

2024

Notice of Funding Availability (NOFA)



Photo by Brian Zehowski

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2024 NOFA LOAN PROGRAM

INTRODUCTION

The Department of Community & Economic Development (DCED) Notice of Funding Availability (NOFA) loan program provides residential developers with various financing options for transformative housing projects that will make positive, visible impacts on our communities. Through NOFA, DCED intends to support projects that achieve *Plan Cincinnati's*¹ goals to provide a full spectrum of healthy housing options and to improve housing quality and affordability.

How Does NOFA Work?

NOFA is a public gap financing tool that leverages private financing to develop quality housing throughout the city. Through NOFA, DCED provides subordinated loans for up to 40% of total project costs. A sample project financing structure is listed below:

Source	Percent	Amount	Security
Bank/Private Loan	70%	\$ 700,000.00	1st Mortgage
NOFA Loan *	20%	\$ 200,000.00	2nd Mortgage
Developer Equity	10%	\$ 100,000.00	n/a
Totals	100%	\$ 1,000,000.00	

* NOFA loan cannot exceed 40% of total project cost

NOFA loans are awarded through a competitive application process, through which DCED staff will evaluate and recommend projects based on how well they meet the City's housing policy objectives. Scoring criteria are updated annually and can be viewed in the *NOFA Application*. Project scores are meant to serve as a guide for staff and should not be considered the only determining factor for funding recommendations. Other funding considerations include but are not limited to:

- **Applicant's property ownership history**, including any Building, Fire, Health, or property related code violations. The City reserves the right to deny any applicant with past or present violations.
- **Applicant's NOFA project history**, including past NOFA project performance and capacity of applicants given existing pipeline of awarded NOFA projects.

Staff recommendations will be presented to the Director of DCED and the City Manager's Office for final determination of awards meeting the City's housing policy objectives. The City Manager's Office has the right to accept, modify, or reject funding recommendations.

¹ *Plan Cincinnati* is available at <https://www.cincinnati-oh.gov/planning/plan-cincinnati/>

2024 Schedule

DCED intends to follow the NOFA schedule outlined below but reserves the right to revise program dates, as necessary. **Due dates and times as published and as amended will be strictly enforced. Late submissions will not be accepted.**

Date*	NOFA Status
Tuesday, February 20 th	Guidelines and Application Release
12pm (noon) ET, Friday, March 29 th	Intent to Apply DEADLINE
12pm (noon) ET, Friday, May 3 rd	Application Submission DEADLINE
Friday, August 16 th	Formal Awards Announced (tentative)

*Application submission date subject to change; Identified pre-applicants will be notified accordingly.

Following formal awards, DCED will work with awarded applicants through final due diligence, contract drafting and execution, financial closing, pre-development activities, construction oversight, and project close-out. Awarded applicants are expected to move projects forward in a timely manner. Awarded applicants must be able to execute a funding agreement within six (6) months of award date and commence construction within one (1) year of award date. Funding will be rescinded if this requirement is not met. See Exhibit D for more information about Post-Award Procedures.

WHO IS ELIGIBLE TO APPLY FOR NOFA LOANS?

For-profit & non-profit corporations, Community Development Corporations, Community Housing Development Organizations, Community Based Development Organizations, Public Housing Authorities, partnerships, and proprietorships are all welcome to apply for NOFA loans. Applicants who were not awarded funding in a previous NOFA round are eligible to apply. Mixed-use, multi-family OR homeownership projects will be considered for NOFA loan awards. Projects that include both multi-family rental AND single-family homeownership components will not be eligible and should be submitted as separate applications where the projects will be evaluated separately.

Threshold Criteria

To be considered for review, applicants must meet certain threshold requirements. Any project that does not meet all threshold requirements at time of initial application may be rejected:

- Minimum of 4 Units – Project must include a minimum of four (4) residential dwelling units.
- Primary Funding Commitments – Applicant must demonstrate to DCED that a minimum of 60% of project financing has been secured from non-City resources. All commitments must be dated within six (6) months of the application submission deadline. Financial commitments must be evidenced by a conditional commitment letter, letter of interest (LOI), or term sheet indicating the loan or grant amount, loan term, and interest rate.
- Minimum of 5% Owner Equity (*not applicable to Low Income Housing Tax Credit projects*) – Applicant must demonstrate to DCED that a minimum of five percent (5%) of project financing has been committed from owner/developer equity. All commitments must be dated within six (6) months of the application submission deadline. Equity commitments must be evidenced by a conditional commitment letter, letter of intent, or term sheet on official letterhead and signed

by an authorized representative for the applicant. Deferred developer fee can count towards the minimum 5% owner/developer equity, but it must be repayable within 15 years.

