



**Department of Economic Sustainability  
Mortgage and Housing Investments  
Community Housing Development Organization (CHDO)  
Certification and Attachments**

The purpose of this certification is to determine if your organization qualifies under the guidelines established by HUD as a Community Housing Development Organization (CHDO) pursuant to Subpart A Section 92.2 of the HOME Final Rule (24 CFR Part) and revised to reflect the 2013 HOME Final Rule and the 2013 HOME Appropriations Law.

Any organizations that apply to the Department of Economic Sustainability (DES) for HOME funding under the CHDO Set-Aside must be certified prior to any commitment of funding. Organizations are encouraged to apply for CHDO certification prior to any applications or funding. Information obtained from this certification request package will be used only to determine your organization's eligibility as a CHDO and is not an approval by DES for funding.

In 2013 HUD made changes to the HOME Investment Partnerships Program to improve the performance, property standards and accountability in administering the program. Most significant, **to qualify as a CHDO, an organization must now have paid staff and demonstrate capacity and experience that applies to the specific project for which it is applying for CHDO status.** Prior to completing a CHDO Certification Application, organizations are strongly encouraged to review the applicable subject matter areas of the HUDs OneCPD Resource Exchange (<https://www.oncecpd.info/>) for further information and guidance.

Please carefully review the certification requirements, complete the application and provide pertinent documentation. Please submit three (3) copies of the certification request, 1 original and 2 copies using the provided tab headings. If you have any questions please contact Marie Jasmin, Planner II, at (561) 233-3646 or via email at [MLegagne@pbcgov.org](mailto:MLegagne@pbcgov.org).

Please complete and return the enclosed certification form and related attachments to:  
Palm Beach County's Department of Economic Sustainability  
Mortgage and Housing Investments Section  
Attn: Marie Jasmin  
100 Australian Ave., Suite 500  
West Palm Beach, FL 33406  
561-233-3600

**I. APPLICANT / PROJECT PROFILE**

Legal Name of Organization:

Mailing Address:

City, State Zip Code:

Contact Person and Title

Contact Phone:

Email Address:

Date of Incorporation:

Tax ID #:

Mission Statement:

Project Name:

Proposed Role of CHDO in this Project (for definitions see CPD Notice 97-11 Sec III)

- Owner
- Developer
- Sponsor

Include as an attachment a brief summary of the proposed project and the CDHOs intended role in the project. At a minimum, the narrative should address the CHDOs capacity and prior experience to undertake the project and employees who have direct oversight in carrying out the duties of the proposed project.

- Project Summary Attached

<b>FOR MHI STAFF USE ONLY</b>			
Date Received:	_____	Received By:	_____
CHDO Project #:	_____	Analyst:	_____

**II. LEGAL STATUS**

- A. The nonprofit organization is organized under the State of Florida as evidenced by:  
 Charter  Articles of Incorporation
- B. No part of its net earnings inure to the benefit of any member, founder, contributor, or individual, as evidenced by:  
 Charter  Articles of Incorporation
- C. It has a tax exemption ruling from the Internal Revenue Service (IRS), as evidenced by:  
 A 501(c)(3) or 501(c)(4) Certificate from the IRS, OR  
 A group exemption letter under Section 905 from the IRS that includes the CHDO
- D. It has among its purposes the provision of decent housing that is affordable to low- and moderate-income people, as evidenced by a statement in the organization's:  
 Charter  By-laws  
 Articles of Incorporation  Resolutions

**III. CAPACITY**

The organization has standards of accountability that conform to 24 CFR 84.21, "Standards of Financial Management Systems," as evidenced by:

- A HUD approved audit summary, OR  
 A certification from a Certified Public Accountant
- A. The organization has history of serving the community where housing to be assisted with HOME funds will be used, as evidenced by:  
 A statement that documents at least one year of experience in serving the community, OR  
 For new organizations, documentation that the parent organization has at least one year of experience in serving the community
- B. The organization has paid staff with demonstrated capacity and experience with projects of a similar size, scope and level of complexity, relevant to its proposed role as Owner, Developer, or Sponsor.  
 Narrative description of organizational and staff capacity and experience, AND  
 Resumes and job descriptions for key staff, AND  
 Organizational Chart  
 Payroll report, W-2 or W-4 OR  
 A contract for employment and a W-9 and 1099 (at the end of the year) for contract staff

**IV. ORGANIZATIONAL STRUCTURE**

- A. The organization maintains at least one-third (1/3) of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or election by representatives of low-income neighborhood organizations, as evidenced by the organization's:

