



2011

ACTION PLAN
FOR THE
NORTH DAKOTA
CONSOLIDATED PLAN
2010-2014

Prepared By

Division of Community Services
1600 East Century Avenue, Suite 2
PO Box 2057
Bismarck, ND 58502-2057
Phone: (701) 328-5300
Fax: (701) 328-2308
TTY 800-366-6888



ALTERNATIVE FORMATS FOR DISABLED PERSONS ARE AVAILABLE UPON REQUEST



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2011 Action Plan

Executive Summary

The Action Plan is that portion of the Consolidated Plan that is prepared each year as the grant application for the CDBG, HOME, and ESG programs. The purpose of the Action Plan is to identify the various federal and state resources that might be expected to be available to address the priority housing and non-housing community development needs and objectives in the Strategic Plan section of the Consolidated Plan. In addition, the Action Plan describes how funds will be distributed through the CDBG, HOME, and ESG programs; the activities planned for homeless and other special needs persons; other actions required by HUD; and the short-term non-housing objectives for each planning region in the state. The Action Plan contains only summaries of the CDBG, HOME, and ESG programs. For more detailed information refer to pages 47 and 48 of the Action Plan for access to applicable websites.

The State's performance in previous years has been excellent. Twenty percent of the State's ESG funds were used for homeless prevention. The Governor has also created an Interagency Council on Homeless to develop a ten year plan to end chronic homelessness. The State used over 95 percent of the CDBG Program's 2009 allocation to benefit Low and Moderate Income persons. The HOME program missed its goal of producing 831 HOME assisted units by producing 772 HOME assisted units in 2009.

Federal Resources

The following Federal resources are expected to be available to address statewide housing and non-housing needs:

1. Community Development Block Grant (CDBG) program, except in the entitlement cities of Bismarck, Fargo and Grand Forks;
2. HOME program;
3. Emergency Shelters Grants (ESG) program;
4. Shelter Plus Care program;
5. Low-income Housing Tax Credit program;
6. Department of Energy Weatherization program;
7. USDA Rural Development programs; and
8. Community Services Block Grant program.

The Federal resources listed have limited funds available so the programs, when administered by the state, are generally designed to require the use of other funds to complete projects. For instance, all CDBG economic development projects require, by design, a 50 percent match of other funds. For CDBG public facilities projects, the Regional Councils generally require some percentage of other funds. Administrative costs that are required to be matched for the CDBG and HOME programs are included in the Division of Community Services budget.

State Resources

The following state resources are expected to be used to address statewide housing needs:

1. Home Mortgage Finance program (First Time Homebuyers program);
2. START Downpayment Assistance program;
3. Helping Hands Across North Dakota program for housing; and
4. State Revolving Fund program for waste water and drinking water systems.

Activities

In this section we are required to describe how the state will distribute funds from the CDBG, HOME, and ESG programs to local governments and non-profit organizations, and how the proposed distribution of funds will address the priority needs and objectives described in the Consolidated Plan.

To distribute the CDBG funds, the state provides an allocation of funds to each of the state's eight Regional Planning Councils to recommend grant awards on a competitive basis. Each Regional Council is responsible for developing a program distribution statement describing how it will award funds. The state's role is to provide overall direction for the CDBG program and to review each project for compliance with the state CDBG Program Distribution Statement and the respective regional program statement. In addition, a set-aside is available for the Governor to fund economic development projects in coordination with the Regional Councils. For the HOME program, funds will be allocated to each of the state's seven Community Action Agencies, the North Dakota Housing Finance Agency, two Community Housing Development Organizations, two housing authorities, and the cities of Bismarck and Grand Forks. Funds from the ESG program will be distributed on a competitive basis to the emergency shelters. More detailed information for accessing and awarding funds under these three programs may be found on the Division of Community Services web site.

The criteria for approving projects under the CDBG program for each Region are based directly on the state's affordable housing goals and long-term non-housing community development objectives, emphasizing all needs identified as a high priority and primary benefit to households of 0 to 51 percent MFI. The HOME program is designed to achieve the affordable housing goals identified in the Strategic Plan, and the ESG program is focused on providing funds to each emergency shelter and the prevention of homelessness.

The following provides an overview description of each program:

COMMUNITY DEVELOPMENT BLOCK GRANT SUMMARY

The purpose of the Community Development Block Grant (CDBG) Program Distribution Statement is to describe how the state of North Dakota intends to distribute its CDBG Public Facilities, Housing and Economic Development funds.

To better address local community development needs, the Governor has directed that the State's allocation be divided among each of the eight Regional Planning Councils that have established procedures to review and rank applications submitted within their respective regions.

Program Goals and Objectives

- Creation of permanent jobs for very low and low income persons
- Economic diversification
- Leveraging of private and local investment
- Benefit to the state's economy
- Water and sewer activities which currently present a threat to health and safety
- Removal of architectural barriers which will permit access for the handicapped
- Direct benefit to a locality's very low and low income persons
- Leveraging local and other available financial resources to finance the cost of the activity
- Meeting the health and safety needs of very low income persons by bringing the rehabilitated housing up to a minimum of the Section 8 Housing Quality Standards
- Making more affordable housing available for very low and low income persons

Eligible Applicants

Eligible applicants under the North Dakota Community Development Block Grant Program are limited to counties and incorporated cities.

Allocation of Funds

FY2011 Allocation	\$4,429,068
Less State Administration	122,581
Less Regional Council Contracts	66,000
Less 1% Technical Assistance	44,290
Total Allocation Available for Projects	4,196,197
Less Governor's Set Aside for Community Development*	1,846,327
Total Allocation Available for Regional Distribution	2,349,870
Plus Projected Program Income**	1,700,000
Funds Available for Distribution	\$4,049,870

*Any loans made with the Governor's Fund will revolve back into the Governor's Loan fund.

** All CDLF projects will be funded with CDLF Program income prior to CDBG allocation funds.

2011CDBG Allocation Based on 2000 Census					
Region	Total LMI Persons	Percent LMI Persons	LMI Allocation	50% Base Allocation	Total Allocation
1	11,432	7%	82,246	146,867	229,113
2	26,169	15%	176,240	146,867	323,107
3	20,056	12%	140,992	146,867	287,859
4	13,356	8%	93,995	146,867	240,862
5	24,647	15%	176,240	146,867	323,107
6	24,992	15%	176,240	146,867	323,107
7	31,890	19%	223,237	146,867	370,104
8	15,774	9%	105,744	146,867	252,611
Total	168,316	100.00%	1,174,934	1,174,936	2,349,870
*The percentage for LMI persons were rounded to the nearest whole number. ** Program income funds are not reflected in this total.					

Governor's Fund for Community Development

The Governor's Fund for Community Development primary focus will be to fund primary sector economic development projects. However, other eligible CDBG projects may also be funded, including those that will alleviate an immediate health and safety condition in the community. Up to \$100,000 of the Governor's Fund may be used for permanent supportive housing to address long term homelessness. Housing projects funded with the Governor's Fund will be based on increased housing needs due to economic development activities.

