



2014

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) 328-5320
TTY: 800-366-6888
ND Relay Voice: 800-366-6889
ND Relay Spanish: 800-435-8590



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2014 Action Plan

Citizen Participation Disclosure for the 2014 Action Plan

The proposed method of distribution for the 2014 Community Development Block Grant, HOME and Emergency Solutions Grant were proportionally decreased from the estimated 2013 funding levels to match the actual 2014 allocation amounts that were released by the US Department of Housing and Urban Development (HUD).

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 50 and 51 of the Action Plan for access to applicable websites.

The State's performance in previous years has been excellent. Almost twenty-three 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 2011 allocation to benefit Low and Moderate Income persons. The HOME program missed its goal of producing 814 HOME assisted units by producing 661 HOME assisted units in 2012.

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 Solutions 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 Homebuyer programs);
2. START Downpayment Assistance program;
3. Helping Hands Across North Dakota program for housing;
4. Rehab Accessibility Program
5. Rural Housing Rehabilitation Loan Program;
6. State Revolving Fund program for waste water and drinking water systems;
7. Housing Incentive Fund; and
8. North Dakota Homeless Grant.

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, new housing and emergency projects addressing health and safety concerns 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 eligible applicants. 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 broadening existing emergency shelter and homelessness prevention activities, emphasizing rapid rehousing and helping people quickly gain stability in permanent housing after experiencing a housing crisis and or 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

FY2014 Allocation	\$3,658,596
Less State Administration	112,563
Less Regional Council Contracts	60,608
Less 1% Technical Assistance	36,585
Total Allocation Available for Projects	3,448,840
Less Governor's Set Aside for Community Development*	1,448,513
Total Allocation Available for Regional Distribution	2,000,327
Plus Projected Program Income**	1,700,000
Funds Available for Distribution	\$3,700,327
*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.	

2014 CDBG Allocation Based on 2000 Census					
Region	Total LMI Persons	Percent LMI Persons	LMI Allocation	50% Base Allocation	Total Allocation
1	11,432	7%	70,012	125,020	195,032
2	26,169	15%	150,025	125,020	275,045
3	20,056	12%	120,020	125,020	245,040
4	13,356	8%	80,013	125,020	205,033
5	24,647	15%	150,025	125,020	275,045
6	24,992	15%	150,025	125,020	275,045
7	31,890	19%	190,032	125,020	315,052
8	15,774	9%	90,015	125,020	215,035
Total	168,316	100.00%	1,000,167	1,000,160	2,000,327
*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 Council's 2014 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 2014 Amount Available for Distribution:	\$195,032
<i>Allocations by emphasis area:</i>	
Public Facility	\$195,032
Housing Rehabilitation	0
Housing Rehabilitation - Multi-jurisdictional Program – Set aside	0
Housing Opportunity	0
Planning	0
Economic Development	0
Other Eligible Activities	<u>\$ 0</u>
Total FY2014 Funds Available for Distribution	\$195,032

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, 2014. 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, 2014 Pre-applications due at Tri-County Regional Development Office
- March 28, 2014 Presentations to Tri-County Review Committee and pre-application scoring by Tri-County Review Committee
- July 25, 2014 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, 2014 Pre-applications due at Tri-County Regional Development Office
- March 28, 2014 Presentations to Tri-County Review Committee and pre-application scoring by Tri-County Review Committee
- July 25, 2014 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

ALLOCATION OF FUNDS

The Souris Basin Regional Council will be allocated an estimated \$275,045 in FY2014. This amount will be distributed among eligible projects and programs of activities in the following categories:

Public Facilities	206,256
Housing	68,789
Economic Development*	<u>0</u>
FY2014 Region 2 Allocation	275,045

*Approved Economic Development applications will be funded from the Community Development Loan Fund (CDLF).

In the event of a public facility emergency, funding will be utilized from any unobligated regional funds. If funding from the regional allocation has been depleted, funds may be requested from the Governor's Fund at the discretion of the North Dakota Division of Community Services (DCS) and concurrence from the Souris Basin Regional Council Review Committee.

The allocation of funds is subject to change. The Souris Basin Regional Council Executive Board of Directors has the right to transfer unallocated funds from one category to another at regularly scheduled meetings, the second Wednesday of each month. Transfers of \$20,000 or less may be made among funding categories without public notice. The DCS will be notified in writing within 10 days of a Board decision to transfer funds. Minutes of the Board decision will accompany the notification.

IMPLEMENTATION SCHEDULE

October 25, 2013	Public Hearing – Regional Council Office
March 14, 2014	Pre-applications for Public Facilities and Housing projects due at the Souris Basin Regional Council office
April 9, 2014	Pre-applications will be reviewed and scored by the Souris Basin Regional Council Executive Board of Directors
April 25, 2014	Written Recommendations for Funding will be distributed
June 24, 2014	Full Applications due to Souris Basin Regional Council for review
December 31, 2014	Final date for completion of Full Applications and submittal to DCS for final approval

Time extensions must be requested in writing to the Souris Basin Regional Council. Written requests must state unusual or unavoidable circumstances of just cause for deviation from the Implementation Schedule to receive approval.