- Site Control – Applicant must have site control for the property associated with the project. Site control can be evidenced by an executed and recorded deed, purchase contract or option, holding contract, or other legally binding measure. Option agreements must include the time period within which the property will be transferred.

WHAT ARE ELIGIBLE USES OF NOFA LOANS?

NOFA loan funds can be used for site acquisitions (arm's length transaction from a non-affiliate seller), hard costs associated with renovation and new construction of residential space, and infrastructure improvements associated with the project. NOFA loan funds CANNOT be used for pre-development or soft costs associated with a project or public improvement projects including the erection, construction, alteration, repair or improvement of any public structure, building, road, or public improvement of any kind. NOFA loans may come with additional requirements or restrictions around the use of funds, pre-development activities, and long-term monitoring and compliance. See the Funding Availability section for more information, though applicants are expected to conduct their own research into these requirements.

All loans awarded will be paid out on a pro-rata basis during construction except as otherwise authorized to meet the needs of certain tax credit programs or as approved by the City. Borrower's reimbursement requests should be submitted regularly, but will be limited to once in any thirty (30) day period and should only cover one month of construction expenses at a time. The City will withhold a ten percent (10%) retainage to be released upon completion of construction as evidenced by Certificate of Occupancy or some other official documentation from the Department of Buildings and Inspections, submission of all final sworn affidavits and/or final unconditional lien waivers for the general contractor and all subcontractors, and satisfactory compliance with all other applicable City, State, and Federal requirements.

Homeownership

Projects that create and/or improve homeownership opportunities throughout the City are eligible for NOFA funds. Funding priority will be granted towards projects that create clustered or contiguous housing units that are for sale and marketed towards low to moderate-income households earning 80% or less of the HUD-adjusted Area Median Household Income.

Rental

Projects that include the creation or renovation of affordable rental, mixed-income, and mixed-use projects, as well as permanent supportive housing projects throughout the City are eligible for NOFA funds. Funding priority will be granted to affordable and mixed-income rental projects marketed towards low-income households earning 60% or less of the HUD-adjusted Area Median Household Income. Ineligible projects include student housing, group homes, shelters, transitional housing and dormitory-style facilities.

FUNDING AVAILABILITY

DCED intends to make approximately \$2 million available to loan applicants for residential development, not including available TIF District Funding. This funding is an aggregate amount allocated to the NOFA from the five (5) funding sources listed below: Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), HOME Investment Partnership American Rescue Plan (HOME-ARP), Capital, and Tax Increment Financing District resources (TIF). This funding amount is an approximation; true funding amount is pending a number of factors including: receipt of applications for qualified projects by geography or income restriction, receipt of funds from the Department of Housing and Urban Development and City Council appropriation where required. As anticipated sources increase or decrease, availability of funds will be adjusted accordingly. **It is in DCED's discretion to award all available funds, a portion of available funds, or no funds in the NOFA round.**

Community Development Block Grant (CDBG)

Loans will be considered for renovation projects with a housing component that benefit low to moderate-income households or reduce slum and blight in eligible neighborhoods. Approximately \$350,000 is available in CDBG funding. CDBG-assisted projects may be subject to additional requirements and regulations, including:

- At least 51% of units will be restricted to households earning 80% or less of the HUD-Adjusted Median Household Income for the area (see Exhibit B).
 - Income eligibility will be verified using an income certification form at initial lease-up or sale.
- Rent (including utilities) for income-restricted units will be limited to 30% of the household Area Median Income target (e.g., if unit will be restricted to a 60% AMI household, rent will be limited to 30% of the monthly income at 60% AMI) (see Exhibit B).
- [Build America, Buy America](#) provisions
- [Environmental review](#)
- [Lead-based paint](#) provisions (for structures built before 1978)
- Non-discrimination and equal access provisions, including but not limited to:
 - [Americans with Disabilities Act \(ADA\)](#)
 - Broadband Infrastructure provisions for projects with five (5) or more units
- Procurement requirements (see Exhibit C)
- [Uniform Administrative Requirements](#)
- [Uniform Relocation Assistance, Section 104\(d\), and related acts](#)

HOME Investment Partnership Program (HOME)

Loans will be considered for renovation and new construction projects that create affordable housing for low to moderate-income households. DCED does not anticipate any HOME funding to be available this round, though this is subject to change. HOME-assisted projects may be subject to additional requirements and regulations, including:

- Rental projects
 - HOME-assisted units will be restricted to households earning 60% or less of the HUD-Adjusted Median Household Income for the area (see Exhibit B).
 - If the number of HOME-assisted units is five (5) or more, all HOME-assisted units will be restricted to households earning 50% or less of the HUD-Adjusted Median Household Income for the area.
 - Income eligibility will be verified using the Part 5 method of determining income at initial lease up and every six (6) years for the period of affordability.
 - Rent (including utilities) for HOME-assisted units will be limited to the applicable High HOME or Low HOME rent limits as published by HUD (see Exhibit B).
- Homeownership projects
 - HOME-assisted units will be restricted to households earning 80% or less of the HUD-Adjusted Median Household Income for the area (see Exhibit B).
 - Income eligibility will be verified using source documentation at initial sale and for each subsequent sale for the period of affordability.
 - Sales price for HOME-assisted units will be limited to 95% of the median purchase price for the area as published by HUD (see Exhibit B).
- Annual reporting and monitoring
- [Build America, Buy America](#) provisions
- [Environmental review](#)
- [Lead-based paint](#) provisions (for structures built before 1978)
- Non-discrimination and equal access provisions, including but not limited to:
 - [Americans with Disabilities Act \(ADA\)](#)
 - Broadband Infrastructure provisions for projects with five (5) or more units
 - [Violence Against Women Act \(VAWA\)](#)
- Procurement requirements (see Exhibit C)
- [Property Standards](#)
- [Site and Neighborhood Standards](#)
- [Uniform Administrative Requirements](#)
- [Uniform Relocation Assistance, Section 104\(d\), and related acts](#)

The City also receives HOME dollars to be directed towards eligible housing projects that are owned, developed, or sponsored by Community Housing Development Organizations (CHDOs). The requirements and regulations that apply to other HOME funded projects may apply to HOME CHDO projects. There are specific eligibility criteria to qualify as a CHDO and the City must certify CHDOs every year. For more information on CHDOs, please contact Joseph Malek, Neighborhoods Development Manager, at joseph.malek@cincinnati-oh.gov.

HOME American Rescue Plan (HOME-ARP)

Loans will be considered for renovation and new construction projects that provide homelessness assistance and supportive services. Approximately \$1 million is available in HOME-ARP funding. The City's use of HOME-ARP funds is designed to create affordable permanent supportive rental housing (PSH) that serves a qualifying population. Qualifying populations include:

- Those who are homeless as defined under 24 CFR 91.5
- Those at risk of homelessness

- Those who are fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking
- Other populations where providing supportive services or assistance would prevent the family's homelessness or serve those with the greatest risk of housing instability
- Veterans and families that include a veteran member that meet the criteria for one of the qualifying populations previously listed.

HOME-ARP assisted projects may be subject to additional requirements and regulations, including:

- [Build America, Buy America](#) provisions
- [Environmental review](#)
- [Lead-based paint](#) provisions (for structures built before 1978)
- Non-discrimination and equal access provisions, including but not limited to:
 - [Americans with Disabilities Act \(ADA\)](#)
 - Broadband Infrastructure provisions for projects with five (5) or more units
 - [Violence Against Women Act \(VAWA\)](#)
- Procurement requirements (see Exhibit C)
- [Property Standards](#)
- [Uniform Administrative Requirements](#)
- [Uniform Relocation Assistance, Section 104\(d\), and related acts](#)

City Capital (Capital)

