



**KANSAS  
HOUSING**  
RESOURCES CORPORATION

# **HOME-American Rescue Plan (HOME-ARP) Request for Proposal**

**Deadline: 5:00 PM on Monday, September 18, 2023**

## **Kansas Housing Mission Statement**

*We help Kansans access the safe, affordable housing they need and the dignity they deserve.*

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## A. Background

Kansas Housing Resources Corporation (KHRC) is a self-supporting, nonprofit, public corporation that serves as the primary administrator of federal housing programs for the state of Kansas. A summary of KHRC programs can be found at [www.kshousingcorp.org](http://www.kshousingcorp.org).

The State of Kansas has received a one-time allocation of \$22,929,650 million in Home Investment Partnerships American Rescue Plan (HOME-ARP) funds to provide housing and supportive services to Qualifying Populations (QPs), as defined in the HOME-ARP regulations. These funds are distributed to state and local Participating Jurisdictions (PJs) through the existing Home Investment Partnerships (HOME) Program allocation formula. As the Housing Finance Agency (HFA) for the State of Kansas, Kansas Housing Resources Corporation (KHRC) is the designated administrator of the State's allocation of these funds.

HOME-ARP funds are available for eligible housing and supportive services to defined QPs through a range of Eligible Activities (defined in Section G of this RFP). KHRC is issuing this Request for Proposal (RFP) to identify and evaluate the interest and ability of Kansas stakeholders to effectively use HOME-ARP resources to address the housing and supportive service needs of one or more of the QPs in their service area.

As this funding source is new, and its eligible uses and requirements are unique to the program, selected applicants will be provided technical assistance in an effort to ensure the best possible results and to support the sustainability of the applicant organization.

HOME-ARP funds must be fully expended by September 30, 2030. KHRC will determine an appropriate spend date for each specific project in order to ensure that funds are fully expended by September 30, 2030. If buildings are developed for rental housing or non-congregate shelter, there will be a restrictive use period that extends beyond completion.

In 2022, KHRC conducted a statewide needs assessment to inform development of a HOME-ARP Allocation Plan for approval by the Department of Housing and Urban Development (HUD). Between March 7 and October 3, 2022, 21 online educational and listening sessions were conducted and included more than 250 stakeholders from across Kansas. The public input process concluded on November 16, 2022. The Plan was approved by HUD on January 20, 2023.

The [final Allocation Plan](#) can be viewed on KHRC's [HOME-ARP website](#) or at [https://www.hud.gov/program\\_offices/comm\\_planning/home-arp/allocation-plans/KS](https://www.hud.gov/program_offices/comm_planning/home-arp/allocation-plans/KS).

NOTE: The HOME-ARP Allocation Plan, including amounts for eligible activities, may be amended to reflect the proposals accepted for funding.

During the public input process, Kansas communities and service agencies identified a need across the state for many of the eligible activities under the HOME-ARP Program. Housing and services for the HOME-ARP QPs are vital to Kansas communities, yet challenging to achieve given limited funding opportunities, increasing need, and capacity challenges of some provider entities.

KHRC is seeking quality applications for HOME-ARP projects that will provide the best investments of these limited resources across the state. The preliminary applications should demonstrate the ongoing need among the Qualifying Populations in the applicant's proposed service area; provide a thoughtful and realistic proposal for how to address those needs, including the applicant's capacity to plan and carry out the proposed activity; and establish the applicant's experience or expertise with the proposed project. This experience and expertise should demonstrate the applicant's ability to ensure the project's success, and should include, but is not limited to, experience providing quality services, developing permanent supportive housing, and offering rent assistance. As detailed below, applicants with the strongest preliminary applications will be invited to submit a full application which details project specifics, key participants, a complete budget, timeline, and identified sources of funding.

## B. Administration

The primary contact for the HOME-ARP program is:

<b>Abigail Phillips</b>	<b>Doug Wallace</b>
HOME-ARP Manager	ESG / HOME-ARP Program Manager
<a href="mailto:aphillips@kshousingcorp.org">aphillips@kshousingcorp.org</a>	<a href="mailto:dwallace@kshousingcorp.org">dwallace@kshousingcorp.org</a>
785-268-8135	785-217-2019

General HOME-ARP questions can be sent to [HOMEARP@kshousingcorp.org](mailto:HOMEARP@kshousingcorp.org).

## C. RFP Overview

Under this RFP, KHRC will make available up to a total of \$19.5 million in HOME-ARP funds for the Eligible Activities described in Section G of this RFP. Should sufficient quality proposals not be received under this RFP, KHRC may issue additional future RFPs.

This RFP contains information on eligible applicants and activities, application procedures, award criteria, grant structuring, and reporting and compliance monitoring requirements.

Applicants should be aware and understand that this HOME-ARP RFP and any awards are funded in whole or in part by Congressionally appropriated funds provided through the American Rescue Plan Act of 2021 (ARPA). In the event the federal funds supporting this RFP and subsequent awards become unavailable, are reduced, or rescinded, KHRC may terminate or amend this RFP and any awards made without penalty and KHRC will not be obligated to provide the applicant with any other resources or funds from any other sources.

## D. Eligible Applicants

Eligible applicants should be nonprofits or other entities with a history of providing housing, shelter and/or services to one or more of the QPs, described in Section H below. Applicants should be organizations with:

- Paid staff who possess the knowledge and ability to oversee the project through its completion and ensure compliance through any restrictive use period;
- Staff, contractors, or consultants with the expertise and experience needed to complete the project in a timely manner and in compliance with applicable federal and state law, as well as all other applicable requirements; and,
- Key individuals who are experienced with Federal programs and reporting requirements.