Section 108 Loan Guarantee Program

The state will not use CDBG funds to access the Section 108 Loan Guarantee program.

Regional Allocations

The following is a summary of each Regional Councils 2011 Program Distribution Statement.

**REGION I
TRI-COUNTY REGIONAL DEVELOPMENT COUNCIL**

EXECUTIVE SUMMARY

This "Regional Attachment" to the North Dakota Program Distribution Statement for the Community Development Block Grant program and the Community Development Loan Fund reflects the needs of North Dakota Planning Region I and addresses the needs of the low and very low income residents, slum & blight removal, or the urgent needs of those counties and their resident communities.

Total FY 2011 Estimated Amount Available for Distribution:	\$229,113
<i>Allocations by emphasis area:</i>	
Public Facility	\$129,113
Housing Rehabilitation	50,000
Housing Rehabilitation - Multi-jurisdictional Program – Set aside	0
Housing Opportunity	0
Planning	50,000
Economic Development	0
Other Eligible Activities	<u>\$ 0</u>
Total FY2011 Estimated Funds Available for Distribution	\$229,113

Initial new project applications will be limited to \$100,000 of CDBG project funds (excluding eligible administration). If any funds remain in the Public Facility or Housing allocations after the Scoring and Ranking, the Review Committee will consider amendment requests for the remaining balance after May 2, 2011. All active public facilities and active housing projects will be eligible for review. Additional dollars, if available, will be allocated to projects based on demonstrated need and on a “first-come first-serve” basis. The Review Committee may review Housing Opportunity, Planning and Other Eligible Activities throughout the year at regularly scheduled bi-monthly Board Meetings.

Economic development proposals, if any, can be accepted at any time during the year and may be funded through the state revolving loan fund programs.

APPLICATION DEADLINES

Public Facility

- March 7, 2011 Pre-applications due at Tri-County Regional Development Office
- March 24, 2011 Presentations to Tri-County Review Committee and pre-application scoring by Tri-County Review Committee
- July 29, 2011 Final applications due at Tri-County Regional Development Office. A time extension may be given at the discretion of the Review Committee.

Housing Rehabilitation

- March 7, 2011 Pre-applications due at Tri-County Regional Development Office
- March 24, 2011 Presentations to Tri-County Review Committee and pre-application scoring by Tri-County Review Committee
- July 29, 2011 Final applications due at Tri-County Regional Development Office. A time extension may be given at the discretion of the Review Committee.

REGION II SOURIS BASIN PLANNING COUNCIL

EXECUTIVE SUMMARY

This "Regional Attachment" to the North Dakota Action Plan for the Community Development Block Grant program and the Community Development Loan Fund reflects the needs of North Dakota Planning Region 2 and addresses the needs of the very low/low income residents of those counties.

Estimated Funds Available

Total Estimated amount available for distribution:

Target Category –	
Public Facilities	253,107
Housing	20,000
Economic Development	<u>50,000</u>
FY2011 Region 2 Allocation	323,107

Economic Development projects in addition to the regional funds available, may also be funded from those funds revolved from previous projects or funds from the Governor's Set-aside for Community Development.

Application Deadlines

	<u>Pre-Application</u>	<u>Final Application</u>
Housing	March 2, 2011	March 5, 2012
Public Facilities	March 2, 2011	March 5, 2012
Economic Development	February 1, 2011	March 7, 2012

**REGION III
NORTH CENTRAL PLANNING COUNCIL**

ALLOCATION OF FUNDS

The following are based on an estimated amount of funds available from the North Dakota Division of Community Services (DCS).

2011 Allocation		\$ 287,859
	Total 2011 Funds Available	<u>\$287,859</u>
 <u>2011 CDBG/CDLF Breakdown</u>		
Housing	\$ 75,000	
Public Facilities	212,859	
Economic Development	0	
		<u>\$287,859</u>

Economic Development projects, when approved, will be funded out of the State Revolving Fund.

IMPLEMENTATION SCHEDULE

Public Facilities and Housing

- February 8, 2011 Submission deadline for pre-applications (original and one copy must be postmarked on or before deadline date).
- March 9, 2011 Eligible applications will be accepted and ranking committee appointed.
- March 16, 2011 Pre-applications will be reviewed, scored and recommended funding amounts determined.
- December 31, 2011 Full application submission to DCS deadline.

Urgent Need and Emergency Projects

- Open Applications for Urgent Need and Emergency Projects will be accepted at any time.

Economic Development

- Open Applications for Economic Development will be accepted at any time.

**REGION IV
RED RIVER REGIONAL COUNCIL**

2011 FUNDING ALLOCATION

The anticipated funding allocation for 2011 is \$240,862. Following is the allocation of funds:

Total FY 2011 Estimated Funding	\$240,862
Allocation by emphasis area:	
Economic Development	\$ 13,144
Public Facilities/ROAB	\$187,222
Drayton Housing Rehabilitation Project (set-aside)	\$ 40,496

IMPLEMENTATION SCHEDULE FOR 2011 PUBLIC FACILITIES/HOUSING

October 14, 2010	Public Hearing - Regional Council Office
January 14, 2011	Public Facilities pre-application deadline
February 7, 2011	CDBG Review Committee meeting/recommendations for public facilities applications to be presented to full board.
March 15, 2012	Final date for completion of full applications submitted to Division of Community Services (DCS) for approval.

ECONOMIC DEVELOPMENT APPLICATIONS

Applications for Economic Development funds will be accepted and reviewed throughout the year. Projects over 20,000 will be funded by the State Revolving Loan Fund.

**REGION V
LAKE AGASSIZ REGIONAL COUNCIL**

ALLOCATION OF FUNDS

The Lake Agassiz Regional Council will be allocated \$323,107 in FY 2011. This amount will be distributed among eligible projects and programs of activities in the following manner:

Public Facilities (LI AND VLI Benefit)	\$298,107
Public Facilities (Urgent Need)	0
Housing Rehabilitation*	0
Removal of Architectural Barriers	25,000
Community Development Loan Fund**	0
Planning Activities***	No Set-Aside
Emergency Public Facilities	No Set-Aside
Total	<u>\$323,107</u>

* Although there is no set-aside for housing rehabilitation projects, preapplications will be accepted. Should the board recommend a housing rehabilitation project for funding, funds may be transferred from other categories.

**The Community Development Loan Fund is supplemented by repayments to the State Revolving Loan Fund

*** A Notice of Fund Availability will be sent to cities and counties in the region should funds be available for planning activities beginning June 1, 2011.

IMPLEMENTATION SCHEDULE

Public Facilities, Housing and Removal of Architectural Barriers:

January 21, 2011	Pre-applications for Public Facilities (LI AND VLI Benefit), Public Facilities (Urgent Need), Housing Rehabilitation, Other Housing Projects and Removal of Architectural Barriers Projects due at Lake Agassiz Regional Council Office
February 18, 2011	Scoring Review and Recommendations for Funding by Lake Agassiz Regional Council Board of Directors
February 21, 2011	Written Notice to Communities of Recommendations for Funding
March 15, 2012	Final Date for completion of Full Applications and Submittal to DCS for Final Approval

Community Development Loan Fund:

Applications are accepted at any time.

