Action Plan for the North Dakota Consolidated Plan 2005-2009

2006

Prepared By

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EQUAL OPPORTUNITY
HOUSING AND EMPLOYMENT

ALTERNATIVE FORMATS FOR DISABLED PERSONS ARE AVAILABLE UPON REQUEST

Table of Contents

Resources 1
Activities 2
Community Development Block Grant Program Summary 2

- Region I 5
- Region II 6
- Region III 7
- Region IV 8
- Region V 9
- Region VI 10
- Region VII 11
- Region VIII 12

HOME Program Summary 14
Emergency Shelter Grants Program Summary 18
Geographic Distribution 19
Homeless and Other Special Needs Activities 19
Obstacles to Meeting Underserved Needs 19
Foster and Maintain Affordable Housing 20
Removal of Barriers to Affordable Housing 20
Lead-based Paint 20
Institutional Structure 20
Coordination Efforts 20
Fair Housing 20
Anti-Poverty 21
Non-housing Community Development – Short Term Objectives 21
Monitoring 24
Applications for Federal Assistance 25
State Certifications 28
State Resources and Planning Documents 36

2006 Action Plan

The Action Plan is that portion of the Consolidated Plan that is prepared each year as the grant application for the CDBG, HOME, and ESG programs. The purpose of the Action Plan is to identify the various federal and state resources that might be expected to be available to address the priority housing and non-housing community development needs and objectives in the Strategic Plan section of the Consolidated Plan. In addition, the Action Plan describes how funds will be distributed through the CDBG, HOME, and ESG programs; the activities planned for homeless and other special needs persons; other actions required by HUD; and the short-term non-housing objectives for each planning region in the state

Federal Resources

The following Federal resources are expected to be available to address statewide housing and non-housing needs:

1. Community Development Block Grant (CDBG) program, except in the entitlement cities of Bismarck and Grand Forks.
2. HOME program
3. Emergency Shelter Grants (ESG) program
4. Shelter Plus Care program
5. Low-income Housing Tax Credit program
6. Department of Energy Weatherization program
7. USDA Rural Development programs
8. Community Services Block Grant program

The Federal resources listed have limited funds available so the programs, when administered by the state, are generally designed to require the use of other funds to complete projects. For instance, all CDBG economic development projects require, by design, a 50 percent match of other funds. For CDBG public facilities projects, the Regional Councils generally require some percentage of other funds. Administrative costs that are required to be matched for the CDBG and HOME programs are included in the Division of Community Services budget.

State Resources

The following state resources are expected to be used to address statewide housing needs:

1. Home Mortgage Finance program (First Time Homebuyers program)
2. START Downpayment Assistance program
3. Helping Hands Across North Dakota program for housing
4. State Revolving Fund program for waste water systems

Activities

In this section we are required to describe how the state will distribute funds from the CDBG, HOME, and ESG programs to local governments and non-profit organizations, and how the proposed distribution of funds will address the priority needs and objectives described in the Consolidated Plan.

To distribute the CDBG funds, the state provides an allocation of funds to each of the state's eight Regional Planning Councils to recommend grant awards on a competitive basis. Each Regional Council is responsible for developing a program distribution statement describing how it will award funds. The state's role is to provide overall direction for the CDBG program and to review each project for compliance with the state CDBG Program Distribution Statement and the respective regional program statement. In addition, a set-aside is available for the Governor to fund economic development projects in coordination with the Regional Councils. For the HOME program, funds will be allocated to each of the state's seven Community Action Agencies, to the North Dakota Housing Finance Agency, two Community Development Housing Organizations, and the cities of Bismarck and Grand Forks. Funds from the ESG program will be distributed on a competitive basis to the emergency shelters. More detailed information for accessing and awarding funds under these three programs may be found on the Division of Community Services web site.