The RFP should contain, at a minimum, KHRC's HOME-ARP Preliminary Application (Attachment A) and the HOME-ARP Preliminary Application – Required Attachments (Attachment B).

## **E. Participating Jurisdictions (PJs)**

As previously stated, HOME-ARP funds are distributed through the HOME allocation formula. In addition to the State of Kansas, there are five local Participating Jurisdictions (PJs), which also received an allocation of HOME-ARP funds. They are the City of Kansas City, Kansas; the City of Wichita; the City of Topeka; the City of Lawrence; and the Johnson County HOME Consortium. This RFP contemplates the possibility that a proposed project may include requests for HOME-ARP funds from both KHRC and one of the local PJs. HOME-ARP allocation plans for all PJs are or will be available here: [https://www.hud.gov/program\\_offices/comm\\_planning/home-arp/allocation-plans/KS](https://www.hud.gov/program_offices/comm_planning/home-arp/allocation-plans/KS)

Housing needs in Kansas are great, and KHRC strives to provide an equitable distribution of funds throughout the state. If a proposed project is located in another HOME-ARP PJ, KHRC will expect the applicant to document coordination with their local PJ to ensure the most effective use of resources and non-duplication of HOME-ARP funded activities.

## **F. Eligible Activities**

Under this HOME-ARP RFP, applicants may only use funds for the following activities in accordance with requirements of [CPD Notice 21-10](#):

- (1) Development of affordable rental housing, beginning on page 20 of [CPD Notice 21-10](#);
- (2) Tenant Based Rental Assistance (TBRA), beginning on page 38 of [CPD Notice 21-10](#);
- (3) Supportive Services, beginning on page 42 of [CPD Notice 21-10](#);
- (4) Non-Congregate Shelter (NCS), beginning on page 55 of [CPD Notice 21-10](#); or,

- (5) Limited operating or capacity-building assistance (beginning on page 67 of [CPD Notice 21-10](#)) available to nonprofits carrying out eligible HOME-ARP activities.

Applicants may propose one or a combination of eligible activities listed above.

This RFP allows flexibility to applicants in creating proposals to carry out activities as described [CPD Notice 21-10](#).

## **G. Uses of KHRC Funding**

As described in the HUD-approved HOME-ARP Allocation Plan, KHRC has budgeted funding amounts for eligible HOME-ARP activities as follows:

- 30% Development of Affordable Rental Housing
- 25% Supportive Services
- 10% Tenant Based Rental Assistance (TBRA)
- 10% Non-Congregate Shelter (NCS)
- 15% Administration and Planning
- 5% Non-Profit Operating Expenses
- 5% Non-Profit Capacity Building

The above numbers are approximate, and KHRC can adjust to better serve Qualifying Populations.

For successful applicants who will carry out HOME-ARP activities, limited funds may be available to assist with the operating and capacity-building needs of the organization. As previously stated, the HOME-ARP Allocation Plan, including specific funding amounts, may be subject to amendment depending in part on the response to this RFP.

## **H. Qualifying Populations (QPs)**

HOME-ARP serves four specific QPs. A detailed description of how each QP is defined can be found in [HUD CPD Notice 21-10](#), section IV “Qualifying Populations, Targeting and Preferences.” As the QP definitions may not be identical to those used by other programs, applicants must read the definitions provided in the CPD Notice. In brief, those QPs include:

- Homeless, per 24 CFR §91.5
- At risk of homelessness, per 24 CFR §91.5
- Individuals fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, as defined by 24 CFR §5.2003.

- Other Populations where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability.

## I. Application Process

A completed HOME-ARP Preliminary Application (Attachment A) and the HOME-ARP Preliminary Application – Required Attachments (Attachment B) must be received by KHRC no later than **5:00 PM on Monday, September 18, 2023**. Please submit the preliminary application and PDF documents electronically to [HOMEARP@kshousingcorp.org](mailto:HOMEARP@kshousingcorp.org). Documentation received after the deadline will not be used in the evaluation of the preliminary application unless that documentation has been specifically requested by KHRC.

After KHRC completes an evaluation of all preliminary applications as provided in Section K, KHRC will notify applicants whether they have been selected to submit a full application. Please note that there will be no further notice to the public or opportunity to submit an application under this RFP after the preliminary application deadline. Those interested in applying for HOME-ARP Funds under this RFP must submit a preliminary application by the deadline stated in order to be considered for an award under this RFP.

Deadlines, submission requirements, required components of full applications, and final evaluation criteria will only be provided directly to those applicants invited to submit a full application. Applicants asked to submit a full application may also be asked to make a virtual presentation to members of KHRC's HOME-ARP review committee; however, whether to request a presentation shall be in KHRC's sole discretion, and KHRC may request presentations from none, one, some, or all of the applicants selected to submit a full application. Any in-person presentations will be held at KHRC's office at 611 South Kansas Avenue, Topeka, Kansas, 66603.

Preliminary and full applications submitted under this RFP will be considered property of KHRC, are matters of public record, and may be subject to public disclosure by KHRC after the announcement of awards.

### Application Benchmarks

HOME-ARP applications will be accepted in two stages:

**Benchmark 1: Preliminary Applications.** Preliminary applications will be due on Monday, September 18, 2023, at 5:00 pm. The information applicants will need to submit a preliminary application is included in this RFP.

Applicants with approved preliminary applications that are selected to submit full applications may also be asked to give virtual presentations on their project to members of the HOME-ARP review committee. Project presentations are anticipated to be held in late 2023.