Planning Activities:

June 1, 2011 through February 28, 2012	Pre-applications accepted, reviewed, scored and recommended for funding throughout this period, pending the availability of funds
March 15, 2012	Final Date for completion of Full Applications and Submittal to DCS for Final Approval

REGION VI SOUTH CENTRAL REGIONAL COUNCIL

ALLOCATION OF FUNDS

The following estimated amounts have been established for the 2011 program year.

2011 Total Estimated Amount Available for Distribution	\$323,107
Public Facilities	323,107
Housing	0
Planning	0
Economic Development and Emergency	\$ 0
ED Projects will be funded with the State Revolving Loan Fund.	

IMPLEMENTATION SCHEDULE

Public Facilities/Housing/Planning

February 9, 2011	Deadline for Pre-Application submission. The <i>Original</i> application must be received by our office on or before February 9, 2011.
On or About March 9, 2011	Pre-Applications will be reviewed, ranked, and recommended grant amounts determined. Applicants will meet with Public Facilities/Housing/Planning Committee members to present project and answer questions.
September 30, 2011	Final applications are due to the Regional Council. The <i>original</i> must be received in the Regional Council office on or before September 30, 2011.

Economic Development/Emergency

No Deadline	Applications for economic development and emergency funds will be accepted at any time.
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**REGION VII
LEWIS AND CLARK REGIONAL DEVELOPMENT COUNCIL**

ALLOCATION OF FUNDS

Distribution of CDBG funds by Lewis and Clark Regional Development Council will be as follows. If the final allocation changes, allocations to one or more categories may be adjusted accordingly at the sole discretion of the CDBG Committee without notice.

Housing Rehabilitation	\$	0
Housing Opportunity		0
Public Facilities		199,484
Planning		0
Emergency/Other		0
Stanton ADA Low Income Housing Set-Aside Amendment		50,511
Carson Multi-Family Housing Rehab Set-Aside Amendment		53,705
Tuttle Multi-Family Housing Rehab Set-Aside Amendment		28,454
McClusky Multi-Family Housing Rehab Set-Aside Amendment		37,950
Economic Development – CDLF & ED Infrastructure		0
	TOTAL	\$ 370,104

Economic Development proposals that are approved for funding will be funded from revolved CDLF funds.

IMPLEMENTATION SCHEDULE

Public Facilities, Housing Rehabilitation, Planning and Housing Opportunity

February 9, 2011	Submission deadline for pre-applications (original and one copy required, must be post-marked on or before deadline date).
On or About March 11, 2011	Applications will be reviewed, scored, and recommended funding amounts determined.
December 1, 2011	Last date final applications are due (original only) to Lewis and Clark Regional Development Council.*

Pre-applications are due by the close of business on Friday, February 18, 2011. Send only one copy with original signatures postmarked on or before the due date. Project interviews will be held on Thursday, **March 17, 2011** and all pre-applications will be reviewed, scored and funding levels determined.

ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT LOAN FUND

Applications for funding for the state Community Development Loan Fund (CDLF) will be accepted by the R-CRC at any time throughout the program year.

Funding for the State CDLF program is available from program income. Program income comes from CDLF loans that have been made previously and repaid. Economic development projects being proposed to R-CRC's CDLF program must meet the eligibility criteria as described in the current State Action Plan.

Funding Procedures

Applications for Community Development Block Grant funds must go through one of the eight Regional Planning Councils in the State.

To view the State of North Dakota's and the Regional Planning Council's 2011 Community Development Block Grant Program Distribution Statements in their entirety go on line at www.communityservices.nd.gov/community/block-grant/ or email us at dcs@nd.gov for a hard copy of this document.

If you do not have internet access and would like a copy of the document, please call (701) 328-5300, TTY 800-366-6888 or contact the Division of Community Services, 1600 E. Century Avenue, Suite 2, Bismarck, ND 58503.

HOME PROGRAM SUMMARY

The Department of Housing and Urban Development (HUD) has designated the State of North Dakota as a participating jurisdiction (PJ) and as such it may apply for and distribute HOME funds. The agency responsible for administration of the North Dakota HOME Program is the Department of Commerce, Division of Community Services (DCS).

The State plans to distribute its FY2011 HOME program allocation in accordance with this Action Plan, a requirement of the National Affordable Housing Act of 1990, HOME Rule at 24 CFR 92 and 24 CFR part 91. The State will use its HOME funds for the following activities to help meet the housing needs identified in the State Action Plan:

- Rehabilitation of Owner-occupied and Rental Property
- Homebuyer Assistance
- Refinancing of Homeowner-occupied Housing
- Tenant Based Rental Assistance (including security and utility deposits)
- Acquisition, New Construction, Site Improvements, or Demolition Linked to a Project
- Administrative Costs
- Operating Expenses for Community Housing Development Organizations (CHDOs)

DISTRIBUTION PLAN

The state will administer its program through agreements with CHDOs, state recipients, and subrecipients. The HOME Program will be allocated through non-competitive set-asides based on priority needs as established by the statewide housing needs assessment and local established needs. Set-asides will be awarded based on regional, multi-regional or statewide plans.

The state may reallocate funds from one category to another, or one recipient to another, because of high demand, an emergency due to a natural disaster or determinations that performance based measures have not been met.

State program income received by DCS may be allocated, at DCS's sole discretion, to any CHDO, subrecipient, or state recipient, for any project or activity DCS deems necessary.

Relocation is the only allowed activity in a designated flood plain under the state's multi-year environmental review. Local governments may complete their own Environmental Reviews and make their own flood plain determinations on a case-by-case basis.

All recipients are expected to locally meet the HOME Program match requirement of 25 percent unless specifically waived by the DCS. Existing general waivers include a state policy that homeowner rehabilitation and TBRA activities are excluded from the match requirement.

Only the forms of HOME assistance listed in Part 92.205(b) will be allowed. Applicants should use private funds, tax credits, Rural Development, Federal Home Loan Bank, CDBG, Department of Energy, or other grant/loan programs to help leverage HOME activities. The State may reallocate funds from one category to another because of unexpected demand, an emergency due to a natural disaster or determinations that performance based measures have not been met.

The North Dakota HOME Program will include the following components:

1. Community Housing Development Organizations (CHDOs)

HOME funds will be reserved for two multi-regional Community Housing Development Organizations (CHDOs). The multi-regional CHDOs are nonprofit agencies that meet the CHDO requirements as defined in HOME program regulations. The western multi-regional CHDO will cover planning regions I, II, VII and VIII. The eastern multi-regional CHDO will cover planning regions III, IV, V and VI. Each multi-regional CHDO board must consist of representation from all four regions in its jurisdiction.

