference room located at 128 W. Main Ave. Gastonia, NC 28053 in Gaston County, NC. All bidders are invited to attend, but attendance is not required. In addition, it will be at the discretion of Gaston County to hold a virtual bid opening process with all bidders invited to attend.
11. **Contractor selection:** Within 72 hours of the bid opening the winning bidders will be selected. All bidders and the homeowner will be notified in writing of 1) the selection of the winning bid, 2) the amount of the winning bid, 3) the amount of Gaston County's cost estimate, and 4) the specific reasons for the selection, if other than the lowest bidder was selected.
12. **Loan closing and contract execution:** Loan documents (Promissory Note and Deed of Trust) will be prepared by NCHFA as the lender and executed by the homeowner. *By law, homeowner's have the right to hire legal representation of their choosing at loan closing.* If a homeowner does not have "representation" at the closing, the borrower must sign a NCHFA "Legal Advice Disclosure". Rehabilitation contract documents will be executed by Gaston County and the contractor with the homeowner signing on as an interested third party prior to the commencement of any construction. Gaston County will facilitate with the loan closing and recordation of these documents and forward the recorded documents to NCHFA.
13. **Pre-construction conference:** A pre-construction conference will be held at the selected applicant's home. At this time, the homeowner, contractor and ESFRLP Gaston County program representatives will discuss the details of the work to be

completed. Starting and ending dates will be finalized, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home. Gaston County will issue a "proceed order" formally instructing the contractor to commence work by the agreed-upon date.

- 14. Construction:** The contractor is responsible for obtaining and posting all permits for the project before beginning work. Gaston County ESFRLP Program staff will closely monitor the contractor during the construction period and local Code Enforcement Officials will inspect the work when applicable. To protect personal property the homeowner will be responsible for working with the contractor toward clearing work areas of personal property as needed as much as practicable. The contractor will be responsible for all clearing and cleaning activities necessary due to construction activities.
- 15. Change Orders:** All changes to the scope of work must be approved by the owner, the contractor, Gaston County's Rehabilitation Specialist and Gaston County Housing Rehab Manager, and reduced in writing as a contract amendment ("change order"). The owner, contractor and two Gaston County personnel must execute any change order agreements to the construction contract.
- 16. Progress payments:** The contractor is entitled to request a maximum of two partial payments up to 75% of the total contract amount and a final payment. When a payment is requested, the Rehabilitation Specialist or Housing Rehab Manager will inspect the work within three days, determine percentage of job completion and calculate a payment based on 100% of the contract price (from the contractors cost breakdown as approved by the County) of the work completed on each line item.
- 17. Closeout:** When the Rehabilitation Specialist and the Homeowner are satisfied that the contract has been fulfilled, the Homeowner, Housing Rehab Manager and Rehabilitation Specialist will sign off on the work. All material and workmanship will be guaranteed by the contractor for a period of one-year from the date of completion of the work as established by Gaston County's approval date of the final pay requisition. Gaston County will notify the homeowner in writing of this date.
- 18. Post-construction conference:** Following construction, the contractor and Rehabilitation Specialist will sit down with the Homeowner one last time. At this conference the contractor will hand over all owner's manuals and warranties on equipment and materials to the homeowner. The contractor and Rehabilitation Specialist will go over operating and maintenance requirements for the new equipment, materials and appliances and discuss general maintenance of the home with the Homeowner. The Homeowner will have the opportunity to ask any final questions about the work.
- 19. Final loan amount determination:** If, upon completion of all rehabilitation work, the contract price has changed due to the effect of change orders, and there is a

need to modify the loan. NCHFA will prepare an estoppel for a loan reduction or modification agreement for loan increases as necessary at the time of closeout of the unit. The loan will remain the property of NCHFA, with original documents remaining there for storage and “servicing”. Please note that it is the responsibility of the homeowner to record an estoppel if they wish this to be reflected in the Deed of Trust.

20. The warranty period: It is extremely important that any problems with the work that was performed be reported by the homeowner to the Gaston County Rehabilitation Specialist, Housing Rehab Program Manager, as soon as possible in writing. All bona fide defects in materials and workmanship reported within one year of completion of construction will be corrected free of charge by the Contractor.

What are the key dates?