**Benchmark 2: Full Application.** Applicants who advance from the preliminary application stage will be asked to submit a full application. Deadlines, submission requirements, final evaluation criteria, and required components of the full applications will be provided at that time directly to applicants advancing to the full application stage. Full applications are anticipated to be due in February 2024.

## **J. Application Requirements**

All required attachments for the HOME-ARP Preliminary Application can be found in Attachment B (HOME-ARP Preliminary Application – Required Attachments). Each applicant will be responsible for any costs incurred in responding to this RFP, including, but not limited to, preparing a preliminary application, preparing a full application, or providing an additional information requested by KHRC.

## **K. Application Evaluation Process**

Preliminary applications will be evaluated by KHRC’s HOME-ARP review committee, which will include members of KHRC’s Housing Development and Community Solutions HOME-ARP team, and which may also include persons or entities not employed by KHRC but who have knowledge and expertise relevant to the selection process.

Members of the committee will initially review each preliminary application for completeness and eligibility. Incomplete or ineligible preliminary applications will not be processed further by the committee and/or KHRC. The committee will then review the preliminary applications to determine, in the committee’s sole discretion, whether the applications meet the HOME-ARP Preliminary Application – Evaluation Guidelines (Attachment C). Applicants that receive approval to submit a full application must demonstrate in the preliminary application that the proposed project is financially, legally, physically, and operationally viable and compliant with program requirements, including a demonstration that proposed costs are necessary and reasonable.

Applicants with preliminary applications selected for additional consideration will be invited to submit a full application and will be provided a reasonable period of time to submit a full application, depending on the type and complexity of the proposed project. The review committee will review all full applications and make recommendations for awards to KHRC’s Loans and Grants Committee for final approval.

Please note that applicants will not be asked for a requested funding amount in the Preliminary Application. KHRC will review proposals and offer awards based on funding availability.

During the application evaluation process, KHRC reserves the right to accept, reject, or request modifications to any preliminary or full applications or proposed projects. All decisions made by KHRC, including regarding the preliminary applications selected and the final awards made, are final and made in KHRC’s sole discretion.

## **L. Reporting Requirements**

If awarded, a timeline for project completion will be established, with benchmarks and reporting obligations identified to demonstrate timely progress and compliance with federal, state, and KHRC requirements, including, but not limited to, those referenced in Statement of Assurances and Certification (Attachment D).

Awardees of HOME-ARP funds will be required to execute a HOME-ARP Written Agreement with KHRC, along with any other documents as requested by KHRC. Additionally, if HOME-ARP funds are used for rental housing development or non-congregate shelter, KHRC will require a recorded Land Use Restrictive Agreement for the duration of the applicable restricted use period.

Awardees will have periodic reporting requirements including, but not limited to, activity progress, recipient eligibility, financial accountability, and compliance with applicable federal, state, and KHRC requirements. Additional reporting requirements will be detailed if applicants are awarded.

## **M. Disbursement of Funds**

In general, project funds will be paid to reimburse eligible expenditures by the grantee on a schedule or in accordance with benchmarks established in a HOME-ARP Written Agreement.

## **N. Conflict of Interest**

Per HUD CPD Notice 21-10, persons engaging in any of the activities defined in the Notice shall be subject to the conflicts of interest provisions at 24 CFR 92.356, including but not limited to the conflicts of interest exception process defined in 24 CFR 92.356(d)-(e). Owners and developers of HOME-ARP NCS and HOME-ARP rental housing shall be subject to 24 CFR 92.356(f).

Applicants must disclose any current or former KHRC employees acting as a consultant or interested party. KHRC employees cannot receive a financial gain from the funding of a project received through KHRC while employed at KHRC and for a period of two years after their employment ends.

## **O. Compliance Monitoring**

KHRC will monitor compliance with the applicable requirements of this RFP and any agreements executed by the parties in connection with this RFP during the grant period and any additional restrictive use periods. All financial transactions of the awardees relevant to this RFP may be audited by KHRC, the Department of Housing and Urban Development, or other entities with the authority to do so. Applicants will be expected to comply with HUD CPD Notice 21-10 and other federal regulations as identified in the Notice.

## **ATTACHMENT A: HOME-ARP PRELIMINARY APPLICATION**

The HOME-ARP Preliminary Application can be downloaded from the KHRC website. Please go to <https://kshousingcorp.org/home-arp/> and select the HOME-ARP Preliminary Application from under the Documents | Forms | Resources section.

# **ATTACHMENT B: HOME-ARP PRELIMINARY APPLICATION – REQUIRED ATTACHMENTS**

## **All Projects**

1. Resume for each key member of the HOME-ARP team.
2. Organization Chart for applicant entity.
3. Attach a Board Chart for the applicant entity.
4. Describe any significant recent organizational changes.
5. Description of membership to organizations, including the applicant entity's relationship with the Continuum of Care and other service organizations.
6. Identify and describe all partnerships with other agencies related to service delivery to the applicant's identified program beneficiaries needs. Agency contact (name of person, email and phone) information must be included.
7. Attach the following sections of the agency's most recent audit:
  - a. Schedule of Findings and Questioned Costs
  - b. Summary Schedule of Prior Audit Findings
  - c. If the applicant agency has not had a formal audit, please submit a complete set of financial statements for the most recent fiscal year.
8. Describe any current findings against the applicant from any federal or state agencies.
9. Description of the applicant organization's relevant experience (years of service, service area, previous experience with activities similar to those being proposed, etc.).
10. Resolution from entity's the governing body if the applicant is a non-profit organization approving submission of the application.
11. Describe how clients will be referred to program.
12. Financial statements (income statement, balance sheet) of the organization.
13. Any other information that describes or documents the entity's capacity to carry out the proposed activity, including through any restricted use or compliance period.
14. Please provide a narrative on your proposed project and include the following elements:
  - a. HOME-ARP Eligible Activities that will be part of the project.
  - b. Your organization's previous experience with the proposed project/activities.
  - c. If your organization does not have experience with the proposed activity, explain how you will bring in the experience necessary to execute the project.