To access the multi-regional CHDO set-aside, interested parties may contact and partner with either the Affordable Housing Developers Inc in planning regions I, II, VII and VIII or the Eastern Dakota Housing Alliance in planning regions III, IV, V and VI. These two entities will have equal access to each fiscal year's CHDO allocation and will be eligible for the operating set-aside.

DCS reserves the right, at its sole discretion, to certify additional CHDOs and/or adjust set-asides as may be deemed necessary.

Up to ten percent of each multi-regional CHDO set-aside may be used for pre-development loans to assist specific projects. Predevelopment loan repayments must be sent to the DCS. The repaid funds will be added to the next FY allocation. Each multi-regional CHDO must have a scoring criteria developed that is consistent with the state's Consolidated Plan.

The application process will be a two stage process.

- a. Submission of a Multi-Regional CHDO Plan(s) by **March 1, 2011**.
- b. Submission of the final CHDO Application(s) by **November 1, 2011**.

2. State Recipient Set-Aside

HOME allocations have been set-aside for the two communities (Bismarck and Grand Forks) that are entitlement cities, but not PJs. This program component is non-competitive, and each city will be eligible to apply for a predetermined amount of funding based on population, number or percentage of low income households, and housing needs. Although these cities will be able to design their projects to meet local needs, all activities must be within the parameters of the State HOME Program. **Each city must submit a plan by March 1, 2011.** This plan will reserve their set-aside funds. The city must submit the final HOME Project Application(s) and certification of Consolidate Plan compliance before HOME funds will be committed. Submission of the final HOME Project Application(s) must be received by **November 1, 2011**.

3. Subrecipient Set-Aside

HOME funds will be set-aside for the Housing Finance Agency, Cass and Stutsman County Housing Authorities and the seven Community Action Agencies. These funds will be used to complete activities in their jurisdiction that are consistent with the State's Consolidated Plan and are a priority for their area. **All annual plans must be submitted to the DCS no later than March 1, 2011.**

4. Administration

The State as the Participating Jurisdiction, state recipients, and sub recipients will be allowed to receive HOME monies for administrative expenses. These costs may not exceed ten percent of the entire HOME allocation for North Dakota.

5. Estimated Summary of Funding:

2011 HOME Program Funding	\$ 3,001,118
2011 HOME Program Income	\$ 76,440.00

6. HOME Goals

The HOME program focuses on four major housing needs;

1. Single Family Rehabilitation
2. Homeowner Assistance
3. Rental Production and Rehabilitation
4. Tenant Based Rental Assistance

Each of these needs is considered high priority needs for use of HOME funds. These needs are addressed and prioritized locally by set-asides made by the Division of Community Services to their grantees. Each grantee delivers the HOME program in their region, city or multiple regions. Based on past activities completed with HOME funds and changes in program needs, the State has established the following goals for 2011. Each year the State will review the needs and completed goals and make a determination if the goals should be changed based on new developments that have created different needs around the state.

			2011 HOME Action Plan Goals								
Tenure	Household Characteristics	Household Income Range (% of MFI)	State	Region I	Region II	Region III	Region IV	Region V	Region VI	Region VII	Region VIII
Renter-Occupied Household	Small Related (2 to 4 Persons)	0 to 30%	227	10	14	10	38	66	57	23	9
		31 to 50%	49	2	3	2	8	14	12	5	2
		51 to 80%	3	0	0	0	0	1	1	0	0
	Large Related (5 or more persons)	0 to 30%	30	1	2	1	5	9	8	3	1
		31 to 50%	7	0	0	0	1	2	2	1	0
		51 to 80%	0	0	0	0	0	0	0	0	0
	Elderly (1 or more persons age 65 plus)	0 to 30%	39	2	2	2	7	11	10	4	2
		31 to 50%	12	0	1	1	2	3	3	1	0
		51 to 80%	1	0	0	0	0	0	0	0	0
	Other Households	0 to 30%	218	9	14	10	37	63	55	22	9
		31 to 50%	43	2	3	2	7	13	11	4	2
		51 to 80%	3	0	0	0	1	1	1	0	0
Owner-Occupied Household		0 to 30%	17	0	2	1	4	3	1	5	1
		31 to 50%	40	1	4	1	10	8	2	11	3
		51 to 80%	125	2	14	5	31	25	6	35	9
Special Needs											
Total Goals			814	30	59	34	152	219	168	114	38
Total 215 Goals			814	30	59	34	152	219	168	114	38
Total 215 Rental Goals			632	26	39	28	107	183	160	63	26
Rental Production and Rehabilitation			36	4	0	0	8	16	4	4	0
Tenant Based Rental Assistance			596	22	39	28	99	167	156	59	26
Total 215 Owner Goals			182	3	20	7	45	36	8	51	13
Single Family Rehabilitation			46	1	5	2	11	9	2	12	4
Homeownership Assistance			136	2	15	5	34	27	6	39	9

The special needs populations continue to be assisted with our general set-asides. The state requests that each grantee prioritize special needs populations such as the elderly and disabled populations. The state also requires each grantee to reach as many very low income families as possible. Due to changing regulations, changes in HUD funding, and changes in local needs determinations, goals best reflect the need at a given point in time.

7. HOME Performance Measures

The HOME Program collects performance data on HOMENet. Grantees are required to report performance data for all activities. The performance data consists of entering one of three **objectives** for the program; Suitable Living Environment, Decent Housing, and Creating Economic Opportunities. In addition, an appropriate **outcome** is also required; Availability/ Accessibility, Affordability, or Sustainability. Based on the objectives and outcomes selected, the system will populate the specific **output indicators** for each activity.

8. Additional Information

For more detailed information on the distribution of the HOME program you can download the complete HOME Program Description and HOME applications at <http://www.communityservices.nd.gov/community/home-and-program/>. Or contact Wayne Glaser at 701-328-2386 or e-mail at wglaser@nd.gov.

EMERGENCY SHELTERS GRANTS PROGRAM SUMMARY

The State of North Dakota will distribute its anticipated FY2011 Emergency Shelters Grants program (ESG) allocation of \$277,594 through a competitive grant application process. Communities of 2,500 or more populations will be targeted since those are the communities experiencing the greatest need to provide services and facilities for the assistance to the homeless and potentially homeless. Nonprofit entities located on Indian reservations are also eligible to receive funds. The Division of Community Services (DCS) will review, score, and fund applications based on the ability to achieve the following state program objectives:

1. To fund projects that encourages the use of program funds to complement the use of other public and private funds in providing assistance to the homeless. (Max. 5 points)
2. To fund projects which document and address shortages in funding, facilities, and services to the homeless, and which encourage and demonstrate maximum coordination of services and programs within the community. (Max. 5 points)
3. To fund projects which document participation in region wide or statewide continuum of care process. (Max. 5 points)
4. To fund projects which can be completed in a timely manner, within budget, and in conformance with all applicable federal and state requirements. (Max. 5 points)
5. To fund projects which involve, to the maximum extent practicable, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG, and in providing service for occupants of these facilities. (Max. 5 points)

To be eligible for funding, applications must receive a minimum subjective score of 15. All applications with a score of 15 or higher will receive funding based on the average recommended amounts by DCS' application reviewers.

