

## CHOICE NEIGHBORHOODS APPLICATION CERTIFICATIONS - IMPLEMENTATION GRANTS

**The following are certifications to and agreements with the Department of Housing and Urban Development (HUD) required in connection with the Choice Neighborhoods Implementation Grants application and implementation.**

1. The public or assisted housing project targeted in this Choice Neighborhoods grant application meets the definition of severe distress in accordance with Section 24(j)(2) of the United States Housing Act of 1937 ("1937Act").
2. The Lead Applicant and Co-Applicant (if any) have not received assistance from the Federal government, State, or unit of local government, or any agency or instrumentality, for the specific activities for which funding is requested in the Choice Neighborhoods application.
3. The Lead Applicant and Co-Applicant (if any) do not have any litigation pending which would preclude timely startup of activities.
4. The Lead Applicant and Co-Applicant (if any) are in full compliance with any desegregation or other court order related to Fair Housing (e.g., Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and Section 504 of the Rehabilitation Act of 1973) that affects the Lead Applicant's and Co-Applicant's (if any) public or assisted housing program and that is in effect on the date of application submission.
5. The Lead Applicant and Co-Applicant (if any) have returned any excess advances received during development or modernization, or amounts determined by HUD to constitute excess financing based on a HUD-approved Actual Development Cost Certificate (ADCC) or Actual Modernization Cost Certificate (AMCC), or other HUD contracts, or that HUD has approved a pay-back plan.
6. There are no environmental factors, such as sewer moratoriums, precluding development in the requested locality.
7. In accordance with the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001-4128), the property targeted for acquisition or construction (including rehabilitation) is not located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, unless:
  - (a) The community in which the area is situated is participating in the National Flood Insurance program (see 44 CFR parts 59 through 79), or less than one year has passed since FEMA notification regarding such hazards; and
  - (b) Where the community is participating in the National Flood Insurance Program, flood insurance is obtained as a condition of execution of a Grant Agreement and approval of any subsequent demolition or disposition application.
8. The application does not target properties in the Coastal Barrier Resources System, in accordance with the Coastal Barrier Resources Act (16 U.S.C. 3501).

**If selected for Choice Neighborhoods funding:**

9. The Lead Applicant and Co-Applicant (if any) will ensure compliance with all policies, procedures, and requirements, including the Program Requirements provided in the NOFA, Implementation Grants Section, Section III.C.3, prescribed by HUD for the Choice Neighborhoods Program.

10. The Lead Applicant and Co-Applicant (of any), will ensure that Choice Neighborhoods grant activities are implemented in a timely, efficient, and economical manner. The Lead Applicant and Co-Applicant (of any), will ensure that all FY 2010 Choice Neighborhoods grant funds are expended by September 30, 2010. In accordance with 31 U.S.C. § 1552, all FY 2010 Choice Neighborhoods funds expire on September 30, 2016. Any funds that are not expended by that date will be cancelled and recaptured by the Treasury, and thereafter will not be available for obligation or expenditure for any purpose.

11. The Lead Applicant and Co-Applicant (if any) will ensure assistance from the Federal government, State, or unit of local government, or any agency or instrumentality is not received for the specific activities funded by the Choice Neighborhoods grant. The Lead Applicant and Co-Applicant (if any) has established controls to ensure that any activity funded by the Choice Neighborhoods grant is not also funded by any other HUD program, thereby preventing duplicate funding of any activity.

12. The Lead Applicant and Co-Applicant (if any) will ensure that more assistance is not provided to any housing site or neighborhood under the Choice Neighborhoods grant than is necessary to provide affordable housing and neighborhood transformation after taking into account other governmental assistance provided.

13. The Lead Applicant and Co-Applicant (if any) will ensure that the aggregate amount of the Choice Neighborhoods grant is supplemented with funds from sources other than Choice Neighborhoods in an amount not less than 5 percent of the amount of the Choice Neighborhoods grant in accordance with Section III.B of the Implementation Grants section of the NOFA.

14. In addition to supplemental amounts provided in accordance with Certification 13 above, if the Lead Applicant and Co-Applicant (if any) use more than 5 percent of the Choice Neighborhoods grant for the supportive services component, they will ensure that supplemental funds are provided from sources other than Choice Neighborhoods, dollar for dollar, for the amount over 5 percent of the grant used for the supportive services component. No more than 15 percent of grant funds may be used for supportive services, as defined in the NOFA.

15. The Lead Applicant and Co-Applicant (if any) will ensure that no more than 15 percent of funds will be used for Critical Community Improvements, as described in the NOFA (i.e. activities to promote economic development, such as development or improvement of transit, retail, community financial institutions, public services, facilities, assets or other community resources).

16. The Lead Applicant and Co-Applicant (if any) will ensure compliance with:

- (a) The Fair Housing Act (42 U.S.C. 3601-19) and regulations at 24 CFR part 100;
- (b) The prohibitions against discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and regulations at 24 CFR part 8);
- (c) Title II of the Americans with Disabilities Act (42 U.S.C 12101 et seq.) and its implementing regulations at 28 CFR part 36;
- (d) The Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151) and regulations at 24 CFR part 40).

17. The Lead Applicant and Co-Applicant (if any) will ensure compliance with all Choice Neighborhoods requirements for reporting, providing access to records, and evaluation.

**Lead Applicant:** \_\_\_\_\_

**Co-Applicant (if any):** \_\_\_\_\_

**Name of Targeted Public and/or Assisted Housing Site(s):**

\_\_\_\_\_

I approve the submission of the Choice Neighborhoods application of which this document is a part and make the above certifications to and agreements with the Department of Housing and Urban Development (HUD) in connection with the application and implementation thereof:

Name of Lead Applicant's Executive Officer: \_\_\_\_\_

Title: \_\_\_\_\_

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

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

Name of Co-Applicant's (if any) Executive Officer: \_\_\_\_\_

Title: \_\_\_\_\_

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

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

**The following signature is applicable if the Lead Applicant or Co-Applicant is a Public Housing Authority.**

Acting on behalf of the Board of Commissioners of the Housing Authority listed below, as its Chairman, I approve the submission of the Choice Neighborhoods application of which this document is a part and make the above certifications to and agreements with the Department of Housing and Urban Development (HUD) in connection with the application and implementation thereof:

**Certified By: Board Chairman's Name:** \_\_\_\_\_

**Board Chairman's Signature:** \_\_\_\_\_

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

Warning: HUD will prosecute false claims and statements. Conviction may result in the imposition of criminal and civil penalties. (18 U.S.C. 1001, 1010, 1012, 32 U.S.C. 3729, 3802)