- d. If requesting HOME-ARP Non-Profit Operating or Capacity Building funds, describe the need and how the funds would be used.
- e. How your organization determined that the proposed project is necessary in your community or service area. This narrative should include a description of the needs of the QPs in the community/service area with supporting data.
- f. Housing-related experience of key staff members, development team members, and each person who contributes to the organization's capacity to do the proposed work in addition to the requested resumes.
- g. The applicant entity's experience/capacity with providing housing and services to vulnerable populations. Examples of this experience can include (but is not limited to) ESG, TBRA, HOME, housing development, Housing Counseling Services, and COC grants. As part of this narrative, include other federal grants the applicant receives.
- h. The applicant organization's long-term goals and objectives related to housing and services for Qualifying Populations, as well as specific activities and strategies designed to achieve those goals and objectives.
- i. The local community's commitment to and support of the applicant organization, including any financial support.
- j. For HOME-ARP proposals located within the boundaries of a local HOME-ARP Participating Jurisdiction (Lawrence, Kansas City, Johnson County, Topeka or Wichita), describe whether local HOME-ARP funds will be available for your proposed activity. Include an explanation of how the different HOME-ARP funds (state and local) will be used.
- k. How the proposal fits with the needs and gaps identified in the local HOME-ARP Allocation Plan.
- l. How this project addresses the needs of persons relevant to the appropriate QP.
- m. Expected program accomplishment(s) if funding is awarded (accomplishments must be described in terms of households served, people served, units developed, etc.).
- n. Describe similar activities being done by other organizations in the applicant entity's service area as well as any collaboration with other organizations to 1) enhance your proposal and 2) ensure that there will not be a duplication of services.
- o. The applicant's sustainability plan for continuing these services after the HOME-ARP funds have been fully expended. Include a plan for each Eligible Activity being requested.

**15. Signed Statement of Assurances and Certification (Attachment D of this RFP).**

### **Rental and NCS Projects**

1. If a specific site has been selected, describe the proposed location and how the applicant will obtain site control if not in place.
2. If a specific site has been selected, document how the proper zoning and utilities will be made available if not already in place.
3. List of services near site.
4. Pictures of site.
5. Preliminary site plan and renderings/drawings.
6. Description of rehab or construction to be performed.
7. Preliminary budget and operating proforma demonstrating sustainability.

### **Supportive Services Projects**

1. Describe how the applicant entity will prevent providing duplication of services.
2. Provide an explanation of any significant changes to the applicant entity's financial system in the last two years.
3. Statement of Need for HOME-ARP funds in the service area.
4. Please provide an overview of how HOME-ARP funds will be used in the applicant entity's service area/ jurisdiction to address the need.
5. Briefly describe the applicant entity's board of director's fiscal oversight committee. How many members does it have, how often does it meet, and what are its responsibilities?

### **TBRA Projects**

1. Please describe how the applicant's selection policies and practices will ensure the program is open to all QPs.
2. Describe the experience level of the agency administering the grant.
3. Describe any other rental subsidy program(s) operating in the service area.
4. Timeline describing the initial distribution of assistance to the final commitment of funds.

### **Operating and Capacity Building**

1. If the applicant intends to request funds for Operating and Capacity Building expenses, provide a brief narrative regarding the following:
  - a. Why operating and capacity building funds are needed; and,
  - b. How operating and capacity building funds will be used.

# **ATTACHMENT C: HOME-ARP PRELIMINARY APPLICATION – EVALUATION GUIDELINES**

Preliminary Applications for the use of HOME-ARP funds under this RFP will be evaluated based on the following criteria:

## **1. Need**

- a. Ability to identify housing needs of applicant's community
- b. Urgency of housing need, specifically regarding the QPs
- c. Ability of applicant to address housing need with existing funds
- d. Community's response to housing need to date
- e. The extent to which the applicant will provide housing and services that includes assistance from other entities, including rental-assistance or service contracts for the duration of the project reporting period will be evaluated.
- f. The extent to which projects demonstrate that the population who will live in the project is underserved in the area where the project is located

## **2. Capacity**

- a. Ability to administer RFP funds
- b. Organizational and project structure
- c. Housing development or services provider experience and qualifications
- d. Financial, staffing and managerial capacity to develop housing projects within budget and timelines, including the current pipeline of projects in development
- e. Experience in owning, managing, and/or developing real estate assets
- f. Experience with public-sector housing programs
- g. Experience addressing the service needs of the relevant QP
- h. Experience with partnerships with service providers developed in order to address the needs of the project's residents
- i. Sustainability/viability of project

## **3. Location**

- a. Is adequate and appropriate in size, exposure and contour to accommodate the number and type of units proposed
- b. Has adequate utilities and streets to serve the site or demonstrated intention to obtain adequate utilities and streets to serve the site
- c. Is accessible to social, recreational, educational, commercial, and health facilities and services comparable to facilities and services found in neighborhoods consisting largely of unassisted similar units;

## **4. Application**

- a. Timeliness of application and responses to requests for follow-up information
- b. Thoroughness of application – application completed in its entirety, questions thoroughly answered, supporting documents submitted
- c. Ability to meet minimum RFP requirements