The maximum amount of funds that will be made available to any one homeless facility or agency providing assistance to the homeless is \$25,000. The DCS may set-aside 30 percent (\$83,136) of its allocation to fund homeless prevention activities and/or essential services based on the DCS' evaluation of need.

Applicants for the Emergency Shelters Grants program are Units of Local Government, and eligible nonprofit organizations. Eligible nonprofit organizations may apply directly to the DCS, with a certification of approval of the project by the unit of local government in which they are located. Applications will be solicited directly from all shelter programs, and units of local government, in the state.

During the 2011 program year, any returned funds will be disbursed in a manner which will take into consideration the greatest areas of unfunded need among the remaining programs.

It is anticipated that applications will be requested for submission to the Division of Community Services by May 30, 2011.

Geographic Distribution

The HOME and ESG program funds will be available to eligible applicants statewide. Fargo receives their HOME funds directly from HUD. The CDBG program is available to eligible applicants in every city and county, except the three entitlement cities of Grand Forks, Fargo, and Bismarck.

Homeless and Other Special Needs Activities

Homeless Activities for 2011 Include:

1. Awarding of funds to the state's emergency shelters and other non-profit organizations to provide shelter, services, and homeless prevention activities.
2. Complete a renewal application for the statewide Shelter Plus Care program.

Other Special Needs Activities

As indicated in the Strategic Plan section of the Consolidated Plan, no specific activities are planned during the 2010-2014 Consolidated Plan years, other than under the affordable housing goals, to address the needs of non-homeless special needs persons. Other state agencies currently administer programs specifically for the elderly, frail elderly, persons with disabilities, developmentally disabled, alcohol and drug abuse persons, and persons with HIV/AIDS. The demand for CDBG and HOME funds for other needs far exceeds the capability to further target the use of funds.

Obstacles to Meeting Underserved Needs

The major obstacle to meeting underserved needs is the small amount of funds the state receives through the CDBG, HOME, and ESG programs. The needs far exceed the ability of these programs to make any significant impact, which is why the state continues to fund the same type of housing and non-housing activities each year. Housing rehabilitation continues to be a high priority need, but the interest in doing more rehabilitation is severely hampered by the lead-based paint requirements. Costs to investigate and mitigate lead-based paint are very high and the lack of funds means fewer opportunities for rehabilitation. Since there is nothing we can do to change either of these problems, no actions are planned.

Foster and Maintain Affordable Housing

During the 2011 program year we will continue to promote targeting CDBG and HOME funds to households of 0 to 30 percent of the MFI, persons with disabilities, the elderly, and minorities, focusing primarily on housing rehabilitation and assistance in buying or renting affordable housing.

Removal of Barriers to Affordable Housing

The Statewide Housing Needs Assessment indicated that some leaders view zoning, size of lots, cost of development, availability of infrastructure, restrictions regarding development of multi-family units, development of agricultural land, and the need for stricter codes to improve property values and pride in ownership as potential barriers to creating housing. These are primarily local issues over which the state has little or no authority. However, we do have a state building code and we will continue to promote its adoption and enforcement and continue to provide training support to local building officials through the North Dakota Building Officials Association. In addition, we will promote the use of CDBG and HOME funds for development whenever it becomes a potential.

Lead-based Paint

During this program year we will continue working with the North Dakota State Health Department and the University of North Dakota to provide training for lead-based paint risk assessors. In addition, we expect to see more coordination with the Community Action Agencies to increase the amount of lead-based paint testing activities.

Institutional Structure

As previously noted, we do not believe that there are any gaps in the current institutional structure for the delivery of programs that need to be addressed.

Coordination Efforts

As previously noted, we believe that good coordination of programs is occurring and that no specific additional actions are required.

Fair Housing

It has been determined that the state's Analysis of Impediments to Fair Housing (AI) needs to be updated. As a result, the state is currently developing a Request for Proposals to solicit bids to develop a comprehensive Analysis of Impediments. It is the state's intention to have a contract signed for the development of the AI prior to beginning of the 2011 program year on April 1, 2011. Upon completion of the AI, the state will determine what actions will be taken to ameliorate the impediments to fair housing that have been identified by analysis. We will continue to emphasize the targeting of funds to low-income households, persons with disabilities, and minorities.

Anti-Poverty

The primary activities will be to create jobs with CDBG funds, encourage referrals of low-income persons and families to the Self-Reliance program (although no data can be obtained showing referrals because of confidentiality), and, as reflected in our affordable housing goals, to target HOME and CDBG funds to low-income households.

Statement of Specific Annual Objective/Outcomes

CDBG

Water/Sewer Projects

Creating Suitable Living Environment – Availability/Accessibility and/or Affordability

Public Facility Projects

Creating Suitable Living Environment – Availability/Accessibility and/or Affordability

Public Service Projects

Creating Suitable Living Environment – Availability/Accessibility and/or Affordability

Housing Rehabilitation Projects

Providing Decent Housing – Availability/Accessibility and/or Affordability

Economic Development Projects

Economic Opportunity – Availability/Accessibility

HOME

Providing Decent Housing – Availability/Accessibility, Affordability or Sustainability

ESG

Providing Decent Housing – Affordability and/or Accessibility

Proposed Output Indicators for 2010 Program Year

Housing – See Table 3B – Annual Housing Completion Goals

Additional Indicators:

- Number of units occupied by the elderly
- Number of units brought up to standard (HQS or Local Code)
- Number of units qualified as Energy Star
- Number of units made accessible
- Number of units brought into compliance with lead safety rules

CDBG Program (summary of regional non-housing 1 year goals)

- Water and Sewer System built or improved – Goal is 17
Number of LMI benefiting from projects
- Removal of Architectural Barriers Projects – Goal is 5
Number of LMI benefiting from projects
- Jobs created or retained by providing financing with CDBG funds – Goal is 118
- Public Service Projects – Goal is 2
Number of LMI benefiting from projects

ESG Program

Number of Homeless Individuals Assisted

Non-housing Community Development – Short Term Objectives – Per Region

This section identifies by region the short term objectives for non-housing CDBG activities for the 2010 program year.

Region 1

- Assist one planning project.
- Assist two water/sewer projects.

Region 2

- Create 10 job opportunities.
- Target three projects that address either health/safety issues, architectural barrier removal or emergency services.

Region 3

- Assist two economic development projects with start-up or expansion to create 10 to 15 jobs.
- Assist three public facility projects.
- Assist one removal of architectural barriers project.
- Assist one urgent need project.

Region 4

- Target job creation and/or retention for low and moderate income individuals. The goal will be to create and/or retain 10 jobs.
- Fund at least one public facility/removal of architectural barriers project.

Region 5

- Fund at least three public facility projects.
- Fund at least three loans to businesses.
- Fund at least one project involving infrastructure extension to businesses or industries.
- Create at least 30 new jobs as the result of projects assisted.

