



**Community Housing Development Organization (CHDO)
Organizational Qualification/Requalification Request**

Name or Organization: _____

Executive Director: _____

Board President: _____

Address: _____

City: _____ State: _____ Zip: _____ County: _____

Application Preparer: _____ Title: _____

Phone Number: _____ Fax Number: _____

Email Address: _____ Tax ID Number: _____

Date of Submission: _____

Any not-for-profit organization receiving U.S. Department of Housing and Urban Development (HUD) HOME funding through Lee County's CHDO Set-Aside must be qualified by Lee County as a Community Development Organization (CHDO) pursuant to Subpart A Section 92.2 of the HOME Final Rule (24 CFR Part 92) as meeting the CHDO regulatory thresholds.

Organizations that apply to Lee County Human and Veteran Services Department (HVS) for HOME funding under the CHDO Set-Aside must be qualified prior to any commitment of funding. Organizations are encouraged to apply for CHDO qualification prior to any applications for funding. Information obtained from this qualification request package will be used only to determine your organization's eligibility as a CHDO and is not an approval by HVS for funding. An underwriting analysis for each specific project as presented in the proposal/application must be performed by HVS to determine that the organization continues to meet CHDO regulatory thresholds and that the agency has development capacity to complete the proposed project timely and within regulations.

In 2013 HUD made numerous changes to the HOME Program. Most significant, to qualify as a CHDO, an organization must have paid staff demonstrating capacity and experience that applies to the specific project for which it is applying (I.e. owner, developer, or sponsor). Prior to completing an application to be qualified as a CHDO, organizations are strongly encouraged to review 24 CFR 92.2 and 24 CFR 92.300. For further information and guidance, visit www.hudexchange.info/home/home-final-rule/.

If you have any questions please contact Zuleyka Garay, Community Impact Coordinator, at (239) 533-2902 or zgaray@leegov.com.

Please carefully review the checklist and complete all the required components and submit to the following address:

Lee County Department of Human and Veteran Services
Attn: Zuleyka Garay
2440 Thompson Street
Fort Myers, Florida 33901

- A. The nonprofit organization is organized under the State or local laws as evidenced by (§92.2 Definition ¶(1)):**
- 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 (§92.2 Definition ¶(2)):**
- Charter
 - Articles of Incorporation
- C. The CHDO is not controlled, nor receives directions from individuals or entities seeking profit from the organization, as evidenced by either (§92.2 Definition ¶(3)):**
- By-laws
 - A Memorandum of Understanding (MOU)
 - CHDO is sponsored or created from a for-profit entity

The CHDO may be sponsored or created by a for-profit entity, if the following applies:

- i. The for-profit entity's primary purpose does not include the development or management of housing, as evidenced by (§92.2 Definition ¶(3)(i)):**
- By-laws
 - The for-profit organization's By-laws
- ii. 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 (§92.2 Definition ¶(3)(ii)):**
- Charter
 - Articles of Incorporation
 - By-laws
 - Not Applicable because this organization is not sponsored by a for profit entity
- iii. The CHDO is free to contract for goods and services from vendor(s) of its own choosing, as evidenced in the CHDO's (§92.2 Definition ¶(3)(iii)):**
- Charter
 - Articles of Incorporation
 - By-laws
- iv. The officers and employees of the for profit may not be officers or employees of the CHDO as evidenced in the CHDO's (§92.2 Definition ¶(3)(iv)):**
- Articles of Incorporation
 - By-laws
- D. It has a tax exemption ruling from the Internal Revenue Service (IRS), as evidenced by (§92.2 Definition ¶(4)):**
- A 501(c)(3) or 501(c)(4) Certificate from the IRS
 - Is classified as a subordinate of a central organization nonprofit under section 905
 - Is a private nonprofit organization wholly owned entity that is disregarded as an entity separate from its owner for tax purposes (e.g. a single member limited liability company that is wholly owned by an organization that qualifies as tax-exempt), and the owner organization has a tax exemption ruling from the IRS under section 501(c)(3) or 501(c)(4) and meets the definition of CHDO

E. Is entity a governmental entity (§92.2 Definition ¶(5)):

- Yes
- No

i. If No to item E:

Entity is not a governmental entity and is not controlled by a governmental entity as evidenced by:

- Charter
- Articles of Incorporation
- By-laws

ii. If Yes to item E:

An organization that is created by a governmental entity may qualify as a CHDO if the following principles apply:

If the CHDO is chartered by a government, the following restrictions apply: **(1)** The government may not appoint more than one-third of the membership of the organization's governing body; **(2)** the board members appointed by the government may not, in turn, appoint the remaining two-thirds of the board members; **(3)** no more than one-third of the governing board's members are public officials; and **(4)** officers and employees of a governmental entity cannot be officers or employees of a CHDO. 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

F. The organization has standards of accountability that conform to 24 CFR 84.21, "Standards of Financial Management Systems," as evidenced by (§92.2 Definition ¶(6)):

- A HUD approved audit summary, OR
- A qualification from a Qualified Public Accountant

G. The organization 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 (§92.2 Definition ¶(7)):

- Charter
- By-laws
- Articles of Incorporation
- Resolutions

H. The organization maintains at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community* residents, or elected representative of low-income neighborhood organizations, as evidenced by the organization's (§92.2 Definition ¶(8)(i)):