- d. Targets needs of the QPs

**5. Applicant History, Experience and Compliance**

- a. For applicants and/or developers who have received awards from KHRC previously, consideration will be given in part based on the relevant parties' history, experience, loan or grant administration activity
- b. Readiness to proceed including ability to gain site control, leveraged funds, and necessary support (team members with experience)
- c. Previous responsiveness to requests for information



## **ATTACHMENT D: STATEMENT OF ASSURANCES AND CERTIFICATION**

The applicant hereby assures and certifies with respect to the application that:

1. It possesses legal authority to make application and to execute a housing program.
2. Its governing body has duly adopted or passed as an official act, a resolution, motion or similar action authorizing the person identified as the official representative of the applicant to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the submission of the final statement, and to provide such additional information as may be required.
3. It has developed its final statement (application) of projected use of funds so as to give maximum feasible priority to activities that benefit low-income families.
4. Its chief executive officer or other officer of the applicant approved by the KHRC certifies that no action will occur that could be choice limited with regard to an Environmental Review and that all activity with respect to the proposed development will cease until the Environmental Review process has been completed and a Release of Funds has been issued by the U.S. Department of Housing & Urban Development.
5. The award will be conducted and administered in compliance with:
  - a. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and implementing regulations issued at 24 CFR Part I;
  - b. Fair Housing Amendments Act of 1988, as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provisions of brokerage service. Title VII and Executive Order 11063 requirements apply to all recipients, regardless of community size and/or racial/ethnic characteristics. The fair housing provisions apply to the community as a whole and pertain to the sale or rent of housing, the financing of housing, and the provision of brokerage services. *MEANINGFUL STEPS TO FURTHER FAIR HOUSING MUST BE TAKEN.* Such steps must be documented and will be monitored by the Kansas Housing Resources Corporation;
  - c. Section 109 of the Housing and Community Development Act of 1974, as amended, and the regulations issued pursuant thereto (24 CFR Section 570.602);
  - d. Section 3 of the Housing and Urban Development Act of 1968, as amended, and implementing regulations at 24 CFR Part 135;
  - e. Executive Order 11246, as amended by Executive Orders 11375 and 12086, and implementing regulations issued at 41 CFR Chapter 60;

- f. Executive Order 11063, as amended by Executive Order 12259, and implementing regulations at 24 CFR Part 107;
  - g. Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations when published for effect;
  - h. The Age Discrimination Act of 1975, as amended, (Pub. L. 94-135), and implementing regulations when published for effect;
  - i. The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and the implementing regulations at 24 CFR 570.488;
  - j. Anti-displacement and relocations plan requirement of Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended;
  - k. Relocation payment requirements of Section 105(a)(11) of Title I, Housing and Community Development Act of 1974, as amended;
  - l. Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;
  - m. The regulations, policies, guidelines, and requirements of OMB Circular Nos. A-128 and A-133 as they relate to the acceptance and use of federal funds under this federally assisted program;
  - n. The American Disabilities Act (ADA) (P.L. 101-336: 42 U.S.C. 12101) provides disabled people access to employment, public accommodations, public services, transportation and telecommunications; and,
  - o. All requirements of HOME-ARP Notice CPD-21-10.
6. The conflict of interest provisions of 24 CFR 92.356 apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub recipients which are receiving funds. None of these persons may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter, and that it shall incorporate or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purpose of this certification.
7. It will comply with the provisions of the Hatch Act that limits the political activity of employees.

8. It will give the state, HUD, and the Comptroller General or any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant.
9. It will comply with the lead paint requirements of 24 CFR Part 35 Subpart B.
10. It accepts the terms, conditions, selection criteria, and procedures established by this program description and that it waives any right it may have to challenge the legitimacy and the propriety of these terms, conditions, criteria, and procedures in the event that its application is not selected for HOME-ARP funding.
11. It will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally-assisted program.
12. It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously, as well as with other applicable laws.

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## ***Certification***

The undersigned certifies that all of the information contained in this application and all information provided in support of this application is true and accurate to the best of my knowledge. Representations made in the application will be the basis of the written HOME-ARP agreement if funding is awarded and, as such, will be used to monitor performance.

The Applicant understands and agrees that if false information is provided, or the applicant fails to provide any of the documentation necessary to support the information in this application, Kansas Housing Resources Corporation (KHRC) will disqualify the application from consideration. Activities, commitments, and representations offered in the application that are not subsequently made a part of the project as funded, shall be considered a material contract failure, and may result in a repayment of all HOME-ARP funds and/or suspension from Program participation. The applicant further understands and agrees that said application is subject to, and must conform with, all laws, rules and regulations pertaining to the HOME-ARP Program. Failure to comply with all HOME-ARP requirements will result in the repayment of all HOME-ARP funds and/or suspension from Program participation.

The Applicant certifies that neither it nor any of its principal participants is currently debarred, suspended or otherwise ineligible from receiving Federal funds, nor has knowledge of any pending or potential action that could result in such ineligibility, and that the Applicant will immediately notify KHRC of any such action or event.

The applicant shall not, in the provision of services, or in any other matter discriminate against any person on the basis of sex, race, religion, sexual orientation, color, national origin, ancestry, disability, age, or political affiliation.

The applicant will at all times indemnify and hold KHRC harmless against all losses, costs, damages, expenses, and liabilities of any nature directly or indirectly resulting from, arising out of, or relating to the Corporation's acceptance, consideration, approval, or disapproval of this request and the issuance or non-issuance of HOME-ARP funds herewith.