Region 6

- The target will be the creation of two to five jobs through the funding of one economic development project.
- The target will be to fund three public facility/planning projects that address problems with health and safety, removal of architectural barriers.

Region 7

- Target job creation for low and very low income persons. The target will be the creation of 15 new jobs.
- Provide CDBG dollars for public facility projects that address problems of health and safety, or architectural barriers or both. Target will be four public facility projects.

Region 8

- Target job creation for low and very low income persons. The goal will be one project and eight new or retained jobs.
- Assist in the purchase of one ambulance/fire truck/fire hall and related equipment.
- Assist in one project that remove architectural barriers for handicapped individuals.

**OPTIONAL STATE TABLE 3B
ANNUAL HOUSING COMPLETION GOALS**

Grantee Name: State of North Dakota Program Year: 2011	Expected Annual Number of Units To Be Completed	Actual Annual Number of Units Completed	Resources Used During the Period			
			CDBG	HOME	ESG	HOPWA
RENTAL GOALS (SEC. 215 Only)						
Acquisition of existing units	0	0	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Production of new units	83	0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Rehabilitation of existing units	62	71	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rental Assistance	596	590	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Total Sec. 215 Affordable Rental	741	661	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HOME OWNER GOALS (SEC. 215 Only)						
Acquisition of existing units	2	0	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Production of new units	0	3	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Rehabilitation of existing units	71	64	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Homebuyer Assistance	134	125	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Total Sec. 215 Affordable Owner	207	192	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMBINED RENTAL AND OWNER GOALS (SEC. 215 Only)						
Acquisition of existing units	2	0	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Production of new units	83	3	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Rehabilitation of existing units	133	135	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rental Assistance	596	590	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Homebuyer Assistance	134	125	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Total Sec. 215 Affordable Housing	948	853	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BENEFICIARY GOALS (SEC.215)						
Homeless households	0	0	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Non-homeless households	0	0	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Special needs households	0	0	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
OVERALL HOUSING GOALS (SEC.215+ Affordable Housing)						
Annual Rental Housing Goal	741	661	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Annual Owner Housing Goal	207	192	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Total Overall Housing Goal	948	853	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Faith-Based Organization

This section describes the objectives of HUD's new faith-based regulations found in 24 CFR Part 92 dated September 30, 2003.

- Objective 1:** Make clear that organizations are eligible to participate in the eight listed HUD programs without regard to their religious character or affiliation.
- Objective 2:** Make clear that an organization participating in any of the eight listed HUD programs may not use direct HUD funds to support inherently religious activities.
- Objective 3:** Make clear that a religious organization that participates in any of the eight listed HUD programs will retain its independence.

CDBG funds may not be used for acquisition, construction, or rehabilitation of structures to the extent that those structures are used for inherently religious activities. CDBG funds may be used for the acquisition, construction, or rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the regulations.

Where a structure is used for both eligible and inherently religious activities, CDBG funds may not exceed the cost of those portions of the acquisition, construction, or rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to CDBG funds in this part. Sanctuaries, chapels, or other rooms that a CDBG-funded religious congregation uses as its principal place of worship, however, are ineligible for CDBG-funded improvements.

Citizen Participation

For the development of the Action Plan, the Division of Community Services followed its Citizen Participation Plan by arranging for the eight Regional Planning Councils to hold one public hearing in each region. The 2011 Action Plan was made available for public comment during the period of January 7, 2011 through February 7, 2011.

Monitoring

In this section we are required to describe how the state will monitor the activities carried out to achieve the goals of the Strategic Plan.

Monitoring will be the responsibility of the staff assigned to the CDBG, HOME, and ESG programs and the organizations that partner with the Division of Community Services to implement these programs. This will primarily be accomplished through quarterly and final reports on each funded project. To assure long-term compliance with program requirements, staff will do on-site monitoring of files and each completed project using a systems review of the implementing organizations. Staff will also perform desk-top monitoring using drawdown requests, environmental review notices, Section 504 Self-evaluations, and the Integrated Disbursement Information System (IDIS).

Application for Federal Assistance SF-424		Version 02
*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s) *Other (Specify) _____
3. Date Received:		4. Applicant Identifier:
5a. Federal Entity Identifier:		*5b. Federal Award Identifier:
State Use Only:		
6. Date Received by State:		7. State Application Identifier:
8. APPLICANT INFORMATION:		
*a. Legal Name: State of North Dakota		
*b. Employer/Taxpayer Identification Number (EIN/TIN): 45-0309764		*c. Organizational DUNS: 802741843
d. Address:		
*Street 1:	<u>1600 East Century Ave, Suite 2</u>	
Street 2:	<u>PO Box 2057</u>	
*City:	<u>Bismarck</u>	
County:	<u>Burleigh</u>	
*State:	<u>North Dakota</u>	
Province:	_____	
*Country:	<u>United States</u>	
*Zip / Postal Code	<u>58502-2057</u>	
e. Organizational Unit:		
Department Name: Department of Commerce		Division Name: Division of Community Services
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix:	<u>Ms.</u>	*First Name: <u>Bonnie</u>
Middle Name:	_____	
*Last Name:	<u>Malo</u>	
Suffix:	_____	
Title:	<u>Program Manager</u>	
Organizational Affiliation:		
*Telephone Number: 701-328-2476		Fax Number: 701-328-2308
*Email: <u>bmal0@nd.gov</u>		

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

U.S. Department of HUD

11. Catalog of Federal Domestic Assistance Number:

14-228 _____

CFDA Title:

Community Development Block Grant _____

***12 Funding Opportunity Number:**

*Title:

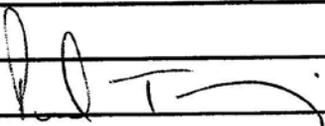
13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

State of North Dakota

***15. Descriptive Title of Applicant's Project:**

Application for Federal Assistance SF-424		Version 02
16. Congressional Districts Of:		
*a. Applicant: Statewide	*b. Program/Project:	
17. Proposed Project:		
*a. Start Date: 4/11	*b. End Date: 3/12	
18. Estimated Funding (\$):		
*a. Federal	_____	5,283,461
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	1,700,000
*g. TOTAL	_____	6,983,461
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?		
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on _____		
<input checked="" type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.		
<input type="checkbox"/> c. Program is not covered by E. O. 12372		
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)		
<input checked="" type="checkbox"/> ** I AGREE		
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions		
Authorized Representative:		
Prefix: Mr.	_____	*First Name: Paul _____
Middle Name: T.	_____	
*Last Name: Govig	_____	
Suffix:	_____	
*Title: Director		
*Telephone Number: 701-328-4499		Fax Number: 701-328-2308
* Email: pgovig@nd.gov		
*Signature of Authorized Representative: 		*Date Signed: 2/10/11