Loans will be considered for projects that meet DCED's strategic objectives and City housing policy goals, including affordable and mixed-income developments, and infrastructure improvements that may not qualify under the Federal CDBG or HOME programs. Approximately \$750,000 is available in Capital funding. City Capital-assisted projects may be subject to additional requirements and regulations, including:

- Rent (including utilities) for income-restricted units will be limited to 30% of the household Area Median Income target (e.g., if unit will be restricted to a 60% AMI household, rent will be limited to 30% of the monthly income at 60% AMI) (see Exhibit B).
- Environmental Site Assessment Phase I (for new construction)
- [Lead-based paint](#) provisions (for structures built before 1978)
- Non-discrimination and equal access provisions, including but not limited to:
 - [Americans with Disabilities Act \(ADA\)](#)
- Procurement requirements (see Exhibit C)
- [Relocation](#) provisions

Tax Increment Financing District (TIF)

Loans will be considered for projects within eligible TIF Districts² that meet DCED's strategic objectives and City housing policy goals, including affordable and mixed-income developments, and infrastructure improvements that may not qualify under the Federal CDBG or HOME programs. This source is a supplemental source of funding for the NOFA program and will be recommended as a source for projects as the Department deems necessary. Availability of funding is dependent upon a

² More information on TIF Districts is available at <https://choosecincy.com/neighborhood-services/tif-districts/>

TIF District's fund balance and any outstanding commitments. TIF assisted projects may be subject to additional requirements and regulations, including:

- Rent (including utilities) for income-restricted units will be limited to 30% of the household Area Median Income target (e.g., if unit will be restricted to a 60% AMI household, rent will be limited to 30% of the monthly income at 60% AMI) (see Exhibit B).
- [Community Engagement Meeting](#) (CEM) facilitated by the Department of City Planning and Engagement
- City Council approval
- Environmental Site Assessment Phase I (for new construction)
- [Lead-based paint](#) provisions (for structures built before 1978)
- Non-discrimination and equal access provisions, including but not limited to:
 - [Americans with Disabilities Act \(ADA\)](#)
- Procurement requirements (see Exhibit C)
- [Relocation](#) provisions

EVALUATION CRITERIA

NOFA loans are awarded through a competitive application process, through which DCED staff will evaluate and recommend projects based on how well they meet the City's housing policy objectives. DCED staff will underwrite the Development Team, Property Manager, Sources and Uses, and Proforma to confirm financial and regulatory compliance with available funding sources.

Projects applying for NOFA loans will be self-scored by the applicant and receive a final staff score. Project scores are meant to serve as a guide for NOFA staff and should not be considered the only determining factor for funding recommendations. Project scores are based on the criteria outlined below:

- I. [Project Financing \(40 points\)](#)
 - Does the project have enough net operating income to pay all obligations for at least the first five (5) years? Is the project financially feasible for at least the length of the designated affordability period?
 - Has the project secured all other sources of necessary financing? If not, will all other sources be secured within six (6) months of award date to meet the funding agreement execution deadline?
 - Does the project maximize non-City sources of funding?
 - How well does the project leverage NOFA loans and what is the per unit ratio for the proposed NOFA loan amount?
 - How much equity is the developer/owner contributing to the project?

II. Project Characteristics (30 points)

- Is the developer a Community Housing Development Organization, Community Based Development Organization, Community Development Corporation, or City-certified MBE/WBE?
- Does the project eliminate blight, address code violations, or rehabilitate existing vacant property?
- Does the project preserve existing historic buildings?
- Does the project have a visible impact on the neighborhood by creating tightly clustered and/or contiguous units?
- Is the project located within a walkable half (0.5) mile of an activity center?
 - i. An activity center is defined as no less than three (3) adjacent uses such as Cultural Arts Facility, Education Facility, Place of Worship, Supermarket, Bank, etc.
- Is the project transit-oriented?
 - i. Projects located within a walkable half (0.5) mile of a 24-Hour Metro Bus Route – as listed in *Exhibit A* – are deemed transit-oriented.
- Is the project mixed-use? Does it include both residential and commercial components?