The criteria for approving projects under the CDBG program for each Region are based directly on the state's affordable housing goals and long-term non-housing community development objectives, emphasizing all needs identified as a high priority and primary benefit to households of 0 to 51 percent MFI. The HOME program is designed to achieve the affordable housing goals identified in the Strategic Plan, and the ESG program is focused on providing funds to each emergency shelter and the prevention of homelessness.

The following provides an overview description of each program:

COMMUNITY DEVELOPMENT BLOCK GRANT SUMMARY

The purpose of the Community Development Block Grant (CDBG) Program Distribution Statement is to describe how the state of North Dakota intends to distribute its CDBG Public Facilities, Housing and Economic Development funds.

To better address local community development needs, the Governor has directed that the State's allocation be divided among each of the eight Regional Planning Councils that have established procedures to review and rank applications submitted within their respective regions.

<u>Program Goals and Objectives</u>

- Creation of permanent jobs for very low and low income persons
- Economic diversification
- Leveraging of private and local investment
- Benefit to the state's economy

- Water and sewer activities which currently present a threat to health and safety
- Removal of architectural barriers which will permit access for the handicapped
- Direct benefit to a locality's very low and low income persons
- Leveraging local and other available financial resources to finance the cost of the activity
- Meeting the health and safety needs of very low income persons by bringing the rehabilitated housing up to a minimum of the Section 8 Housing Quality Standards
- Making more affordable housing available for very low and low income persons

Eligible Applicants

Eligible applicants under the North Dakota Community Development Block Grant Program are limited to counties and incorporated cities.

Allocation of Funds

FY2006 Allocation	$ 4,893,144
Less State Administration	128,611
Less Regional Council Contracts	69,252
Less 1% Technical Assistance	48,931
Total Allocation Available for Projects	4,646,350
Less CDBG Building Program	250,000
Less Governor's Set Aside for Community Development	2,022,064
Total Allocation Available for Regional Distribution	2,374,286
Plus Projected Program Income	1,500,000
Funds Available for Distribution	$ 3,874,286

*Any loans made with the CDBG Building Program and the Governor's Fund will revolve back into the Governor's Loan fund.

** All CDLF projects will be funded with CDLF Program income prior to CDBG allocation funds.

2006 CDBG Allocation Based on 2000 Census					
Region	Total LMI Persons	Percent LMI Persons	LMI Allocation	50% Base Allocation	Total Allocation
1	11,432	7%	83,100	148,393	231,493
2	26,169	15%	178,071	148,393	326,464
3	20,056	12%	142,457	148,393	290,850
4	13,356	8%	94,972	148,393	243,365
5	24,647	15%	178,071	148,393	326,464
6	24,992	15%	178,071	148,393	326,464
7	31,890	19%	225,557	148,393	373,950
8	15,774	9%	106,843	148,393	255,236
Total	168,316	100.00%	1,187,142	1,187,144	2,374,286

*The percentage for LMI persons were rounded to the nearest whole number.

** Program income funds are not reflected in this total.

CDBG Building Program

The CDBG Building program is intended to assist communities to attract and grow businesses by providing quality, modern, and marketable buildings.

Governor's Fund for Community Development

The Governor's Fund for Community Development primary focus will be to fund primary sector economic development projects. However, other eligible CDBG projects may also be funded, including those that will alleviate health and safety conditions in the community.

Section 108 Loan Guarantee Program

The state will not use CDBG funds to access the Section 108 Loan Guarantee program.

Regional Allocations

The following is a summary of each Regional Councils 2006 Program Distribution Statement.

REGION I
TRI-COUNTY REGIONAL DEVELOPMENT COUNCIL

EXECUTIVE SUMMARY

This "Regional Attachment" to the North Dakota Program Distribution Statement for the Community Development Block Grant program and the Community Development Loan Fund reflects the needs of North Dakota Planning Region I and addresses the needs of the low and very low income residents, slum & blight removal, or the urgent needs of those counties and their resident communities.