Applications for Urgent Need and Economic Development projects will be accepted at any time.

REGION III NORTH CENTRAL PLANNING COUNCIL

ALLOCATION OF FUNDS

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

2014 Allocation		\$ 245,040	
	Total 2014 Funds Available		<u>\$245,040</u>
<u>2014 CDBG/CDLF Breakdown</u>			
Housing		\$ 0	
Public Facilities		245,040	
			<u>\$245,040</u>

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

IMPLEMENTATION SCHEDULE

Public Facilities and Housing

- February 21, 2014 Submission deadline for pre-applications (original and one copy must be postmarked on or before deadline date).
- March 7, 2014 Eligible applications will be accepted and ranking committee appointed.
- March 19, 2014 Pre-applications will be reviewed, scored and recommended funding amounts determined.
- December 31, 2014 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

2014 FUNDING ALLOCATION

The funding allocation for 2014 is \$205,033. Following is the allocation of funds:

Total FY 2014 Funding	\$205,033
Allocation by emphasis area:	
Economic Development	\$ 4,903
Public Facilities/ROAB	\$100,072
Grafton Housing Rehabilitation Project (set-aside)	\$ 51,010
Cavalier Housing Rehabilitation Project (set-aside)	\$ 49,048

IMPLEMENTATION SCHEDULE FOR 2014 PUBLIC FACILITIES/HOUSING

October 11, 2013	Public Hearing - Regional Council Office
January 24, 2014	Public Facilities pre-application deadline
February 20, 2014	CDBG Review Committee meeting (scoring/ranking) of public facilities applications/present to full board.
Before March 13, 2015	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 requesting \$5,000 or more may 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 \$275,045 in FY 2014. This amount will be distributed among eligible projects and programs of activities in the following manner:

Public Facilities (LI AND VLI Benefit)	\$ 201,473
Public Facilities (Urgent Need)	49,048
Housing Rehabilitation	0
Other Housing Activities	0
Removal of Architectural Barriers	24,524
Elimination of Slum and Blight	0
Community Development Loan Fund*	0
Planning Activities**	No Set-Aside
Emergency Public Facilities	No Set-Aside
Total	<u>\$275,045</u>

*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, 2014.

IMPLEMENTATION SCHEDULE

Public Facilities, Housing and Removal of Architectural Barriers:

January 24, 2014	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 21, 2014	Scoring Review and Recommendations for Funding by Lake Agassiz Regional Council Board of Directors
February 24, 2014	Written Notice to Communities of Recommendations for Funding
August 31, 2014	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, 2014 through August 15, 2014	Pre-applications accepted, reviewed, scored and recommended for funding throughout this period, pending the availability of funds
August 31, 2014	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 2014 program year.

2014 Total Amount Available for Distribution	\$275,045
Public Facilities	275,045
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

Friday, April 11, 2014	Deadline for Pre-Application submission. The <i>Original</i> application must be received by our office on or before April 11, 2014.
On or About Wednesday, May 14, 2014	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.
Friday, November 14, 2014	Final applications are due to the Regional Council. The <i>original application</i> must be received in the Regional Council office on or before November 14, 2014.

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	156,955
Public Facilities	158,097
Planning	0
Emergency/Other	0
Economic Development – CDLF & ED Infrastructure	0
TOTAL	\$ 315,052

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

March 31, 2014	Submission deadline for pre-applications (original and one copy required, must be post-marked on or before deadline date).
On or About May 9, 2014	Applications will be reviewed, scored, and recommended funding amounts determined.
December 17, 2014	Last date final applications are due (original only) to Lewis and Clark Regional Development Council.*

Economic Development (CDLF and ED Infrastructure) and Emergency Applications

Pre-applications and final applications will be accepted at any time and will be considered if funds are available.

*At the option of the CDBG committee, due dates for final applications may be extended. This option may be exercised without public notice at the sole discretion of the committee if final applications are invited after May 9 due to availability of additional funds resulting from additional allocations, returned or unobligated funds, or fund transfers. In such cases the committee may extend the final application deadline as it determines is appropriate, but not later than seven days prior to the latest date by which applications and amendments must be received by DCS.

**REGION VIII
ROOSEVELT CUSTER REGIONAL COUNCIL**

DISTRIBUTION OF FUNDS

FUNDING AMOUNTS AND CATEGORIES

The allocation of the 2014 CDBG funds is found in the 2014 State Program Distribution Statement www.communityservices.nd.gov/communitydevelopment/Programs/CommunityDevelopmentBlockGrantCDBG/. Funds available to Region VIII are estimated to be \$215,035. Those funds will be allocated under the following categories:

Economic Development	0%	\$	0
Public Facilities & Planning	50%		107,517.50
Housing	50%		107,517.50
Emergency Public Facility	0%		
	Total Funding	100%	\$215,035.00

IMPLEMENTATION SCHEDULE

PUBLIC FACILITIES & HOUSING PROJECTS

The award of funds for Housing and Public Facilities projects is a two-step process. First, a pre-application must be submitted to participate in the regional competition. If the pre-application is recommended for the region's available funding, the successful applicant completes the second step - preparation and submission of a full application for review by the North Dakota Division of Community Services (DCS). The Roosevelt-Custer Regional Council (R-CRC) will assist successful applicants in preparing the necessary documentation for the full application. If the applicant plans to bond for the match funds, evidence of bonding will be required by the DCS in the full application.