- Charter
- Articles of Incorporation
- By-laws

**The term "community" is defined as one or several neighborhoods, a city, county, or metropolitan area.*

I. The organization 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 affordable housing, as evidenced by (§92.2 Definition ¶(8)(ii)):

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

J. The organization provides current information on the governing board's membership, as evidenced by:

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

The organization has demonstrated capacity for carrying out housing projects assisted with HOME funds by demonstrating the following: (*Subpart A - Section by Section Summary of the 2013 HOME Final Rule: Subpart A - General - OneCPD. Scroll to "CHDO Capacity and Staffing" section.*)

K. If organization will be acting as Developer or Sponsor, 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 evidenced by (§92.2 Definition ¶(9)):

- 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
- For first year of funding as a CHDO only, contract with consultant experience in housing development to train appropriate key staff
- Not applicable as organization will be acting as Owner

L. If organization is the owner of the project, the property will be owned in fee simple absolute and will be utilized as rental properties, the organization has paid staff with demonstrated capacity to act as owner and meet the requirements as evidenced by (§92.300(a)(2)):

- Narrative description of organizational and staff capacity and experience, AND
- Payroll report, W-2 or W-4
- Resumes and job descriptions for key staff, which confirms paid staff has experience in hiring and overseeing a developer or project manager whose experience and services consist of all aspects of development, including obtaining zoning, securing non-HOME financing, selecting a developer or general contractor, overseeing the progress of the work and determining the reasonableness of costs.

M. The organization has history of serving the community where housing to be assisted with HOME funds will be used, as evidenced by (§92.2 Definition ¶(10)):

- A statement that documents at least one year of experience in serving the community, OR (*Resumes*)
- For newly created organizations formed by local churches, service organizations or neighborhood organizations, documentation that the parent organization has at least one year of experience in serving the community

N. GEOGRAPHIC AREA

Please list the geographic area and neighborhoods to be served. The organization's by-laws should also state the area to be served. Provide a map with the geographic area highlighted for which the CHDO will be responsible.

- Description and Map attached



QUALIFICATION

The applicant understands that Lee County 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 Lee County.

I declare under penalty of perjury, under the laws of the State of Florida, 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 Qualification.

Prepared By: _____

Date: _____

APPROVED BY: _____

Organization's Board President or Executive Director

Date: _____



**COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO)
Governing Board List**

Please list all board members and complete all columns. Include signed Governing Body Self-Qualification form and Conflict of Interest Policy for each member. Attach additional sheets if necessary.

Name	Address	Employer	Board Term Expiration Date	Low-Income Representative (Y/N) ¹	Public Official (Y/N) ²

FY 2022 Income Limit Lee County	2022 Income Limit Category	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
	Low (80%)	\$45,050	\$51,450	\$57,900	\$64,300	\$69,450	\$74,600	\$79,750	\$84,900

1. At least 1/3 of the governing board of a CHDO is required to be low-income representatives of the community and fit one of the following criteria: 1) The person is a low-income resident of the community; 2) The person lives in a low-income neighborhood where 51% or more of the residents are low-income; 3) The person was elected by a low-income neighborhood organization to serve on the CHDO board.

2. A maximum of 1/3 of the governing board of a CHDO can be "public officials." For purposes of the CHDO qualification, a "public official" is any elected or appointed representative of Lee County. Employees of Lee County, as well as other employees of governmental agencies including local, State, or Federal agencies that are located in or serve Lee County are also considered a



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 am an employee of a governmental agency.

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

Member of a Low-Income Household

I qualify as a low-income resident of the applicant's service area. The gross annual income of my household of ___ people is at or below 80% of the Lee County Area Median Income (AMI) as indicated on the chart below.

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 reside at _____ which is located in 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. **A signed resolution or signed meeting minutes from the neighborhood organization naming the individual as its representative on the CHDO's board of directors must be provided.**

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 Public Official or Governmental Employee or Low-Income Representative

Signature: _____ Date: _____

Printed Name: _____ Title: _____

FY 2022 Income Limit Lee County	2022 Income Limit Category	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
	Low (80%)	\$45,050	\$51,450	\$57,900	\$64,300	\$69,450	\$74,600	\$79,750	\$84,900

**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 Lee County or unit of local Government within Lee 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 Lee County Department of Human Services (DHS). 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. DHS 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)
Qualification and Attachments**

Please complete and submit with the CHDO qualification:

CHDO CHECKLIST

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

ORGANIZATION DOCUMENTS

- Charter
- Articles of Incorporation
- A 501(3) or 501(c)(4) Certificate from the IRS
- By-laws
- Resolutions
- Certificate of Good Standing
- An independent financial audit
- Other: _____
- Other: _____

GOVERNING BOARD AND STAFF FORMS

- Governing Board Roster (indicates low-income representation; public officials, length of term. If items not indicated, complete separate attachment A)
- Other: _____
- Other: _____

CAPACITY DOCUMENTATION

- Organizational Chart
- Narrative describing the organization's development experience and capacity
- Resumes and job descriptions for key housing staff
- Contracts for Employment, W-9 and 1099 for contract staff (if applicable)
- Written agreement with Consultant (ONLY for CHDO's receiving first year of HOME funding)
- Other: _____
- Other: _____