Total FY 2006 Estimated Amount Available for Distribution:	$231,493
Allocations by emphasis area:	
Public Facility	$231,493
Housing Rehabilitation	0
Housing Rehabilitation - Multi-jurisdictional Program – Set aside	0
Housing Opportunity	0
Planning	0
Economic Development	0
Other Eligible Activities	$ 0
Total FY 06 Estimated Funds Available for Distribution	$231,493

Initial new project applications will be limited to $100,000 of CDBG project funds (excluding eligible administration). If any funds remain in the Public Facility or Housing allocations after the Scoring and Ranking, the Review Committee will consider amendment requests for the remaining balance after June 1, 2006. All active public facilities and active housing projects will be eligible for review. Additional dollars, if available, will be allocated to projects based on demonstrated need and on a “first-come first-serve” basis. The Review Committee may review Housing Opportunity, Planning and Other Eligible Activities Supporting Economic Development proposals throughout the year at regularly scheduled bi-monthly Board Meetings.

APPLICATION DEADLINES

Public Facility

April 7, 2006	Pre-applications due at Tri-County Regional Development Office
April 28, 2006	Presentations to Tri-County Review Committee and pre-application scoring by Tri-County Review Committee
August 31, 2006	Final applications due at Tri-County Regional Development Office. A time extension may be given at the discretion of the Review Committee.

Housing Rehabilitation

April 7, 2006	Pre-applications due at Tri-County Regional Development Office
April 28, 2006	Presentations to Tri-County Review Committee and pre-application scoring by Tri-County Review Committee
August 31, 2006	Final applications due at Tri-County Regional Development Office. A time extension may be given at the discretion of the Review Committee.

REGION II
SOURIS BASIN PLANNING COUNCIL

EXECUTIVE SUMMARY

This "Regional Attachment" to the North Dakota Action Plan for the Community Development Block Grant program and the Community Development Loan Fund reflects the needs of North Dakota Planning Region 2 and addresses the needs of the very low/low income residents of those counties.

Estimated Funds Available

Total Estimated amount available for distribution:

Target Category –	
Public Facilities	256,464
Housing	20,000
Economic Development	50,000
FY2006 Region 2 Allocation	326,464

Application Deadlines

	Pre-Application	Final Application
Housing	March 1, 2006	November 3, 2006
Public Facilities	March 1, 2006	November 3, 2006
Economic Development	No Deadline	No Deadline

REGION III
NORTH CENTRAL PLANNING COUNCIL

ALLOCATION OF FUNDS

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

2006 Allocation	$ 290,850	
Total 2006 Funds Available		$290,850

2006 CDBG/CDLF Breakdown

Housing	$ 92,000
Public Facilities	$198,850
Economic Development Funded With Program Income	

IMPLEMENTATION SCHEDULE

Public Facilities and Housing

February 27, 2006	Submission deadline for pre-applications (original and one copy must be postmarked on or before deadline date).
March 8, 2006	Eligible applications will be accepted and ranking committee appointed.
March 15, 2006	Pre-applications will be reviewed, scored and recommended funding amounts determined.
December 31, 2006	Full application submission to DCS deadline.

Urgent Need and Emergency Projects

Open	Applications for Urgent Need and Emergency Projects will be accepted at any time.

Economic Development

Open	Applications for Economic Development will be accepted at any time.

REGION IV
RED RIVER REGIONAL COUNCIL

REGION IV 2006 ESTIMATED FUNDING ALLOCATION

	Region IV Allocation	Amount Set Aside	Balance Available for Distribution
Housing	$ 20,000	$ 20,000	$ -0-
Economic Development	111,683	-0-	111,683
Public Facilities	111,682	-0-	111,682
Totals	$ 243,365	$ 20,000	$ 223,365

IMPLEMENTATION SCHEDULE FOR 2005
PUBLIC FACILITIES/ROAB

October 14, 2005	Public Hearing - Regional Council Office
January 20, 2006	Pre-application deadline
February 16, 2006	Community Development Committee meeting/recommendations for public facilities applications to be presented to full board.
Before March 15, 2007	Final date for completion of full applications submitted to Division of Community Services (DCS) for approval

ECONOMIC DEVELOPMENT APPLICATIONS

Ongoing	Applications for economic development funds will be accepted and reviewed throughout the year.