Pre-applications are due by the close of business on Friday, February 21, 2014. Send only one copy with original signatures postmarked on or before the due date. Project interviews will be held on Monday, **March 17, 2014** 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.

Loan applicants will be required to submit a pre-application or meet in person with R-CRC staff for a preliminary determination of project eligibility.

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 FY2014 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 recipient.

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, ND Housing Incentive Fund, Department of Energy, or other grant/loan programs to help leverage HOME activities. 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 may have access to each fiscal year's CHDO allocation and will be eligible for the operating set-aside based on performance.

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 **May 15, 2014**.
- b. Submission of the final CHDO Application(s) by **January 15, 2015**

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 May 15, 2014.** This plan will reserve their set-aside funds. The city must submit the final HOME Project Application(s) and certification of Consolidated Plan compliance before HOME funds will be committed. Submission of the final HOME Project Application(s) must be received by **January 15, 2015**.

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 May 15, 2014.**

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:

2014 HOME Program Funding	\$3,017,887
2014 HOME Program Income	\$ 98,631

6. HOME Goals

The HOME program focuses on four major housing needs;

- a. Single Family Rehabilitation
- b. Homeowner Assistance
- c. Rental Production and Rehabilitation
- d. 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 2014. 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.

			2014 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. Resale/Recapture Requirements for Homebuyer Assistance

The ND HOME Program provides funding to subrecipients, state recipients, and CHDOs. In order to ensure the period of affordability, any of these entities who have elected to provide homebuyer assistance are required to specify their elected recapture or resale provisions. The recapture or resale provisions will be contained within their written agreement with the Participating Jurisdiction. During its grant monitoring of the HOME program subrecipients, the state will review the deed restrictions, covenants attached to the land, mortgages, or other similar mechanisms placed on the HOME-assisted property, to ensure the provisions being used are in accordance with those stated in the written agreement with the subrecipient.

The HOME-assisted housing must meet the affordability requirements for not less than the applicable period specified in the following table:

HOME Assistance Per Unit	Minimum Period of Affordability
Less than \$15,000	5 yrs.
\$15,000 - \$40,000	10 yrs.
More than \$40,000	15 yrs.

The recapture or resale provisions must be assured so that the unit remains affordable through deed restrictions, covenants attached to the land, mortgages, or other similar mechanisms. The deed restrictions will terminate upon occurrence of any of the following: foreclosure, transfer in lieu of foreclosure or assignment of an FHA insured mortgage to HUD. The restrictions shall be revived according to the original terms, if during the original afford-ability period, the owner of record before the termination event, or any entity that includes the former owner or those with whom the former owner has or had family or business ties, obtains an ownership interest in the project or property. Recipients will be encouraged to use purchase options or first refusal provisions to enforce provisions and to purchase the property before foreclosure to preserve affordability.

Option 1 - Resale Provision

Resale requirements must ensure, if the housing does not continue to be the principal residence of the family for the duration of the period of affordability that the housing is made available for subsequent purchase to a family whose income falls within a reasonable range of low-income homebuyers and the purchasing family will use the property as its principal residence. The resale requirement must also ensure that the price at resale provides the original HOME-assisted owner a fair return on investment and ensure that the housing will remain affordable to a reasonable range of low-income homebuyers. *A fair return on the owner's investment is defined as the return of the owner's closing costs, principal payments, and improvement costs, less any repairs required to meet code or HUD's Housing Quality Standards at the time of resale.* The ND HOME program defines a reasonable range of homebuyers as those families whose income is between 65% and 80% of the median area income. The period of affordability is based on the total amount of HOME funds invested in the housing. All time remaining in the period of affordability must transfer to subsequent purchasers. Any violation of this resale provision would require the initial HOME investment to be repaid.

Option 2 - Recapture Provision

Recapture provisions must ensure that the participating jurisdiction recoups all or a portion of the HOME assistance to the homebuyers if the housing does not continue to be the principal residence of the family for the duration of the period of affordability. The HOME investment that is subject to recapture is based on the amount of HOME assistance that enabled the homebuyer to buy the dwelling unit. This includes any HOME assistance that reduced the purchase price from fair market value to an affordable price (direct subsidy), but excludes the amount between the cost of producing the unit and the market value of the property (i.e., the development subsidy). The direct subsidy may include down payment assistance, closing costs, or any other HOME assistance provided directly or indirectly to the homebuyer. The recaptured funds must be used to carry out HOME-eligible activities. If the HOME assistance is only used for the development subsidy and therefore not subject to recapture, the resale option must be used. The period of affordability is based upon the total amount of HOME funds that is initially subject to recapture. The amount of HOME funds that is subject to recapture if the housing does not continue to be the principal residence of the family is limited to the amount available from the net proceeds of the sale. The net proceeds of the sale are the sales price less the loan repayment (other than HOME funds) and closing costs.