This certification must be signed by the individual authorized to execute the KHRC HOME-ARP agreement:

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

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

(SEAL)

State of Kansas  
County of \_\_\_\_\_

Attest:  
Subscribed and sworn to before me \_\_\_\_\_, \_\_\_\_\_.

My commission expires \_\_\_\_\_, \_\_\_\_\_.  
\_\_\_\_\_  
Notary Public

## ATTACHMENT E: PROGRAM COMPARISON

HOME Rental Development	HOME-ARP Rental Development
<ol style="list-style-type: none"> <li>1. HOME has per-unit cost limits (42 U.S.C. 12742(e)).</li> <li>2. HOME and ESG have match requirements (42 U.S.C. 12750).</li> <li>3. HOME has set-aside for housing developed, sponsored, or owned by community housing development organizations (CHDOs) (42 U.S.C. 12771).</li> <li>4. The HOME program targets HOME-assisted rental units based on tenant income (24 CFR 92.252).</li> <li>5. The HOME program requires that HOME-assisted units in a rental housing project must be available to low-income households at rents that do not exceed the published HOME rents, including an allowance for utilities (24 CFR 92.252).</li> <li>6. HOME allows a property with project based rental assistance to exceed the HOME rent limit if the PBRA contract rent is higher. This does not apply to voucher holders or TBRA recipients.</li> <li>7. HOME rental units have a minimum compliance period of 5-15 years for acquisition and/or rehab, and 20 years for new construction</li> <li>8. For HOME rental development projects, funding ongoing operating expenses or pre-funding an operating reserve is not an eligible HOME expense.</li> <li>9. The Uniform Relocation Act and Section 104(d) requirements apply to all HOME-assisted developments.</li> <li>10. A lease between the owner and tenant is required.</li> </ol>	<ol style="list-style-type: none"> <li>1. HOME-ARP does not have per-unit subsidy limits and can pay up to the full amount of eligible costs(CPD 21-10, 3).</li> <li>2. HOME-ARP does not have match requirements (CPD 21-10, 3).</li> <li>3. HOME does not have a set-aside for CHDOs (CPD 21-10, 3).</li> <li>4. HOME-ARP targets Qualifying Populations without regard to income, except that a) up to 30% of rental units may be rented to Low Income non-QP households in accordance with the requirements at 24CFR 92.252, and b) if other funding sources have income requirements, those requirements may apply.</li> <li>5. The PJ must determine that each qualifying household's contribution to rent is affordable to the household based on a determination of the household's income (CPD 21-10, 31). Tenant rent plus utilities is generally limited to 30% of the household's income.</li> <li>6. HOME-ARP allows a property with either project based rental assistance (PBRA) <u>or</u> tenant based rental assistance (e.g. TBRA or vouchers) to accept rent up to the rental assistance program's rent standard.</li> <li>7. HOME-ARP has a minimum compliance period of 15 years for all HOME-ARP rental units irrespective of the amount of subsidy per unit or whether the units are acquired, rehabilitated, and/or newly constructed (CPD 21-10, 21).</li> <li>8. HOME-ARP funds may be used to provide ongoing operating cost assistance or capitalize a project operating cost assistance reserve to address operating deficits of the HOME-ARP units restricted for qualifying households during the compliance period (CPD 21-10, 21).</li> <li>9. The Uniform Relocation Act requirements apply to HOME-ARP rental developments. The one-for-one replacement housing requirements of section 104(d)( does not include single-room occupancy (SRO) units or residential hotel or motel units in jurisdictions where those units are considered dwelling units under state or local law. All other section 104(d) requirements, apply.</li> <li>10. Master leasing is eligible.</li> </ol>

TBRA	HOME-ARP TBRA
<ol style="list-style-type: none"> <li>1. Tenant Selection: based on income of the household. Grantee may select to serve only special needs groups.</li> <li>2. Utility Allowance: Grantee may adopt the utility allowance schedule that the PHA uses for Section 8 or establish their own schedule based on a survey of typical utility costs in the area</li> <li>3. Homebuyer programs: HOME TBRA may assist a tenant who has been identified as a potential low-income homebuyer under a lease purchase program</li> <li>4. Term of Rental Assistance contract: the term must be at least one year, unless both agree otherwise</li> <li>5. HOME TBRA income targeting requirements: 212(a)(3)(A)(ii) of NAHA (42 U.S.C. 12742(a)(3)(A)(ii)) and 24 CFR 92.216</li> <li>6. Maximum Subsidy: 24 CFR 92.209(h)</li> </ol>	<ol style="list-style-type: none"> <li>1. Tenant Selection: only individuals and families in the qualifying populations may receive assistance. Not income-limited, but would be of minimal benefit to higher income households.</li> <li>2. Utility Allowance: HOME_ARP may provide up to 100% subsidy for utility bills.</li> <li>3. Homebuyer programs: HOME-ARP TBRA may not be used to pay for the homebuyer programs defined at 24 CFR92.209(c)(2)(iv).</li> <li>4. Term of Rental Assistance contract: The requirement at 24 CFR 92.209(e) defining the term of the rental assistance contract for providing assistance with HOME funds are waived for HOME-ARP TBRA</li> <li>5. HOME TBRA income targeting requirements: 212(a)(3)(A)(ii) of NAHA (42 U.S.C. 12742(a)(3)(A)(ii)) and 24 CFR 92.216 are waived</li> <li>6. Maximum subsidy: PJ must establish policies for the allowable maximum subsidy, which may differ from the maximum subsidy requirements at 24 CFR 92.209(h).</li> </ol>