III. Project Type Specific Scoring (30 points)

For this section of the scorecard, projects will be evaluated by characteristics relevant to their Project Type (Homeownership or Rental)

- Homeownership
 - i. Does the project create homeownership opportunities for low-income households earning at or below 80% of Area Median Income? Does the project create homeownership opportunities for workforce households earning between 81 and 120% of the Area Median Income?
 - ii. To what degree does the project include onsite amenities, such as off-street parking and appliances?
 - iii. Does the project create family units, defined as 50% of units being 2 bedrooms OR 25% of units being 3 bedrooms?
 - iv. Does the project incorporate Cincinnati Visitability and/or Universal Design standards?
 - i. This requires certification by the City's Department of Buildings & Inspections on the Certificate of Occupancy.
 - v. Does the project achieve any environmental sustainability certifications?
 - i. [BREEAM](#)
 - ii. [Core Green Building](#)
 - iii. [ENERGY STAR](#)
 - iv. [Enterprise Green Communities](#)
 - v. [HERS](#)
 - vi. [LEED](#)
 - vii. [Living Building Challenge](#)
 - viii. [National Green Building Standard](#)
 - ix. [Passive House](#)
 - x. [Zero Carbon](#)
 - xi. [Zero Energy](#)

- Rental
 - i. Does the project create or preserve rental units for households earning at or below 60% of Area Median Income? Does the project create mixed-income rental units? For income averaging purposes, all units labeled market-rate will be considered 100% of Area Median Income.
 - ii. To what degree does the project include onsite amenities, such as storage space, laundry, and recreational space (community room, outdoor space, workout facilities, etc.)?
 - iii. Does the project create family units, defined as 25% of units being 2 bedrooms OR 10% of units being 3 bedrooms?
 - iv. Does the project incorporate Cincinnati Visitability and/or Universal Design Standards?
 - i. This requires certification by the City's Department of Buildings & Inspections on the Certificate of Occupancy.
 - v. Does the project achieve any environmental sustainability certifications?
 - i. [BREEAM](#)
 - ii. [Core Green Building](#)
 - iii. [ENERGY STAR](#)
 - iv. [Enterprise Green Communities](#)
 - v. [HERS](#)
 - vi. [LEED](#)
 - vii. [Living Building Challenge](#)
 - viii. [National Green Building Standard](#)
 - ix. [Passive House](#)
 - x. [Zero Carbon](#)
 - xi. [Zero Energy](#)

In alignment with [City Council Motion File #202202016](#) , dated October 25, 2022, priority consideration for funding will be given to projects that are targeted at households earning 60% or less of HUD-adjusted Area Median Household Income or are the recipient of an Ohio Housing Finance Agency Low Income Housing Tax Credit award.

DCED reserves the right to accept or reject any or all proposals submitted, in whole or in part. DCED also reserves the right to reject proposals from applicants who are not in good standing with financial obligations to the City, existing project compliance, or poor property management including public nuisance cases. Further, this request for proposals does not commit the City to award a contract or pay any costs associated with the preparation of proposals. DCED also reserves the right to rescind awards for projects that do not meet the funding agreement execution deadline, construction commencement deadline, or other requirements outlined in Exhibit D.

APPLICATION & SUBMISSION REQUIREMENTS

There are two (2) submission deadlines: (1) Intent to Apply Deadline; and (2) Full Application Submission Deadline. Applications submission deadlines may be subject to change, as necessary. Identified pre-applicants will be notified accordingly. **Applicants that do not submit an *Intent to Apply form* by the deadline are not eligible to apply. Applications that are submitted without a corresponding *Intent to Apply form* will not be accepted.**

	Intent to Apply	Application Submission
2024 NOFA	12pm (noon) ET, Friday, March 29 th	12pm (noon) ET, Friday, May 3 rd

The *Intent to Apply form* and *2024 NOFA Application* can be found at [ChooseCincy.com](https://www.choosecincy.com). The *Intent to Apply form* must be submitted using the published Microsoft Forms link. Please note the application requires, at a minimum, Microsoft Excel 2003. If this is an issue for the applicant, please contact DCED.