The following entities intend to provide assistance to homebuyers and have elected to use the Recapture Provision as explained below:

- The City of Grand Forks: **Recapture Provision**
 - The entity will follow the recapture option in 24 CFR 92.254 (a) (5) (ii) (A) (2) which allows for recapturing a reduced amount during the affordability period. The city will require a minimum 10 year affordability period with 0% reduction of the recapturable amount during the first five years. Beginning in year 6, the recapturable amount of the HOME investment will be reduced on a pro-rata basis, as long as the homeowner continues to own and occupy the home.
 - If the net proceeds (sales price minus loan repayment, other than HOME funds, and closing costs) are not sufficient to recapture the HOME investment and enable the homeowner to recover his homeowner investment (the amount of their down payment and any documented capital improvement investments), the HOME recapture amount will be set as follows:
$$\frac{\text{HOME Investment}}{\text{HOME Investment} + \text{Homeowner Investment}} \times \text{Net Proceeds} = \text{HOME Recapture Amount}$$
- The North Dakota Housing Finance Agency: **Recapture Provision**
 - The entity will follow the recapture option in 24 CFR 92.254 (a) (5) (ii) (A) (2) which allows for recapturing a reduced amount during the affordability period. For their down payment and closing costs assistance program, the North Dakota Housing Finance Agency will require the minimum affordability period based on the amount of the direct home subsidy. Beginning in year 1, the recapturable amount of the HOME investment will be reduced on a pro-rata basis, as long as the homeowner continues to own and occupy the unit.

- Eastern Dakota Housing Alliance: **Recapture Provision**
 - The entity will follow the recapture option in 24 CFR 92.254 (a) (5) (ii) (A) (2) which allows for recapturing a reduced amount during the affordability period. Eastern Dakota Housing Alliance will require the minimum affordability period based on the amount of the direct home subsidy. Beginning in year 1, the recapturable amount of the HOME investment will be reduced on a pro-rata basis, as long as the homeowner continues to own and occupy the unit.

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:

www.communityservices.nd.gov/communitydevelopment/Programs/HOMEProgram/

Or contact Bonnie Malo at 701-328-2476 or e-mail at bmalo@nd.gov.

EMERGENCY SOLUTIONS GRANTS PROGRAM SUMMARY

The State of North Dakota will distribute its FY2014 Emergency Solutions Grants program (ESG) allocation of \$536,114 through a competitive grant application process. Of the \$536,114, \$416,114 is federal funds and \$120,000 is state funds. The State’s 2014 ESG allocation will be made available to eligible applicants and will be administered in accordance with the Interim (or Final) Rule regarding Homeless Emergency Assistance and Rapid Transition to Housing: Emergency Solutions Grant Program and Consolidated Plan Conforming Amendments.

Allocation of Funds

FY2014 Federal Allocation	\$416,114.00
Less State Administration (7.5%)	\$ 31,208.55
FY2014 State Allocation	\$120,000.00
Total Allocation Available for Distribution	\$504,905.45
60% may be used for Street Outreach and Emergency Shelter	\$302,943.27
40% may be used for Homeless Prevention, Rapid Re-Housing and HMIS	\$201,962.18

The State of North Dakota’s method of distribution provides funding to engage homeless individuals and families living on the street (Street Outreach); improve the number and quality of emergency shelters for homeless individuals and families (Shelter Renovation); help operate these shelters through eligible activities such as maintenance, rent, repair, security, fuel, equipment, insurance, utilities, food, furnishings, and supplies (Shelter Operations); provide essential services to shelter residents (Essential Services); Rapid re-house homeless individuals and families (Rapid Re-Housing); and prevent families and individuals from becoming homeless (Homeless Prevention). Communities of 2,500 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.

Eligible applicants for the Emergency Solutions Grants program are Units of Local Government, and private nonprofit organizations. 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 \$50,000.

The State will continue to meet the ESG match requirements in the same manner as it has in past grant years. Each grant year, the State contributes \$120,000 in general funds to match the federal allocation. The remaining matching funds of \$296,114 are provided by ESG sub-recipients. Matching funds are used to enhance and expand eligible ESG components and sub-activities.

During the 2014 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, 2014.

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 2014 Include:

1. Awarding of Emergency Solutions Grant funds to eligible applicants to provide street outreach, emergency shelter, homeless prevention and rapid re-housing activities.
2. Complete a renewal application for the statewide Shelter Plus Care program.
3. Awarding of state contribution of \$2,000,000 to provide the same services as the Emergency Solutions Grant funds.