Charter  Articles of Incorporation  By-laws

*Under the HOME program for urban areas, the term "community" is defined as one or several neighborhoods, a city, county, or metropolitan area.*

- B. It provides current information on the governing board's membership, as evidenced by:

A completed Governing Board List  
 Governing Body Self-Certification forms for all members

- C. It provides a formal process for low-income program beneficiaries to advise the organization in all of its decisions regarding the design, siting, development, and management of all HOME-assisted affordable housing projects, as evidenced by:

By-laws  Resolutions  
 A written statement of operating procedures approved by the governing body

- D. If the CHDO is chartered by a State or government, the following restrictions apply: **(1)** The State or local government may not appoint more than one-third of the membership of the organization's governing body; **(2)** the board members appointed by the State or local government may not, in turn, appoint the remaining two-thirds of the board members; and **(3)** no more than one-third of the governing board's members are public officials. This is evidenced in at least one of the following documents:

Charter  Articles of Incorporation  
 By-laws  Not Applicable because this organization is not chartered by a unit of government

- E. If the CHDO is sponsored or created by a for-profit entity, the following restrictions apply: **(1)** the for-profit entity may not appoint more than one-third of the membership of the CHDO's governing body; **(2)** the board members appointed by the for-profit entity may not, in turn, appoint the remaining two-thirds of the board members. This is evidenced in at least one of the following documents:

Charter  Articles of Incorporation  
 By-laws  Not Applicable because this organization is not sponsored by a for profit entity

- F. If the CHDO is sponsored by a religious organization, the CHDO is a separate secular entity from the religious organization, with membership available to all persons, regardless of religion or membership criteria, as evidenced by:

Charter  Articles of Incorporation  
 By-laws  Not Applicable because this organization is not sponsored by a religious entity

**V. RELATIONSHIP WITH FOR-PROFIT ENTITIES**

A. The CHDO is not controlled, nor receives directions from individuals or entities seeking profit from the organization, as evidenced by either:

- By-laws                       A Memorandum of Understanding (MOU)

B. If sponsored by a for profit entity, the for-profit entity's primary purpose does not include the development or management of housing, as evidenced by:

- By-laws                       The for-profit organization's By-laws

C. If sponsored by a for profit entity, the CHDO is free to contract for goods and services from vendor(s) of its own choosing, as evidenced in the CHDO's:

- Charter                       Articles of Incorporation                       By-laws

**VI. GEOGRAPHIC AREA**

A. Please list the geographic area and neighborhoods to be served. The organizations By-laws should state the area to be served. Provide a map with geographic areas highlighted for which the CHDO will be responsible.

- Description and Map attached

**VII. CERTIFICATION**

The applicant understands that the DES will not be responsible for any costs incurred by the applicant in developing and submitting this application and that all applications submitted become the property of DES.

I, \_\_\_\_\_, declare under penalty of perjury, under the laws of the Federal Government, State of Florida and Palm Beach County, that all statements contained in this application and any accompanying documents are true and correct, and made with full knowledge that all statements given are subject to investigation and that any false or dishonest answers to any questions may be grounds for denial or subsequent revocation of CHDO Certification.

Prepared By: \_\_\_\_\_

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

APPROVED BY: \_\_\_\_\_

Organization's Board President or Executive Director

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



**COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO)  
Governing Body Self-Certification**

Select Only One:

- Public Official or Governmental Employee**  
I currently hold a publicly elected or appointed office or I am an employee of a governmental agency.

*For the purposes of this certification, a "public official" is any elected or appointed representative of Palm Beach County. Employees of Palm Beach County, as well as other employees of governmental agencies including State or Federal agencies that are located in or serve Palm Beach County are also considered a "public official."*

- Member of a Low-Income Household**  
I am low-income resident of \_\_\_\_\_ a community in the applicant's service area.

*In order to qualify, the board member must be a low-income resident of a community that the CHDO is planning to serve or currently serves. Low-income is defined as 80% or less of area median family income*

- Resident of a Low-Income Area**  
I am a resident of \_\_\_\_\_ a low-income neighborhood in the applicant's service area.

*In order to qualify, the board member must live in a low-income neighborhood where 51% or more of the residents are low-income. The board member does not have to be low-income.*

- Elected Representative of a Low-Income Group**  
I am an elected representative of \_\_\_\_\_, a neighborhood organization whose membership is open to all residents of a defined neighborhood in which at least 51% of the households are low-income. My position on our governing body is primarily as a representative of that neighborhood organization.