Emergency Solutions Grant	HOME-ARP Supportive Services*
<b>24 CFR 576</b>	<b>CPD 21-10</b>
<p>ESG funds can be used to provide a range of supportive services under the five program components: Street outreach, Emergency shelter, Homeless Prevention, Rapid-Rehousing and HMIS.</p>	<p>There are three categories included as supportive services under HOME-ARP: McKinney-Vento Supportive Services, Homeless Prevention and Housing Counseling</p>
<p style="text-align: center;"><b>ESG Program Components:</b></p> <p>ESG-funded street outreach includes activities to engage individuals experiencing unsheltered homelessness, provide support for basic needs, and connect individuals to services and housing. Services consist of engagement, case management, emergency health services, emergency mental health services, specific transportation costs, and services for special populations. Eligible activity under ESG (§ 576.101)</p>	<p style="text-align: center;"><b>Home-ARP Supportive Services</b></p> <p>Outreach services are eligible in HOME-ARP as a supportive service VI.D.4.J. Covered costs include staffing (salaries, travel, and cellphones); direct services such as crisis management, information and referral, and the cost of food, blankets, and hygiene kits. Supportive services under HOME-ARP also includes mental health services under VI.D.4.H and outpatient health services under VI.D.4.I</p>
<p>Emergency shelter is a short-term shelter for literally homeless individuals and families to meet their urgent safety needs. Emergency shelter can be congregate or non-congregate. Domestic violence shelters are short-term interim shelter options designed to meet the additional needs of persons fleeing an abusive situation. Eligible activity under ESG (§ 576.102).</p>	<p>Home-ARP Non-congregate shelter is one or more buildings that provide private units or rooms as temporary shelter to individuals and families and do not require occupants to sign a lease or occupancy agreement. HOME-ARP funds may not be used for the operating costs of Home-ARP non congregate shelters.</p>

<p>As defined in the ESG regulations, homeless prevention activities are designed to prevent an individual or family from becoming homeless. Eligible services and assistance include short-term and medium-term tenant-based or project-based rental assistance, rental arrears, rental application fees, security deposits, advance payment of last month's rent, utility deposits and payments, moving costs, housing search and placement, housing stability case management, mediation, legal services, and credit repair.</p>	<p>HOME-ARP funds may be used to provide a broad range of supportive services to qualifying individuals or families as a separate activity or in combination with other HOME-ARP projects and activities.</p> <p>The HOME-ARP Supportive Services eligible activity combines and adapts support services concepts and eligible activities from the ESG and CoC regulations, including HOME-ARP Homelessness Prevention Services that were adapted from eligible homelessness prevention services under the ESG regulations at 24 CFR 576.102, 24 CFR 576.103, 24 CFR 576.105, and 24 CFR 576.106 and were revised, supplemented, and streamlined in Section VI.D.4.c.i of CPD21-10.</p>
<p>ESG Rapid rehousing activities are designed to move homeless people quickly to permanent housing through housing relocation and stabilization services and short and/or medium-term rental assistance.</p> <p>Eligible services and assistance include short-term and medium-term tenant-based or project-based rental assistance, rental arrears, rental application fees, security deposits, advance payment of last month's rent, utility deposits and payments, moving costs, housing search and placement, housing stability case management, mediation, legal services, and credit repair.</p>	<p>McKinney-Vento Supportive Services under HOME-ARP were adapted from the services listed in Section 401(29) of McKinney-Vento. These eligible services include housing-related services: (1) short-term and medium-term financial assistance for rent, rental arrears, rental application fees, security deposits, advance payment of first and last months' rent, utility deposits and payments, and moving costs; (2) housing support including landlord/tenant liaison costs, mediation, legal services, and credit repair; (3) income stabilization services including life skills training, child care, transportation, food, employment assistance and job training, and education services; and (4) health services including mental health, outpatient, and substance abuse treatment.</p> <p>HOME-ARP supportive services also include services for special populations if the cost of providing the services is eligible under section VI.D of CPD-21-10.</p>
<p>HMIS activities are designed to fund ESG recipients and subrecipients' participation in the Homeless Management Information System, data collection and analyses of data on individuals and families who are homeless and at-risk of becoming homeless.</p>	<p><b>Not found in HOME-ARP Supportive Services</b></p>
<p><b>Not found in ESG</b></p>	<p>Housing Counseling Services – Housing Counseling services under HOME-ARP are those consistent with the definition of housing counseling and housing counseling services defined at 24 CFR 5.100 and 5.11</p>

\*HOME-ARP Eligible Activities CoC/ESG Housing and Services Crosswalk  
[HOME-ARP Eligible Activities CoC/ESG Housing and Services Crosswalk \(hudexchange.info\)](https://hudexchange.info)

# ATTACHMENT F: HOME-ARP “THINGS TO CONSIDER” CHART

## Kansas Housing Resources Corporation HOME-ARP Program

### *ELIGIBLE ACTIVITIES & IMPORTANT THINGS TO CONSIDER*

This chart contains information on the five eligible activities under HOME-ARP for your consideration. Proposals for the use of HOME-ARP funds may include one or more of the five eligible activities included below are a number of issues to consider when determining if an eligible activity could assist in addressing the unmet needs of your constituents.