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 2014 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

An Analysis of Impediments to Fair Housing Choice (AI) is available on the Department of Commerce, Division of Community Services website www.communityservices.nd.gov/communitydevelopment/Resources/AnalysisofImpedimentstoFairHousingChoice/. The AI identified several private and public sector impediments to fair housing choice. Private sector impediments that were assigned a severity ranking of medium or high included discriminatory terms and conditions in rental and home purchase markets, refusal to rent, failure to make reasonable accommodations, preferential statements in advertising, and the issuance of predatory type home loans. Public sector impediments include inadequate fair housing outreach and education, lack of sufficient fair housing testing and enforcement, and NIMBYism.

The State of North Dakota, specifically the North Dakota Department of Labor and Human Rights, will continue to insure the enforcement of the fair housing law and provide fair housing education and outreach in cities throughout the state by utilizing promotional items such as fair housing and human rights brochures. The items provide specific information on what fair housing is, the law, and how the Department of Labor and Human Rights handles specific housing complaints. They also provide an overview of the Department of Labor and Human Rights' relationship with HUD and how the state's laws are substantially equivalent to the Federal Fair Housing Law.

In addition, the North Dakota Department of Commerce has partnered with High Plains Fair Housing Center. The Center assists people who believe they have experienced discrimination while attempting to rent or purchase housing, provides community education to promote fair housing, and conducts preliminary investigations of potential housing discrimination. High Plains will conduct systemic testing throughout the state and where there are instances of discrimination. High Plains will provide targeted training and follow up testing to insure that there are no further instances of discrimination. Moreover, High Plains will review policies and practices in the state of North Dakota to identify instances of discrimination particularly in the area of disparate impact-such as translation barriers.

North Dakota will provide a summary in the annual report to HUD of the activities to affirmatively further fair housing in accordance with its AFFH certification.

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 2013 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 18
- Number of LMI benefiting from projects
- Removal of Architectural Barriers Projects – Goal is 3
- Number of LMI benefiting from projects
- Jobs created or retained by providing financing with CDBG funds – Goal is 128
- Public Service Projects – Goal is 1
- 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 2014 program year.

Region 1

- Assist one removal of architectural barriers project.
- Assist one water/sewer project.

Region 2

Create 10 to 15 job opportunities.

Target one emergency services project.

Target three public facility projects that address health and safety or architectural barriers.

Region 3

Assist economic development projects with start-up or expansion to create 10 to 20 jobs.

Assist three public facility projects.

Assist one removal of architectural barriers project.

Region 4

Target job creation for low and moderate income individuals. The goal is to create and/or retain 25 new jobs.

Fund at least one public facility/removal of architectural barriers project.

Region 5

Fund at least three public facility projects.

Fund at least one loan to a business.

Fund at least one project involving infrastructure extension to businesses or industries.

Create at least 50 new jobs as the result of projects assisted.

Region 6

Fund three public facility/planning projects that address problems with health and safety, and/or removal of architectural barriers.

Region 7

Target job creation for low and very low income persons. Target will be the creation and/or retention of 10 jobs.

Provide CDBG dollars for public facility projects that address problems of health and safety, or architectural barriers or both. The target will be three public facility projects.

Region 8

Target job creation or retention for low and very low income persons. The goal will be one project, creating or retaining eight jobs.

Assist in projects addressing health and safety or removal of architectural barriers. The goal is to assist two projects.

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

Grantee Name: State of North Dakota Program Year: 2014	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	9	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Production of new units	28	10	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Rehabilitation of existing units	89	76	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rental Assistance	596	478	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Total Sec. 215 Affordable Rental	713	573	<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	9	<input type="checkbox"/>	<input type="checkbox"/>		
Rehabilitation of existing units	58	22	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Homebuyer Assistance	134	120	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Total Sec. 215 Affordable Owner	194	151	<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	9	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Production of new units	28	19	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Rehabilitation of existing units	147	98	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rental Assistance	596	478	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Homebuyer Assistance	134	120	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Total Sec. 215 Affordable Housing	907	724	<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 type="checkbox"/>	<input type="checkbox"/>
Special needs households	0	0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-homeless households	0	0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Total Overall Housing Goal	0	0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OVERAL HOUSING GOALS (SEC.215+ Affordable Housing)						
Annual Rental Housing Goal	713	573	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Annual Owner Housing Goal	194	151	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Total Overall Housing Goal	907	724	<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 Disclosure for the 2014 Action Plan

All allocation amounts in this Action Plan are estimates based on the 2013 final allocation distributed by the U.S. Department of Housing and Urban Development (HUD).

Therefore, the proposed method of distribution for the 2014 Community Development Block Grant, HOME and Emergency Solutions Grant will be proportionally increased or decreased from the estimated funding levels to match the actual allocation amounts when released by HUD.

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 2014 Action Plan was made available for public comment during the period of March 10, 2014 through April 11, 2014. The Division of Community Services did not receive any comments on the Action Plan.

THE CITIZEN PARTICIPATION PLAN FOR THE NORTH DAKOTA CONSOLIDATED PLAN AND ANNUAL PERFORMANCE REPORT

PURPOSE

The Consolidated Plan is a U.S. Department of Housing and Urban Development (HUD) requirement that combines the planning and application process for three existing HUD grants: The Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), HOME Investment Partnerships Program (HOME), and new funding that may become available.