If, after reading this document, you feel that you qualify for this program and wish to apply, please keep the following dates in mind:

- Applications available to the public starting August 1st, 2024.
- Applications must be turned in at the Gaston County DHHS Office by 5:00 PM on August 30th, 2024.
- Households informed of selection status no later than December, 20th, 2024
- All rehab work must be under contract by December 31st, 2025.
- All rehabilitation work must be completed by June 30th, 2026.
- Inquiries taken after August 30th, 2024 will be placed on a first come/first to qualify/first serve waiting list if remaining funds exist.

How do I request an application?

Contact:

Lauren Lewis , Housing Rehab Specialist I
Gaston County
P.O. Box 1578
Gastonia, NC 28053
Phone: 704-866-3114

Or pick up an application at the Gaston County DHHS office:

Contact:

Angie Sanford
DHHS Economic Support Services Department
330 Dr. M.L.K Jr Way
Gastonia, NC 28052
Phone: 704-862-7963

Is there a procedure for dealing with complaints, disputes and appeals?

Although the application process and rehabilitation guidelines are meant to be as fair as possible, Gaston County realizes that there is still a chance that some applicants or participants may dispute decisions, work completed or other issues. The following procedures are designed to provide an avenue for resolution of complaints and appeals.

During the application process:

1. If an applicant feels that his/her application was not fairly reviewed or rated and would like to appeal the decision made about it, he/she should contact Pat Laws, Grants Administrator, within ten days of the initial decision and voice their concern.
2. If the applicant remains dissatisfied with the decision, the detailed complaint should be put into writing. A written appeal must be made within 15 business days of the initial decision on an application.
3. Gaston County will respond in writing to any complaints or appeals within 15 business days of receiving written comments.

During the rehabilitation process:

1. If the homeowner feels that construction is not being completed according to the contract, he/she must inform the contractor and Rehabilitation Specialist preferably in writing.
2. The Rehabilitation Specialist will inspect the work in question. If he finds that the work is not being completed according to the contract, the Rehabilitation Specialist will review the contract with the contractor and ask the contractor to correct the problem.

3. If the Rehabilitation Specialist finds that the work is being completed according to contract, the complaint will be added to the applicants file. Rehabilitation Specialist and the homeowner will discuss the concern and the reason for the Rehabilitation Specialist decision.
4. If problems persist, the homeowner must put the concern in writing and a mediation conference between the homeowner and the contractor may be convened by the Housing Rehab Manager and/or Rehabilitation Specialist and facilitated by Gaston County's Grants Administrator.
5. Should the mediation conference fail to resolve the dispute, the Grants Administrator will render a written final decision.

Final Appeal:

After following the above procedures, any applicant or homeowner who remains dissatisfied with Gaston County's final decision may appeal in writing to Michael Handley, NCHFA, PO Box 28066, Raleigh, NC 27611-8066, (919) 877-5627.

Will the personal information provided remain confidential? Yes. All information in applicant files will remain confidential. Access to the information will be provided only to Gaston County employees who are directly involved in the program, the North Carolina Housing Finance Agency, the US Department of Housing and Urban Development (HUD) and auditors.

What about conflicts of interest? No employee or board member of Gaston County, or entity contracting with Gaston County, who exercises any functions or responsibilities with respect to the ESFRLP project shall have any interest, direct or indirect, in any contract or subcontract for work to be performed with project funding, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Employees or relatives of Gaston County employees or of Gaston County board members and others closely identified with, may be approved for rehabilitation assistance only upon public disclosure before the Gaston County Board of Commissioners and written permission from NCHFA.

What about favoritism? All activities under ESFRLP, including rating and ranking applications, inviting bids, selecting contractors and resolving complaints, will be conducted in a fair, open and non-discriminatory manner, entirely without regard to race, color, religion, national origin, sex, familial status and disability.

Outreach Efforts of the ESFRLP Program

The County makes citizens aware of the ESFRLP program and other housing rehabilitation opportunities through various service providers and specific outreach efforts. The County of Gaston will advertise or publish an article about the Essential Single-Family Rehabilitation Loan Pool Program via the local newspaper, at applicable Senior Centers in Gaston County, the local cable government channel,

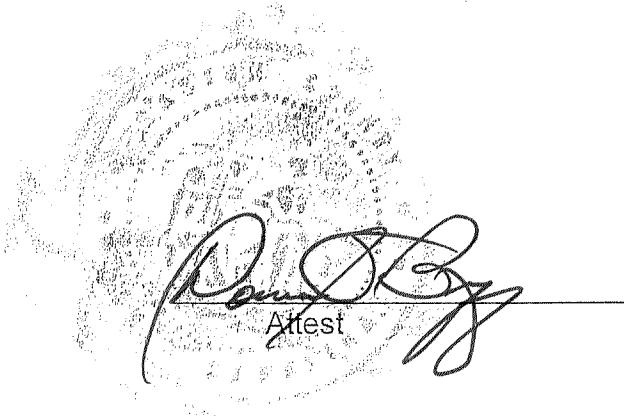
and on the County's website. In addition, these publications will be posted and distributed in Spanish.