NEW RENTAL PRODUCTION (acquisition, construction or rehabilitation of rental housing units)	
<p><b>ELIGIBLE COSTS:</b></p> <ul style="list-style-type: none"> <li>• The entire project cost is eligible</li> <li>• Occupants are eligible for HOME-ARP TBRA assistance. TBRA assistance, however, is portable, and a TBRA recipient may not be required to live in a HOME-ARP assisted unit.</li> <li>• Acquisition of vacant land or demolition is eligible if construction is expected to start within 12 months of commitment</li> <li>• 100% of eligible development costs including acquisition, construction, relocation and related soft costs may be paid by HOME-ARP funds</li> <li>• Operating costs assistance can be capitalized for: (1) ongoing operating costs for assistance OR (2) operating reserve during compliance period (if provided, KHRC will pre-fund an operating reserve rather than paying ongoing costs directly).</li> </ul>	<p><b>IMPORTANT THINGS TO CONSIDER:</b></p> <ul style="list-style-type: none"> <li>• The level and degree of developer capacity to undertake a complex project</li> <li>• No more than 30% of total HOME-ARP assisted rental units may be occupied by Low Income (LI) households (distinct from Qualifying Population households).</li> <li>• Tenant-paid rent plus utilities for QPs cannot exceed 30% of household income . Rents for non-QP Low-Income households are governed by HOME requirements at 24 CFR 92.252.</li> <li>• Not less than 70% of total HOME-ARP units must be QP households</li> <li>• Repayment of HOME-ARP funds is required if a project is not completed within four years of commitment, not rented to eligible households within 12 months of project completion or terminated before completion, or not in compliance with HOME-ARP</li> <li>• QP households remain eligible as tenants regardless of income increases during tenancy, but rent must be calculated to income annually</li> <li>• Minimum 15-year compliance period regardless of amount of HOME-ARP funding or type of development (new construction, acquisition or rehab). If a HAP contract is in place, the compliance period will be at least the term of that contract.</li> <li>• Master leasing is permitted</li> </ul>



TENANT-BASED RENTAL ASSISTANCE	
<p><b>ELIGIBLE ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Rental assistance, security deposit assistance and utility payments</li> <li>• Utility deposits (only if rental assistance or security deposit is paid)</li> <li>• A HOME-ARP sponsor organization may facilitate leasing of a HOME-ARP unit, make rental subsidy payments and pay security deposit on behalf of QP households</li> </ul>	<p><b>IMPORTANT THINGS TO CONSIDER:</b></p> <ul style="list-style-type: none"> <li>• Households receiving HOME-ARP TBRA can port out without losing assistance</li> <li>• PJ must determine rent reasonableness</li> <li>• PJ determines maximum term and whether or not it's renewable—all funds must be spent by 2030</li> <li>• If a PHA receives HOME-ARP for tenant based rental assistance, then the PHA may need to revise its tenant preferences to include one or more of the QPs</li> <li>• May be difficult in tight rental market and in a market with few participating landlords</li> </ul>

NON-CONGREGATE SHELTER (acquisition, rehabilitation or construction of NCS units)	
<p><b>ELIGIBLE ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>• Improved or unimproved real property</li> <li>• Demolition of existing structures to develop NCS units</li> <li>• Improvements to the project site including utilities, utility connections, laundry facilities, community facilities, on-site management, supportive service offices</li> <li>• Reasonable and necessary related soft costs</li> <li>• Capitalization of a replacement reserve to cover reasonable and necessary replacement costs of major systems</li> </ul>	<p><b>IMPORTANT THINGS TO CONSIDER:</b></p> <ul style="list-style-type: none"> <li>• Cannot fund operating costs of the facility but can apply for HOME-ARP funds for supportive services to individuals and households sheltering in the NCS</li> <li>• Occupants cannot be charged rent or a fee and no lease is required</li> <li>• Units can be converted to permanent housing after restricted use period</li> <li>• Cannot use HOME-ARP to fund conversion of NCS units to permanent or transitional housing (although conversion can occur with other sources of funds)</li> <li>• Must operate according to ESG shelter guidelines</li> </ul>

SUPPORTIVE SERVICES	
<p><b>ELIGIBLE ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>Limited to McKinney-Vento Supportive Services, Homelessness Prevention Services and Housing Counseling Services</li> <li>Under McKinney-Vento: childcare, basic education, employment assistance, job training, providing meals/groceries, securing housing, certain legal services, teaching critical life management skills, financial assistance such as rental application fees, security deposits, utility deposits, rental arrears</li> <li>Homelessness Prevention Services limited to regaining stability in current permanent housing or moving to other permanent housing to achieve stability</li> <li>Housing Counseling Services include only services provided by HUD-certified housing counselors and organizations, including costs associated with prepurchase homebuying counseling</li> </ul>	<p><b>IMPORTANT THINGS TO CONSIDER:</b></p> <ul style="list-style-type: none"> <li>Supportive services have quarterly reporting requirements</li> <li>Cannot duplicate existing supportive services</li> <li>Consider how funding of supportive services would be continued after 2030</li> <li>Can be combined with other HOME-ARP activities</li> <li>What is the level of capacity within organizations to provide services?</li> </ul>

NON-PROFIT OPERATING & CAPACITY-BUILDING ASSISTANCE	
<p><b>ELIGIBLE ACTIVITIES:</b></p> <ul style="list-style-type: none"> <li>General operating costs</li> <li>Provision of capacity building assistance that will result in expansion or improvement in organization's ability to carry out an eligible HOME-ARP activity</li> </ul>	<p><b>IMPORTANT THINGS TO CONSIDER:</b></p> <ul style="list-style-type: none"> <li>Only available to nonprofit organizations that will carry-out other HOME-ARP activities</li> <li>Operating assistance cannot exceed the greater of 50% of general operating expenses of the organization for a year, or \$50,000</li> <li>Capacity building assistance may not exceed the greater of 50% of general operating expenses for a year, or \$50,000</li> <li>If an organization receives both, the aggregate amount cannot exceed the greater of 50% of the organization's total operating expenses or \$75,000</li> </ul>