*In order to qualify, the board member must be elected to serve on the CHDO board by a neighborhood organization composed primarily of residents of a low income neighborhood. The neighborhood organization's primary purpose must be to serve the interests of the neighborhood residents. Attach a copy of the signed resolution from the neighborhood organization naming the individual as their representative to the CHDO*

- Not a Low-Income Representative**

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

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

**For Reference: 2015 Income Limits West Palm Beach and Boca Raton**

Household Size	1	2	3	4	5	6	7	8
Low Income Limit (80%)	\$36,750	\$42,000	\$47,250	\$52,500	\$56,700	\$60,900	\$65,100	\$69,300

**COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO)  
Conflict of Interest Policy**

No employee, agent, consultant, elected official, or appointed official of \_\_\_\_\_ (the "CHDO") may obtain a financial interest or unit benefits from a HOME-assisted activity, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. This prohibition includes the following:

- Any interest in any contract, subcontract or agreement with respect to a HOME-assisted project or program administered by the CHDO or the proceeds thereunder; or
- Any unit benefits or financial assistance associated with HOME projects or programs administered by the CHDO including:
  - Occupancy of a rental housing unit in a HOME-assisted rental project;
  - Receipt of HOME tenant-based rental assistance;
  - Purchase or occupancy of a homebuyer unit in a HOME-assisted project;
  - Receipt of HOME homebuyer acquisition assistance; or
  - Receipt of HOME owner-occupied rehabilitation assistance.

This prohibition does not apply to an employee or agent of the CHDO who occupies a HOME assisted unit as the on-site project manager or maintenance worker.

In addition, no member of Congress of the United States, official or employee of HUD, or official or employee of Palm Beach County shall be permitted to receive or share any financial or unit benefits arising from the HOME-assisted project or program.

Prior to the implementation of the HOME-assisted activity, exceptions to these provisions may be requested by the CHDO in writing to the Department of Economic Sustainability (DES). The CHDO must demonstrate and certify that the policies and procedures adopted for the activity will ensure fair treatment of all parties, and that the covered persons referenced in this policy will have no inside information or undue influence regarding the award of contracts or benefits of the HOME assistance. DES may grant exceptions or forward the requests to HUD as permitted by 24 CFR 92.356, 85.36 and 84.42, as they apply.

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

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

Printed Name: \_\_\_\_\_

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



**COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO)  
SECONDARY EMPLOYMENT QUESTIONNAIRE**

Organization Name			
Name			
Employer			
Title			
Are you currently employed in a job other than the one listed above?	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	
If you answered yes, please complete the following.			
Name and Address of Secondary Employer			
Position	Length of Service		
Work Hours	Work Days		
Do you have an interest in any business?	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	
If you answered yes, please complete the following.			
<b><u>Type of Interest</u></b>			
<i>Name and Address of Business</i>			
Nature of Business			

I certify that all the information contained on this form is complete and accurate. I am also aware that I am required to immediately complete a new questionnaire upon changes in any of the above information. I am further aware that all secondary employment must not pose a conflict of interest with the goals and objectives of this agency or the Department of Economic Sustainability.

Signed \_\_\_\_\_

Date \_\_\_\_\_

Approved \_\_\_\_\_

Date \_\_\_\_\_

Attachments

## CURRENT INCOME LIMITS

### 2015 Income Limits

Annual Income Limits for West Palm Beach and Boca Raton  
Median Family Income for FY 2015 is \$64,900

Household Size	1	2	3	4	5	6	7	8
Low Income Limit (80%)	\$36,750	\$42,000	\$47,250	\$52,500	\$56,700	\$60,900	\$65,100	\$69,300

## Definitions of Developer, Owner, Sponsor 2013 HOME Final Rule

**Owner of rental housing.** A CHDO that is an "owner" of rental housing is defined at §92.300(a)(2). The CHDO is required to own (in fee simple absolute or long-term ground lease) multifamily or single family housing that is rented to low-income families, in accordance with §92.252. The CHDO must own the HOME project during development and throughout the period of affordability, and is required to oversee all aspects of the development process. At a minimum, the CHDO can own the property and hire a project manager or contract with a development contractor to oversee all aspects of the development. Under the 2013 Rule at §92.300(a)(2), a CHDO is also permitted to acquire housing that is in standard condition (and meets the property standards at §92.251) provided it owns the housing throughout the affordability period. This new definition facilitates participation of community-based nonprofit organizations that have the capacity to own and operate affordable rental housing in their communities, but do not have the capacity to develop such housing. Consequently, this new definition creates additional opportunities for nonprofit organizations to access the CHDO set-aside funds to address their neighborhoods' affordable housing needs. The new definition of "owner" should also assist rural States, which consistently experience great difficulty in developing and retaining capable CHDOs.