Who can I contact about the ESFRLP program? Any questions regarding any part of this application or program should be addressed to:

Lauren Lewis , Housing Rehab Specialist I
Gaston County
P.O. Box 1578
Gastonia, NC 28053
Phone: 704-866-3114

Angie Sanford
DHHS Economic Support Services Department
330 Dr. M.L.K Jr Way
Gastonia, NC 28052
Phone: 704-862-7963

This Assistance Policy is adopted this 25th day of June 2024.





Gaston County Board of Commissioners

Gaston County
Procurement and Disbursement Policy
2024 ESSENTIAL SINGLE-FAMILY REHABILITATION LOAN POOL

PROCUREMENT POLICY

1. To the maximum extent practical, the County of Gaston (the County) promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's (NCHFA) Essential Single-Family Rehabilitation Loan Pool (ESFRLP). Bids are invited from Contractors who are part of the County's approved contractor registry. Any current contractor listed with and approved by the County and in good standing (i.e. no unresolved past performance issues and not listed on the federal or state debarred list) will receive automatic approval status on the contractor registry.
2. To be listed in the Approved Contractor Registry, a contractor must complete an application, have their recent work reviewed and approved by the County's Housing Rehab Manager or Rehabilitation Specialist and submit proof of insurance. All contractors working on pre-1978 units must be Renovate, Repair and Paint Rule (RR&P) Certified Renovators working for Certified Renovation firms; only those contractors with both certificates on file will be invited to bid on pre-1978 homes.
3. At least three eligible contractors on the County's approved contractor registry shall be invited to bid on each job and the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) the bid is within 20% above or 15% below the County's cost estimate, (c) the contractor has not been suspended or debarred and (d) there is no conflict of interest (real or apparent). The County will conduct a public bid allowing qualified vendors to provide quotes, bids or proposals for the product or services needed. Every reasonable effort will be made to receive at least three quotes, bids or proposals. A bid package will be sent out to at least 3 contractors on the Approved Contractor Registry via email.
4. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites shall be considered separate and apart when awarded and shall be awarded to the lowest responsive and responsible bidder(s) for each job site. In procuring Contractor services under this policy, Gaston County shall comply with the most restrictive applicable Federal, state, and local laws and regulations, including but not limited to, 2 C.F.R. 200, Subpart D and the North Carolina General Statutes.
5. Bid packages shall consist of an invitation to bid, work write up(s) and bid sheet(s) for each job, including instructions for distribution and receipt of bids. Contractors will be given no less than seven days in which to inspect the property and prepare bid proposals. Each contractor will need access to all parts of the house in order to prepare a bid. A bid opening will be conducted in the Housing Rehab's Conference room located at 128 W. Main Ave. Gastonia, NC 28052 at a specified date and time, with all bidders invited to attend.
6. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
7. The County reserves the right to reject any or all bids at any time during the procurement process.

8. In the event of a true emergency situation, the County reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, electronic bids and the like. Should such methods ever become necessary, the transaction will be fully documented. In the event phone bids are used, the County of Gaston will call the first three responsive contractors on the approved contractor list. The County will track who has been called and responsive, and will rotate through the full list before beginning the rotation again.
9. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend. Within 72 hours of the bid opening, after review of bid breakdowns and construction schedules, the winning bidders will be selected. All bidders will be notified in writing of 1) the selection of the winning bid, 2) the amount of the winning bid, 3) the amount of the County's cost estimate, and 4) the specific reasons for the selection, if other than the lowest bidder was selected.
10. The contractor is responsible for obtaining a building permit for the project before beginning work, if supported by local jurisdiction. The permit must be posted at the house during the entire period of construction. If applicable, the contractor will obtain a permit for lead hazard related activities. Gaston County ESFRLP staff will closely monitor the contractor during the construction period to make sure that the work is being completed according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. Local Code Enforcement Officials will inspect the work for compliance with the NC State Building Code and the local minimum housing code, when applicable. To protect personal property the homeowner will be responsible for working with the contractor toward clearing work areas of personal property as needed as much as practicable. The contractor will be responsible for all clearing and cleaning activities necessary due to construction activities.
11. Any change to the original scope of work must be reduced to writing in the form of a change order to be agreed upon and signed by all parties to the original contract including at minimum, the homeowner, the contractor and two representatives of the County. The change order must also detail any changes to the original contract price.
12. No work may begin prior to a contract being awarded and executed and a written order to proceed provided to the contractor. In addition, a pre-construction conference and "walk thru" shall be held at the work site prior to commencement of repair work or at the specified location determined by Gaston County staff. At this time, the homeowner, contractor and ESFRLP Gaston County program representative(s) will discuss the details of the work to be completed. Starting and ending dates will be finalized, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home. Within 2 weeks of the pre-construction conference, Gaston County will issue a "proceed order" formally instructing the contractor to commence work by the agreed-upon date.