Application for Federal Assistance SF-424
02

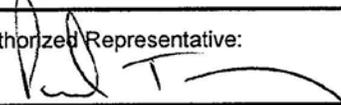
Version

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

Application for Federal Assistance SF-424		Version 02
<p>*1. Type of Submission:</p> <p><input type="checkbox"/> Preapplication</p> <p><input checked="" type="checkbox"/> Application</p> <p><input type="checkbox"/> Changed/Corrected Application</p>	<p>*2. Type of Application * If Revision, select appropriate letter(s)</p> <p><input checked="" type="checkbox"/> New</p> <p><input type="checkbox"/> Continuation *Other (Specify) _____</p> <p><input type="checkbox"/> Revision</p>	
<p>3. Date Received: _____</p>		<p>4. Applicant Identifier: _____</p>
<p>5a. Federal Entity Identifier: _____</p>		<p>*5b. Federal Award Identifier: _____</p>
State Use Only:		
<p>6. Date Received by State: _____</p>		<p>7. State Application Identifier: _____</p>
8. APPLICANT INFORMATION:		
<p>*a. Legal Name: State of North Dakota</p>		
<p>*b. Employer/Taxpayer Identification Number (EIN/TIN): 45-0309764</p>		<p>*c. Organizational DUNS: 802741843</p>
d. Address:		
<p>*Street 1: <u>1600 East Century Ave, Suite 2</u></p>		
<p>Street 2: <u>PO Box 2057</u></p>		
<p>*City: <u>Bismarck</u></p>		
<p>County: <u>Burleigh</u></p>		
<p>*State: <u>North Dakota</u></p>		
<p>Province: _____</p>		
<p>*Country: <u>United States</u></p>		
<p>*Zip / Postal Code <u>58502-2057</u></p>		
e. Organizational Unit:		
<p>Department Name: Department of Commerce</p>		<p>Division Name: Division of Community Services</p>
f. Name and contact information of person to be contacted on matters involving this application:		
<p>Prefix: <u>Mr.</u></p>	<p>*First Name: <u>Wayne</u></p>	
<p>Middle Name: _____</p>		
<p>*Last Name: <u>Glaser</u></p>		
<p>Suffix: _____</p>		
<p>Title: <u>Program Manager</u></p>		
<p>Organizational Affiliation: _____</p>		
<p>*Telephone Number: 701-328-2386</p>		<p>Fax Number: 701-328-2308</p>
<p>*Email: wglaser@nd.gov</p>		

Application for Federal Assistance SF-424	Version 02
*9. Type of Applicant 1: Select Applicant Type: State Government Type of Applicant 2: Select Applicant Type: Type of Applicant 3: Select Applicant Type: *Other (Specify)	
*10 Name of Federal Agency: U.S. Department of HUD	
11. Catalog of Federal Domestic Assistance Number: <u>14-239</u> CFDA Title: <u>HOME Program</u>	
*12 Funding Opportunity Number: *Title: 	
13. Competition Identification Number: Title: 	
14. Areas Affected by Project (Cities, Counties, States, etc.): State of North Dakota	
*15. Descriptive Title of Applicant's Project:	

Application for Federal Assistance SF-424		Version 02
16. Congressional Districts Of:		
*a. Applicant: Statewide	*b. Program/Project:	
17. Proposed Project:		
*a. Start Date: 4/11	*b. End Date: 3/12	
18. Estimated Funding (\$):		
*a. Federal	3,044,000	
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	76,440	
*g. TOTAL	3,120,440	
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?		
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on _____ <input checked="" type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review. <input type="checkbox"/> c. Program is not covered by E. O. 12372		
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001) <input checked="" type="checkbox"/> ** I AGREE ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions		
Authorized Representative:		
Prefix: <u>Mr.</u>	*First Name: <u>Paul</u>	
Middle Name: <u>T.</u>		
*Last Name: <u>Govig</u>		
Suffix: _____		
*Title: Director		
*Telephone Number: 701-328-4499	Fax Number: 701-328-2308	
* Email: pgovig@nd.gov		
*Signature of Authorized Representative:	*Date Signed:	
	2/10/11	

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

Application for Federal Assistance SF-424

Version 02

*1. Type of Submission:		*2. Type of Application		* If Revision, select appropriate letter(s)
<input type="checkbox"/> Preapplication		<input checked="" type="checkbox"/> New		
<input checked="" type="checkbox"/> Application		<input type="checkbox"/> Continuation		*Other (Specify)
<input type="checkbox"/> Changed/Corrected Application		<input type="checkbox"/> Revision		_____

3. Date Received:	4. Applicant Identifier:
-------------------	--------------------------

5a. Federal Entity Identifier:	*5b. Federal Award Identifier:
--------------------------------	--------------------------------

State Use Only:

6. Date Received by State:	7. State Application Identifier:
----------------------------	----------------------------------

8. APPLICANT INFORMATION:

*a. Legal Name: State of North Dakota

*b. Employer/Taxpayer Identification Number (EIN/TIN): <u>45-0309764</u>	*c. Organizational DUNS: <u>802741843</u>
---	--

d. Address:

*Street 1: 1600 East Century Ave, Suite 2

Street 2: PO Box 2057

*City: Bismarck

County: Burleigh

*State: North Dakota

Province: _____

*Country: United States

*Zip / Postal Code 58502-2057

e. Organizational Unit:

Department Name: <u>Department of Commerce</u>	Division Name: <u>Division of Community Services</u>
---	---

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr. *First Name: Tran

Middle Name: _____

*Last Name: Doan

Suffix: _____

Title: Program Administrator

Organizational Affiliation:

*Telephone Number: 701-328-2618 Fax Number: 701-328-2308

*Email: tdoan@nd.gov

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

U.S. Department of HUD

11. Catalog of Federal Domestic Assistance Number:

14-231 _____

CFDA Title:

Emergency Shelters Grants Program

***12 Funding Opportunity Number:**

*Title:

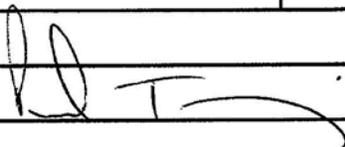
13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

State of North Dakota

***15. Descriptive Title of Applicant's Project:**

Application for Federal Assistance SF-424		Version 02
16. Congressional Districts Of:		
*a. Applicant: Statewide	*b. Program/Project:	
17. Proposed Project:		
*a. Start Date: 4/11	*b. End Date: 3/12	
18. Estimated Funding (\$):		
*a. Federal	_____	277,120
*b. Applicant	_____	
*c. State	_____	100,000
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	
*g. TOTAL	_____	377,120
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?		
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on _____		
<input checked="" type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.		
<input type="checkbox"/> c. Program is not covered by E. O. 12372		
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)		
<input checked="" type="checkbox"/> ** I AGREE		
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions		
Authorized Representative:		
Prefix: Mr.	_____	*First Name: Paul _____
Middle Name: T.	_____	
*Last Name: Govig	_____	
Suffix:	_____	
*Title: Director		
*Telephone Number: 701-328-4499		Fax Number: 701-328-2308
* Email: pgovig@nd.gov		
*Signature of Authorized Representative: 		*Date Signed: 2/10/11

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

STATE CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the State certifies that:

Affirmatively Further Fair Housing -- The State will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about -
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved or such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

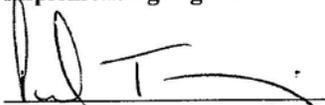
Anti-Lobbying -- To the best of the State's knowledge and belief:

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

Authority of State -- The submission of the consolidated plan is authorized under State law and the State possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.