The Consolidated Plan identifies the housing and community development needs of the State of North Dakota, and sets priorities for spending the HUD grant funds. Public comment is a vital component of identifying the state's housing and community development needs and spending priorities. The Consolidated Plan offers the opportunity for strategic statewide planning to occur alongside citizen participation.

HUD requires development of a Citizen Participation Plan that outlines policies and procedures of how the state intends to solicit citizen participation. The purpose of the Citizen Participation Plan is to outline and define the citizen participation process.

COMMENT ON THE CITIZEN PARTICIPATION PLAN AND AMENDMENTS

North Dakota Department of Commerce will receive comments on the proposed Citizen Participation Plan during a 15 day comment period. In the event that there are substantial amendments to this Citizen Participation Plan, an additional comment period of at least 15 days will be allotted. This proposed Citizen Participation Plan (and, if necessary, the substantially amended Citizen Participation Plan) will be made available to the public before the 15 day comment period begins.

Individuals who require accommodations, including appropriate auxiliary aids, translated documents or interpreters to participate in a public hearing, or who would like to request a copy of the proposed Citizen Participation Plan, or another document, in an alternate format, should contact the Department of Commerce's Section 504 Coordinator, Adele Sigl via email at dcs@nd.gov or by calling 701-328-5300, TTY: 800-366-6888, Spanish TTY: 800-435-8590 or Relay ND Voice: 800-366-6889.

CONSULTATION

When preparing the Consolidated Plan, consultation is made with public and private agencies that provide housing, health and social services. State health and child welfare agencies are also consulted concerning lead-based paint hazards.

ENCOURAGEMENT OF CITIZEN PARTICIPATION

Citizen participation by low and moderate income individuals, minorities, non-English speaking persons and persons with disabilities is encouraged throughout the creation of and amendments to the Consolidated Plan and Annual Performance Report process. In the event that there are any substantial amendments to the Consolidated Plan or Annual Performance Report, citizen comment on the proposed amendments will be sought.

Affirmative efforts to encourage and solicit participation from the state's residents and populations least likely to have awareness of HUD-funded programs and processes including low-income residents, individuals with disabilities, racial and ethnic minorities, and female-headed households shall include:

1. Advertising the details of the CPP (e.g. documents for public review, meetings, opportunities to provide feedback and comment) in the State's daily newspapers, and those daily or non-daily publications on or near the Turtle Mountain Band of Chippewa, Spirit Lake Sioux, Standing Rock Sioux, Wahpeton Sisseton Sioux, the Three Affiliated Tribes reservations and Trenton Indian Health Service Area located West of Williston, North Dakota;
2. Sending notice of the CPP (e.g. documents for public review, meetings, opportunities to provide feedback and comment) with advocacy groups, non-profit and for profit organizations, and state and community agencies that provide services to or advocate for low-income individuals, individuals with disabilities, racial and ethnic minorities and female-headed households; and
3. Posting Notifications on the DCS website.

PUBLIC COMMENT ON THE PROPOSED CONSOLIDATED PLAN

One public meeting will be held in each of the State's Regional Planning Districts prior to drafting the Consolidated Plan, to gather input from citizens regarding proposed changes. Written comments and citizen participation by low and moderate income individuals, minorities, non-English speaking persons and persons with disabilities will be encouraged through the affirmative efforts outlined in the Encouragement of Citizen Participation section on page 2.

Notices of the meetings will be published in the daily newspapers across the state no less than 15 days prior to the meeting and a press release will be forwarded to all newspapers statewide. DCS will also attempt to email a copy of the notice or press release to interested parties.

The proposed Consolidated Plan will be made available to interested parties for a comment period no less than 30 days.

Along with the notification that the proposed Consolidated Plan is available for public comment, a summary of the proposed plan's contents and purpose will be published. The notification will be published on or before the day the proposed Consolidated Plan comment period begins. Locations where copies of the entire proposed plan may be obtained will also be stated in the notice.

The proposed Consolidated Plan will be available at DCS's website at www.communityservices.nd.gov/ for the full public comment period. Copies of the proposed plan will also be available from DCS during the public comment period. Citizens or groups that have attended the public hearings will receive a letter notifying them of the proposed plan's availability for comment if their addresses are provided to the DCS at the time of the hearing.

PUBLIC HEARINGS

Eight public hearings will be held to gather comments on the Consolidated Plan. The hearing will be held prior to drafting of the plan.

Comments from individuals or groups received in writing or at the public meetings will be considered. A summary of the written and oral public comments and a summary of those not accepted and the reasons therefore, will be included in the final Consolidated Plan.

Venues used for interviews, focus groups, grant applications, and public meetings are fully accessible to people with disabilities that impact mobility. Should a venue not be fully accessible, the individual(s) should contact the Department of Commerce's Section 504 Coordinator, Adele Sigl via email at dcs@nd.gov or by calling 701-328-5300, TTY: 800-366-6888, Spanish TTY: 800-435-8590 or Relay ND Voice: 800-366-6889.