**Developer of rental housing.** A CHDO that is a "developer" of rental housing is defined at §92.300(a)(3). The CHDO is the owner (in fee simple absolute or long-term ground lease) and developer of the project and must be in sole charge of all aspects of the development process, including obtaining zoning, securing non-HOME funds, selecting contractors, overseeing the progress of work, and determining reasonableness of costs. The CHDO must own the HOME-assisted housing during the development process and throughout the period of affordability. This is a change from the pre-2013 Rule in that the CHDO must own the property; it no longer has the option to be under contract with an owner to develop the property.

**Sponsor of rental housing.** The 2013 Rule provides two definitions of a "sponsor" of HOME-assisted rental housing:

1. §92.300(a)(4) clarifies the requirement for CHDOs to maintain effective project control when acting as "sponsor" of rental housing. A CHDO "sponsors" rental housing when the property is "owned" or "developed" by:
  - a. A subsidiary of the CHDO (in which case the subsidiary, which may be a for-profit or nonprofit organization, must be wholly owned by the CHDO);
  - b. A limited partnership (in which the CHDO or its wholly owned subsidiary must be the sole general partner); or
  - c. A limited liability company (in which the CHDO or its wholly owned subsidiary must be the sole managing member).

If the limited partnership or limited liability company agreement permits the CHDO to be removed as sole general partner or sole managing member, respectively, the agreement must require that the removal be "for cause" and that the CHDO must be replaced by another CHDO. In addition, HOME funds must be provided to the entity that owns the project.

2. §92.300 (a)(5) codifies the pre-2013 Rule definition of "sponsor." It states that a CHDO "sponsors" HOME-assisted rental housing in situations in which the CHDO owns and develops the housing and agrees to convey the housing to a private nonprofit organization (that does not need to be a CHDO but cannot be created by a governmental entity) at a predetermined time after completion of the project development. Such arrangements typically occur when a CHDO has development expertise and the nonprofit organization has the capacity to own and operate the housing. The CHDO is required to own the property before the development phase of the project and is required to select the nonprofit organization before entering into an agreement with the PJ that commits HOME funds to the project. The nonprofit organization assumes the CHDO's HOME obligation (including any repayment of loans) for the project. If the property is not transferred to the nonprofit organization, the CHDO sponsor remains liable for the HOME assistance and the HOME project.

**Developer of housing for homeownership.** For HOME-assisted homebuyer projects, the housing is "developed" by the CHDO if it is the owner (in fee simple absolute) and developer of new housing that will be constructed or existing substandard housing that is owned or will be acquired by the CHDO and rehabilitated for sale to low-income families, in accordance with §92.254. To be the "developer," the CHDO must arrange financing for the project and be in sole charge of construction. As part of its set-aside funds, the CHDO can provide direct downpayment assistance to a buyer of the housing it has developed with HOME funds in an amount not to exceed 10 percent of the amount of HOME development funds. In this role, the CHDO is not a subrecipient. This definition is very similar to the pre-2013 definition.

**Sponsor of housing for homeownership.** Under the pre-2013 Rule a CHDO was able to serve as a "sponsor" of homebuyer housing. There is no equivalent "sponsor" role for homebuyer housing in the 2013 Rule.

<https://www.onecpd.info/home/home-final-rule/section-by-section-summary/subpart-g/#qualification>

**COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO)  
Certification and Attachments**

Please submit 3 copies of the CHDO certification - 1 original and 2 copies using the following tab headings:

**TAB 1**

- Completed Checklist with Signature page
- Project Description
- Map of CHDO Service Area

**TAB 2**

- Charter
- Articles of Incorporation
- A 501)(3) or 501(c)(4) Certificate from the IRS
- By-laws
- Resolutions
- Certificate of Good Standing
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

**TAB 3**

- Governing Board List
- Signed CHDO Board Member Certifications for all board members
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

**TAB 4**

- Organizational Chart
- Narrative describing organization's development experience and capacity
- Resumes and job descriptions for key housing staff
- Payroll report, W-2 or W-4 for key housing staff
- Contracts for Employment, W-9 and 1099 for contract staff (if applicable)
- A certification from a Certified Public Accountant, OR
- A HUD approved audit summary.
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

**TAB 5**

- Signed Conflict of Interest Statements for all governing board members and staff (including contract staff and consultants if applicable)
- Signed Secondary Employment Questionnaire for governing board members and staff (including contract staff and consultants if applicable)