 Signature/Authorized Official)

2/10/11
 Date

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Specific CDBG Certifications

The State certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR §91.115 and each unit of general local government that receives assistance from the State is or will be following a detailed citizen participation plan that satisfies the requirements of 24 CFR §570.486.

Consultation with Local Governments -- It has or will comply with the following:

1. It has consulted with affected units of local government in the nonentitlement area of the State in determining the method of distribution of funding;
2. It engages in or will engage in planning for community development activities;
3. It provides or will provide technical assistance to units of local government in connection with community development programs; and
4. It will not refuse to distribute funds to any unit of general local government on the basis of the particular eligible activity selected by the unit of general local government to meet its community development needs, except that a State is not prevented from establishing priorities in distributing funding on the basis of the activities selected.

Local Needs Identification -- It will require each unit of general local government to be funded to identify its community development and housing needs, including the needs of low-income and moderate-income families, and the activities to be undertaken to meet these needs.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objectives of Title I of the Housing and Community Development Act of 1974, as amended. (See 24 CFR 570.2 and 24 CFR part 570)

Use of Funds -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2009, 2010, and 2011. (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. **Special Assessments.** The state will require units of general local government that receive CDBG funds to certify to the following:

It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

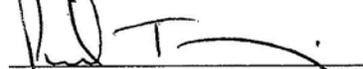
It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It will require units of general local government that receive CDBG funds to certify that they have adopted and are enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Compliance with Laws -- It will comply with applicable laws.


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Specific HOME Certifications

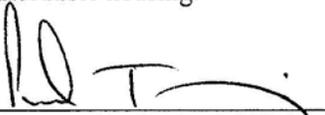
The State certifies that:

Tenant Based Rental Assistance -- If it intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the State's consolidated plan.

Eligible Activities and Costs -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through §92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

Appropriate Financial Assistance -- Before committing any funds to a project, the State or its recipients will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing.



Signature/Authorized Official

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Date

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ESG Certifications

The State seeking funds under the Emergency Shelters Program (ESG) certifies that it will ensure that its recipients of ESG funds comply with the following requirements:

Major rehabilitation/conversion -- In the case of major rehabilitation or conversion, it will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 10 years. If the rehabilitation is not major, the recipient will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 3 years.

Essential Services and Operating Costs -- Where the assistance involves essential services or maintenance, operation, insurance, utilities and furnishings, it will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure as long as the same general population is served.

Renovation -- Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services -- It will assist homeless individuals in obtaining appropriate supportive services, including permanent housing, medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living, and other Federal State, local, and private assistance for such individuals.

Matching Funds -- It will obtain matching amounts required under 24 CFR 576.51 and 42 USC 11375, including a description of the sources and amounts of such supplemental funds, as provided by the State, units of general local government or nonprofit organizations.

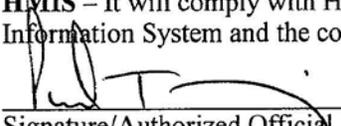
Confidentiality -- It will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement -- To the maximum extent practicable, it will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under this program, in providing services assisted through this program, and in providing services for occupants of such facilities.

Consolidated Plan -- It is following a current HUD-approved Consolidated Plan or CHAS.

Discharge Policy -- It has established a policy for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.

HMIS -- It will comply with HUD's standards for participation in a local Homeless Management Information System and the collection and reporting of client-level information.



Signature/Authorized Official

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APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies. (This is the information to which jurisdictions certify).
4. For grantees who are individuals, Alternate II applies. (Not applicable jurisdictions.)
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

1600 East Century Avenue, Suite 2
PO Box 2057
Bismarck, ND 58502-2057
Burleigh County

Check X if there are workplaces on file that are not identified here; The certification with regard to the drug-free workplace required by 24 CFR part 24, subpart F.

9. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C.812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

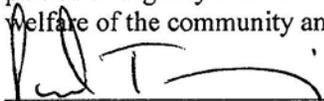
"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

**OPTIONAL CERTIFICATION
CDBG**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

 2/10/11

Signature/Authorized Official Date

Director _____

Title

STATE RESOURCES AND PLANNING DOCUMENTS

HUD Program Descriptions

- Community Development Block Grant Program – State and Regional Program Distribution Statements:
www.communityservices.nd.gov/community/block-grant/
- HOME Investment Partnership Program:
www.communityservices.nd.gov/community/home-and-program/
- Emergency Shelters Grants Program:
www.communityservices.nd.gov/community/emergency-shelterser-grants/

Contact: North Dakota Division of Community Services
(701) 328-5300
dcs@nd.gov

Anti-Poverty Strategy

- Community Services Block Grant Program

Contact: North Dakota Division of Community Services – Carol Griffin-Eckart
(701) 328-5300
dcs@nd.gov

Homeless Needs and Facilities

- Continuum of Care Plan

Contact: North Dakota Division of Community Services – Tran Doan
(701) 328-5300
Not available on the web site

Housing Needs

- 2004 Statewide Housing Needs Assessment

Contact: North Dakota Housing Finance Agency
(701) 328-8080
www.ndhfa.org

- 2010-2014 Consolidated Plan

Contact: North Dakota Division of Community Services
(701) 328-5300
www.communityservices.nd.gov/community/consolidated-plan/

Low-Income Housing Tax Credits

- Low-Income Housing Tax Credit Allocation Plan

Contact: North Dakota Housing Finance Agency Multi-Family Programs
(701)328-8080
www.ndhfa.org

Lead-Based Paint Hazards

- Lead-Based Paint State and Federal Rules

Contact: North Dakota Department of Health
(701) 328-5188
www.health.nd.gov

Housing for People with HIV/AIDS

- Contact: North Dakota Department of Health
1-800-70NDHIV
www.ndhealth.gov/hiv/

Special Needs Facilities and Services

- Needs Assessment of Long Term Care

Contact: North Dakota Department of Human Services – Aging Services Division
(701) 328-4601
www.nd.gov/dhs/services/adultsaging/index.html

- Services for People with Disabilities – Olmstead Commission Report

Contact: North Dakota Department of Human Services – Developmental Disabilities Services
(701)328-8930
www.nd.gov/dhs/services/disabilities/index.html

- Independent Living State Plan

Contact: North Dakota Department of Human Services – Independent Living Services
(701) 328-2316
www.nd.gov/dhs/dvr/individual/independent.html

Mental Health and Substance Abuse

- State Mental Health Plan
- The Demand and Treatment Needs Assessment Studies
- The Comprehensive Statewide Plan for Substance Abuse and Prevention

Contact: North Dakota Department of Human Services
(701) 328-8940
www.nd.gov/dhs/services/mentalhealth/index.html