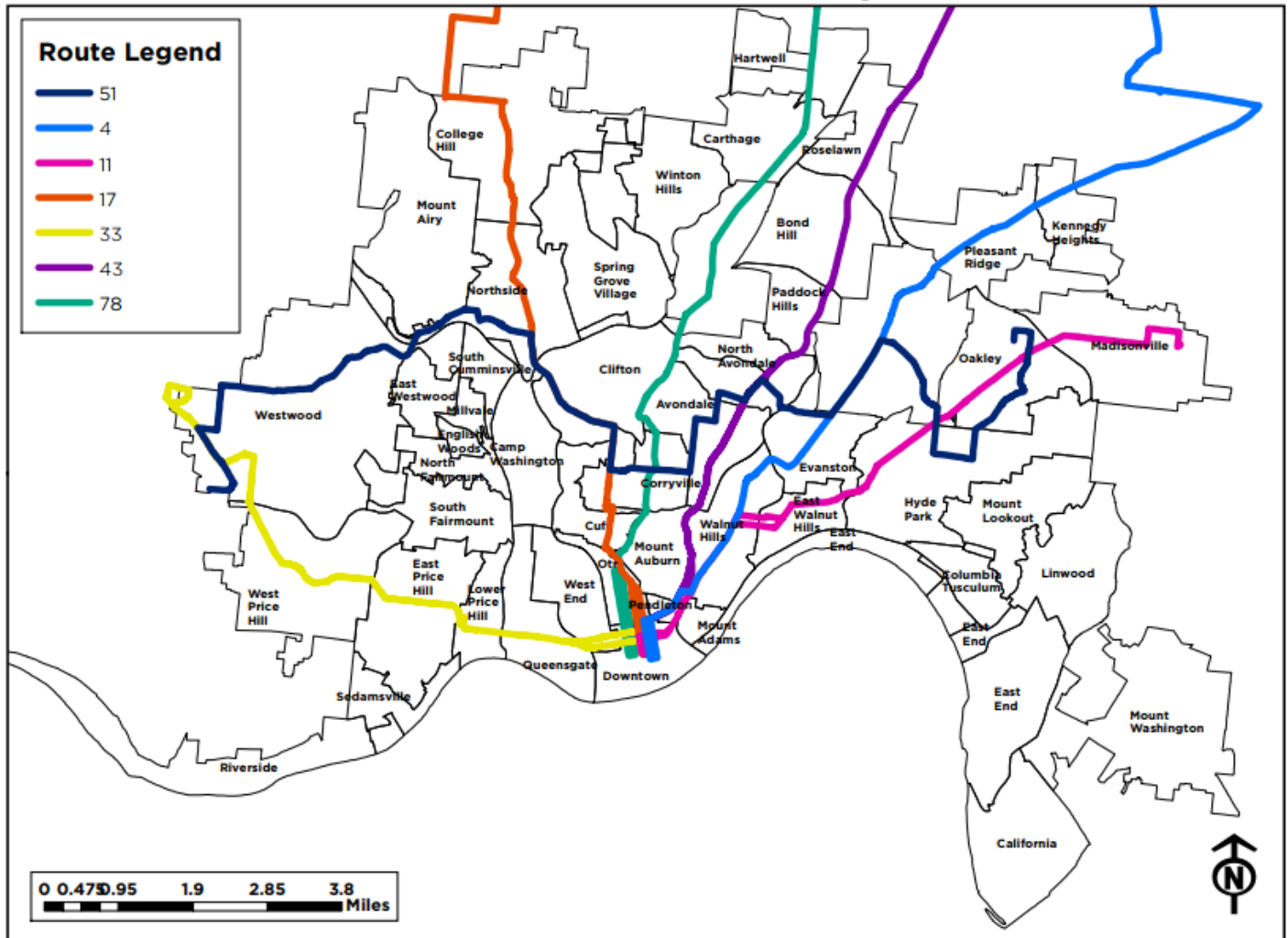
All application submissions must be delivered via email to CommunityDevelopment@cincinnati-oh.gov³ at the Department of Community & Economic Development with the subject line: "Attention: 2024 NOFA Application – PROJECT NAME" by 12pm (noon) on the assigned deadline. Please send all documents in a zip (compressed format). A complete application includes the following:

- The *Intent to Apply form*.
- The *2024 NOFA Application*.
- A pdf copy of the signed *Summary & Certification* page from the *2024 NOFA Application*.
- All necessary attachments outlined in the *2024 NOFA Application*.