AMENDMENT CRITERIA

The following will constitute a substantial amendment to the Consolidated Plan:

1. A change in the method of distribution or grant selection criteria.
2. The addition of an activity not initially identified in the Consolidated Plan.
3. Funding of an activity not identified in the Consolidated Plan as a high or medium priority.

CITIZEN PARTICIPATION IN THE EVENT OF AN AMENDMENT

In the event of an amendment to the Consolidated Plan, the proposed amended Consolidated Plan will be made available to interested parties for a comment period of no less than 30 days.

Citizens will be notified of the amended Consolidated Plan's availability and affirmative efforts, as outlined in the Encouragement of Citizen Participation section on page 2, shall be taken to encourage and solicit public comments from the state's residents, including those populations least likely to have awareness of HUD-funded programs and processes including low-income residents, individuals with disabilities, racial and ethnic minorities, and female-headed households. Notifications will be published on or before the day the amended Consolidated Plan comment period begins.

The amended sections will be available for viewing on DCS's website www.communityservices.nd.gov/ or copies may be obtained from DCS during the public comment period.

CONSIDERATION OF PUBLIC COMMENT ON THE AMENDED PLAN

Comments on the amended Consolidated Plan by individuals or groups received will be considered. A summary of the written and oral public comments on the amendments, and a summary of those not accepted and the reasons therefore, will be included in the addendum to the final Consolidated Plan.

CONSOLIDATED PLAN ANNUAL PERFORMANCE REPORT

Before the Consolidated Plan Annual Performance Report (APR) is submitted to HUD, the report will be made available to interested parties for a comment period of no less than 15 days. This comment period will begin between 20 and 45 days before the APR's submission date to HUD which is June 30th.

Citizens will be notified of the APR's availability and affirmative efforts, as outlined in the Encouragement of Citizen Participation section on page 2, shall be taken to encourage and solicit public comments from the state's residents, including those populations least likely to have awareness of HUD-funded programs and processes including low-income residents, individuals with disabilities, racial and ethnic minorities, and female-headed households.

Notifications will be published on or before the day the amended APR's comment period begins.

During the public comment period, the APR will be available at DCS's website and copies will be available from DCS by mail.

Comments will be considered from individuals or groups received in writing. A summary of the written comments and a summary of those not accepted and the reasons therefore, will be included in the final APR.

AVAILABILITY TO THE PUBLIC

The approved Consolidated Plan, APR, and any substantial amendments will be available to the public within 30 days of HUD's approval of the document. Copies of the Consolidated Plan and APR will be available through DCS's website. Copies may also be requested from DCS.

Upon request, the Consolidated Plan and APR will be made available in a form accessible to persons with disabilities.

ACCESS TO RECORDS

Interested parties will be provided access to information and records relating to the Consolidated Plan and any other uses of assistance under the programs covered by this part during the preceding five years. The public will be provided reasonable access to housing assistance records, subject to state and local laws regarding privacy and obligations of confidentiality, during the APR public comment period.

COMPLAINTS

Substantive written response to every written citizen complaint will be provided within 15 working days of receiving the comment.

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		*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. Application 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:		
*Street1: 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: 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: Ms.		First Name: Bonnie
Middle Name:		
*Last Name: Malo		
Suffix:		
Title: Program Manager		
Organizational Affiliation:		
*Telephone Number: 701-328-2476		Fax Number: 701-328-5320
*Email: bmalo@nd.gov		

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. Application 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:		
*Street1: 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: 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: Ms.		First Name: Bonnie
Middle Name:		
*Last Name: Malo		
Suffix:		
Title: Program Manager		
Organizational Affiliation:		
*Telephone Number: 701-328-2476		Fax Number: 701-328-5320
*Email: bmalo@nd.gov		

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type: **A. State Government**

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

*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:

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant **Statewide**

*b. Program/Project:

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: **4/14**

*b. End Date: **3/15**

18. Estimated Funding (\$):

*a. Federal	\$3,658,596.00
*b. Applicant	\$0.00
*c. State	\$0.00
*d. Local	\$0.00
*e. Other	\$0.00
*f. Program Income	\$1,700,000.00
*g. TOTAL	\$5,358,596.00

*19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372

*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

- Yes
- 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)

**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

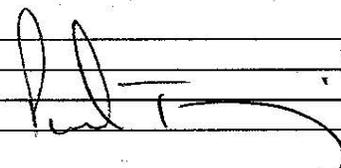
Suffix:

*Title: Director

*Telephone Number: 701-328-4499

Fax Number: 701-328-5320

*Email: pgovig@nd.gov

*Signature of Authorized Representative: 

Date Signed: 4/14/14

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

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. Application 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:		
*Street1: 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: 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: Ms. Middle Name: *Last Name: Malo Suffix:		First Name: Bonnie
Title: Program Manager		
Organizational Affiliation:		
*Telephone Number: 701-328-2476		Fax Number: 701-328-5320
*Email: bmalo@nd.gov		

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type: **A. State Government**

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

*Other (specify):

*10. Name of Federal Agency:

U.S. Department of HUD

11. Catalog of Federal Domestic Assistance Number:

14-239

CFDA Title:

HOME 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:

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant **Statewide**

*b. Program/Project:

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: **4/14**

*b. End Date: **3/15**

18. Estimated Funding (\$):

*a. Federal	\$3,017,877.00
*b. Applicant	\$0.00
*c. State	\$0.00
*d. Local	\$0.00
*e. Other	\$0.00
*f. Program Income	\$98,631.00
*g. TOTAL	\$3,116,508.00

*19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372

*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

- Yes
- 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)

**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: 701-328-5320

*Email: pgovig@nd.gov

*Signature of Authorized Representative:

Date Signed: 4/14/14

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

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 *If Revision, select appropriate letter(s): <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation * Other (Specify) <input type="checkbox"/> Revision
*3. Date Received:		4. Application 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: 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: 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: Ms. First Name: Adele Middle Name: *Last Name: Sigl Suffix:		
Title: Program Administrator		
Organizational Affiliation:		
*Telephone Number: 701-328-2618		Fax Number: 701-328-5320
*Email: asigl@nd.gov		

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type: A. State Government

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

*Other (specify):

*10. Name of Federal Agency:
U.S. Department of HUD

11. Catalog of Federal Domestic Assistance Number:

14-231

CFDA Title:

Emergency Solutions Grants

*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:

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant **Statewide**

*b. Program/Project:

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: **4/14**

*b. End Date: **3/15**

18. Estimated Funding (\$):

*a. Federal	\$416,114.00
*b. Applicant	\$0.00
*c. State	\$120,000.00
*d. Local	\$0.00
*e. Other	\$0.00
*f. Program Income	\$0.00
*g. TOTAL	\$536,114.00

*19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372

*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

- Yes
- 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)

**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**

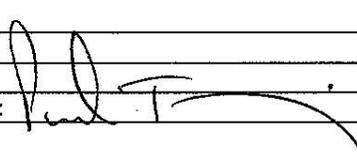
Suffix:

*Title: **Director**

*Telephone Number: **701-328-4499**

Fax Number: **701-328-5320**

*Email: **pgovig@nd.gov**

*Signature of Authorized Representative: 

Date Signed: **4/14/14**

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

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 anti-displacement 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.

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

4/14/14

Date

Director

Title

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) 2013, 2014, and 2015, 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.

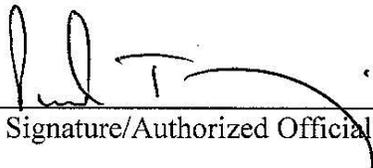
It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an 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.



Signature/Authorized Official

4/14/14

Date

Director

Title

Specific HOME Certifications

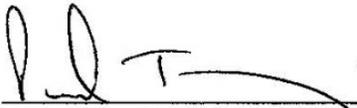
The State certifies that:

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

4/14/14

Date

Director

Title

ESG Certifications

Each State that seeks funding under the Emergency Solutions Grants Program must provide the following certifications:

Matching Funds – The State will obtain any matching amounts required under 24 CFR 576.201 in a manner so that its subrecipients that are least capable of providing matching amounts receive the benefit of the exception under 24 CFR 576.201(a)(2).

Discharge Policy – The State will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Confidentiality – The State 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.

The State will ensure that its subrecipients comply with the following criteria:

Major rehabilitation/conversion – If an emergency shelter's rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

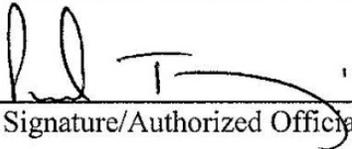
Essential Services and Operating Costs – If ESG funds are used for shelter operations or essential services related to street outreach or emergency shelter, the subrecipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the applicant serves the same type of persons (e.g., families with children, unaccompanied youth, veterans, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

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

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

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

Consolidated Plan – All activities the subrecipient undertakes with assistance under ESG are consistent with the State’s current HUD-approved consolidated plan.



Signature/Authorized Official

4/14/14

Date

Director

Title

**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.



Signature/Authorized Official

4/14/14

Date

Director

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING 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.

STATE RESOURCES AND PLANNING DOCUMENTS

HUD Program Descriptions

- Community Development Block Grant Program – State and Regional Program Distribution Statements:
www.communityservices.nd.gov/communitydevelopment/Programs/CommunityDevelopmentBlockGrantCDBG/
- HOME Investment Partnership Program:
www.communityservices.nd.gov/communitydevelopment/Programs/HOMEProgram/
- Emergency Solutions Grants:
www.communityservices.nd.gov/communitydevelopment/Programs/EmergencySolutionsGrantsESG/

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 – Tran Doan
(701) 328-5300
dcs@nd.gov

Homeless Needs and Facilities

- Continuum of Care Plan

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

Housing Needs

- 2012 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/communitydevelopment/Resources/ConsolidatedPlan/

Low-Income Housing Tax Credits

- Low-Income Housing Tax Credit Allocation Plan

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

- ND Housing Incentive Fund Program

Contact: North Dakota Housing Finance Agency
ND Housing Incentive Fund Program
(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.ndhealth.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