13. The County of Gaston is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool. Contractors will be chosen by the above criteria without regard race, creed, color, sex, age, disability, or national origin. To the maximum extent practical, Gaston County promotes fair and open competition in the procurement of all goods and services under the Program consistent with 2 CFR 200 Subpart D.
14. Contractor shall take affirmative action not to discriminate against any employee or applicant for employment or otherwise illegally deny any person participation in or the benefits of the program which is the subject of the contract because of race, creed, color, sex, age, disability, or national origin. To the extent applicable, Contractor will comply with all provisions of Executive Order No. 11246 the Civil Rights Act of 1964, (P.L. 88-352) and 1968 (P.L. 90-284), and all applicable federal, state, and local laws, and ordinances, rules, regulations, orders, instructions, designations, and other directives promulgated to prohibit discrimination. Violation of this provision, after notice, shall be a material breach of the contract and may result, at County's option, in a termination or suspension of the contract in whole or in part.

DISBURSEMENT POLICY

1. All repair work must be inspected by (a) the County's Housing Rehab Manager or Rehabilitation Specialist, (b) the local building or minimum housing code inspector when applicable and (c) the homeowner prior to any final payments to contractors. If all work is deemed satisfactory and all other factors and written agreements are in order, payment shall be issued upon presentation of an original invoice from the contractor. Contractor should allow 21 business days for processing of the invoice for payment.
2. The contractor is entitled to request two partial payments up to 75% of the total contract amount and a final payment, but only at the discretion of the Housing Rehab Manager or Rehabilitation Specialist. When a payment is requested, the Housing Rehab Manager or Rehabilitation Specialist will inspect the work within three days, determine percentage of job completion and calculate a payment.
3. Following construction, the contractor and the Housing Rehabilitation Specialist will meet with the Homeowner in a post-construction conference. At this conference the contractor will hand over all owner's manuals and warranties on equipment and products to the homeowner and be available to answer homeowner questions.
4. Project Closeout: When the contractor declares the work complete, the Housing Rehabilitation Specialist will thoroughly inspect the work. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of final payment. If the contractor fails to correct the work to the satisfaction of the County's Housing Rehabilitation Specialist, payment may be withheld until the work is deemed satisfactory. (Contractors may follow the County's Essential Single-Family Rehabilitation Loan Pool Assistance Policy if a dispute occurs; however, contractors shall abide by the final decision as stated in the policy). Following construction, Gaston County's Housing Rehabilitation Specialist will sign off on the work and meet with the Homeowner to review all completed work and obtain final documents to be signed by the homeowner. After receipt of the contractor's final invoice, inspections, certificate of completion and lien releases signed, the final payment will be ordered. All material and workmanship will be guaranteed by the contractor for a period of one-year, using the date the Rehab

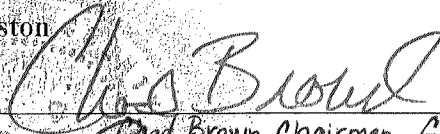
Specialist declares all work complete and approves the final invoice for payment, the homeowner will be provided the one-year warranty date by Gaston County in writing.

5. The County assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.
6. All contractors, sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.

The Procurement and Disbursement Policies are adopted this the 25th day of June 2024.

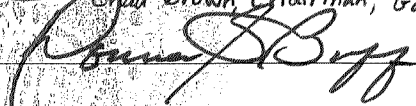
County of Gaston

BY:



Chad Brown, Chairman, Gaston County Board of Commissioners

ATTEST:



CONTRACTORS STATEMENT:

I have read and understand the attached Gaston County Procurement and Disbursement Policy for the ESFRLP24 program.

BY: _____

COMPANY NAME: _____

WITNESS: _____