Please remember the application submission deadline is Friday, May 3rd at 12pm (noon) ET. LATE SUBMISSIONS WILL NOT BE ACCEPTED.

³ Please note this email address may change.

EXHIBIT A: Cincinnati Metro 24-hour Bus Routes



- [Route 4 Kenwood – Blue Ash](#)
- [Route 11 Madison Road – Oakley/Erie Ave – Hyde Park](#)
- [Route 17 Hamilton Ave – Mt. Healthy/Seven Hills](#)
- [Route 33 Western Hills – Glenway](#)
- [Route 43 Reading Road – Evendale/Sharonville](#)
- [Route 51 Hyde Park – Uptown – Glenway Crossing Crosstown](#)
- [Route 78 Springdale – Vine/Lincoln Heights](#)

EXHIBIT B: Income, Rent, and Sales Price Limits

Income Limits (effective June 15, 2023)						
# of Household Members	1	2	3	4	5	6
AMI						
30%	\$21,250	\$24,300	\$27,350	\$30,350	\$32,800	\$35,250
50%	\$35,400	\$40,450	\$45,500	\$50,550	\$54,600	\$58,650
60%	\$42,480	\$48,540	\$54,600	\$60,660	\$65,520	\$70,380
80%	\$56,650	\$64,750	\$72,850	\$80,900	\$87,400	\$93,850
100%	\$70,800	\$80,900	\$91,000	\$101,100	\$109,200	\$117,300
120%	\$84,900	\$97,050	\$109,200	\$121,300	\$131,050	\$140,750

HOME Rent Limits (effective June 15, 2023)						
# of Bedrooms	Efficiency	1	2	3	4	5
# of Household Members	1	1.5	3	4.5	6	7.5
Low HOME	\$731	\$839	\$1,093	\$1,314	\$1,466	\$1,618
High HOME	\$731	\$839	\$1,093	\$1,464	\$1,645	\$1,892

CDBG/Capital/TIF Rent Limits (effective June 15, 2023)						
# of Bedrooms	Efficiency	1	2	3	4	5
# of Household Members	1	1.5	3	4.5	6	7.5
AMI						
30%	\$531	\$569	\$683	\$789	\$881	\$971
50%	\$885	\$948	\$1,137	\$1,314	\$1,466	\$1,618
60%	\$1,062	\$1,137	\$1,365	\$1,577	\$1,759	\$1,941
80%	\$1,416	\$1,517	\$1,821	\$2,103	\$2,346	\$2,589
100%	\$1,770	\$1,896	\$2,275	\$2,628	\$2,932	\$3,236
120%	\$2,122	\$2,274	\$2,730	\$3,154	\$3,518	\$3,886

HOME Sales Price Limits (effective July 1, 2023)				
# of Units	1-unit	2-unit	3-unit	4-unit
	\$219,000	\$280,000	\$339,000	\$420,000

EXHIBIT C: Procurement Handbook for Developers & Subrecipients

If awarded a NOFA loan, projects may be subject to the following City of Cincinnati procurement requirements:

- Meet & Confer
- Selection of Subcontractors
- Debarred Contractor Search
- S/M/WBE Goals
- Section 3
- Prevailing Wage
- Wage Enforcement
- Living Wage
- Equal Employment Opportunity (EEO)
- Preconstruction Meeting

For more information on any of these requirements, applicants should consult the City's [Procurement Handbook for Developers & Subrecipients](#).⁴

⁴ Actual URL for Procurement Handbook is <https://choosecincy.com/wp-content/uploads/2019/02/Exhibit-B-Procurement-Handbook.pdf>

EXHIBIT D: Post-Award Procedures

1. **Submission of Required Documents** – The following need to be submitted by the applicant following the award of funds in a form acceptable to the City.
 - a. Scope of Work and Budget with sources and uses of funds including proposed use of City funds
 - b. Proposed Project Timeline with Commencement and Completion dates
 - c. Evidence of Secured Private Financing & final terms & amounts of all sources & lien order (if applicable)
 - d. Legal Descriptions for all property included in project (if applicable)
 - e. Upon request any documents relevant to the Department ensuring the project remains viable to proceed
2. **Evidence of Continued Progress** – As part of the City's effort to ensure that viable projects are provided the resources to proceed and resources are not held back for projects that are no longer viable, the Department expects continued progress in producing required documents and responding to Department staff on project details to ensure that the Department has the information necessary to have contracts drafted, mutually negotiated and executed so the project proceeds in a timely manner. The Department may set specific timelines for delivery of documents or information regarding the project that must be met by the awardee, or the award of funds may be withdrawn. If the awardee fails to respond to requests by the Department or fails to meet established deadlines for delivery set by the Department, the Department may rescind the funding award for failure to demonstrate the project remains viable to proceed.
3. **Alterations to Awarded Projects** – Following awards, projects may need to seek minimal alterations to their original proposals due to unforeseen circumstances. Substantial alterations are not permitted and are the basis for rescinding an award.
 - a. Minimal Alterations – These types of alterations can be approved by DCED staff post award and prior to execution of a funding agreement.
 - i. Changes to projects that were awarded through a funding program's minor category
 - ii. Changes to the project budget, which would increase the total project cost or reallocate costs between budget line items. Increases to the project budget are considered minimal provided that no additional City funds are being sought as a result of the change of project budget and all sources have been secured within the required timeline.
 - iii. Changes to the project ownership entity, provided that the project entity is substantially similar to the entity ownership represented in the proposal and change occurs prior to contract execution and loan closing.
 - iv. Changes to the project sources of funds, provided that no additional City funds are being sought as a result of the change of project sources of funds, all sources have been secured within the required timeline, and the City's established loan collateral is not impacted.
 - v. Changes to source of funding awarded by the Department. The Department may determine to allocate an alternative source of funding authorized for the program prior to contract execution and loan closing if it better meets the Department's goals for spending.

- vi. Changes to project details that were not a consideration of project scoring criteria, which may include details like: jobs and payroll, building design or layout, developer contact persons, etc.
 - vii. Changes to the project details, scope, and/or site that immediately provides a public benefit and addresses a community need. The project must continue to follow the program guidelines.
 - viii. Addition of property involved in the project provided the initial property represented in the proposal is still included in the project.
 - 1. Property in similar size and scale within the same neighborhood may be substituted in a project as long as there is no substantial alteration to the overall scope of the project (i.e., swapping out a SF lot for another SF lot).
 - ix. Changes to the Development Team, where an entity represented in the proposal is replaced with an alternative entity.
 - x. Changes to project resources of funds that may impact the City's established loan collateral.
 - xi. Reduction of the total project budget included in the proposal.
 - xii. Reduction of the number of housing units, commercial square footage, or beneficiaries served included in the proposal. Any reduction must be warranted with supporting documentation and substantiated. The City may reduce or rescind awards where a reduction is more than 10%.
 - xiii. Retraction of commitment to meet LEED, LBC, Visitability or other certification program where the certification program was a consideration of project scoring. Any retraction must be warranted with supporting documentation showing that pursuit of the certification program would be prohibitive in terms of cost or time or infeasible for the proposed project.
- b. Substantial Alterations – These types of alterations are not permitted and are basis for rescinding the funding award. If the project cannot proceed without a substantial alteration, the Department may proceed with rescinding the funding award and the applicant can reapply with the substantially altered project in the next funding cycle.
- i. Changes to the project budget which would increase the amount of City funds requested. This includes requests from other City-funded initiatives/programs that were not disclosed at the time of original application.
 - ii. Changes to the project sources of funds, whereby entity would be unable to secure sources within the required timeline. This includes loss of committed funding or failure to secure anticipated funding within the required timeline.
 - iii. Removal of property from the project that was listed in the proposal that results in a decrease in the number of units initially proposed.
 - iv. Change in status of site control, whereby the applicant loses site control of property required to undertake the project and would be unable to secure site control within the required timeline.
 - v. Changes to the project scope that produces a new end result that was not presented in the original request. This includes changing the entire property involved in the proposal as well as the scope of the project.