HOUSING

$20,000 will be set aside for the Walsh County Housing Rehabilitation Project.

REGION V
LAKE AGASSIZ REGIONAL COUNCIL

ALLOCATION OF FUNDS

The Lake Agassiz Regional Council will be allocated $326,464 in FY 2006. This amount will be distributed among eligible projects and programs of activities in the following manner:

Public Facilities (LI AND VLI Benefit)	$170,000
Public Facilities (Urgent Need)	25,000
Housing Rehabilitation	40,000
Removal of Architectural Barriers	10,000
Community Development Loan Fund*	81,464
Planning Activities**	No Set-Aside
Emergency Public Facilities	No Set-Aside
Total	$326,464

* The Community Development Loan Fund is supplemented by repayments to the State Revolving Loan Fund. Estimated repayment to the Region 5 component of the State Revolving Loan Fund in FY 2006 is $350,000.

** A Notice of Fund Availability will be sent to cities and counties in the region should funds be available for planning activities beginning June 1, 2006.

IMPLEMENTATION SCHEDULE

Public Facilities, Housing and Removal of Architectural Barriers:

January 20, 2006	Pre-applications for Public Facilities (LI AND VLI Benefit), Public Facilities (Urgent Need), Housing Rehabilitation, Other Housing Projects and Removal of Architectural Barriers Projects due at Lake Agassiz Regional Council Office
February 17, 2006	Scoring Review and Recommendations for Funding by Lake Agassiz Regional Council Board of Directors
February 22, 2006	Written Notice to Communities of Recommendations for Funding
March 15, 2007	Final Date for completion of Full Applications and Submittal to DCS for Final Approval

Community Development Loan Fund:

Applications are accepted at any time.

Planning Activities:

June 1, 2006 through January 31, 2007	Pre-applications accepted at the LARC offices throughout this period, pending availability of funds
June 30, 2006 through February 28, 2007	Pre-applications reviewed, scored and recommended for funding throughout this period, pending the availability of funds
March 15, 2007	Final Date for completion of Full Applications and Submittal to DCS for Final Approval

REGION VI
SOUTH CENTRAL REGIONAL COUNCIL

ALLOCATION OF FUNDS

The following estimated amounts have been established for the 2006 program year.

2006 Total Estimated Amount Available for Distribution	$326,464.00
Public Facilities	194,848.00
Multi Jurisdictional Housing Set Aside	40,000.00
Planning	10,000.00
Economic Development and Emergency	81,616.00

IMPLEMENTATION SCHEDULE

Public Facilities/Housing/Planning

January 13	Deadline for Pre-Application submission. ***Original and one copy*** must be received by our office **on or before January 13, 2006.**
January 27	Pre-Applications will be reviewed, ranked, and recommended grant amounts determined. Applicants will meet with PF/H Committee members to present project and answer questions.
March 15	Final applications are due to the Regional Council. ***Original and one copy*** must be received in our office **on or before March 15, 2006.**
March 31	Final applications will be submitted to the Division of Community Services (DCS) for review for compliance with federal and state requirements.

Economic Development/Emergency

Open	Applications for economic development and emergency funds will be accepted at any time.

REGION VII
LEWIS CLARK REGIONAL DEVELOPMENT COUNCIL

ALLOCATION OF FUNDS

Distribution of CDBG funds by Lewis and Clark Regional Development Council will be as follows. If the final allocation changes, allocations to one or more categories may be adjusted accordingly at the sole discretion of the CDBG Committee without notice.

Housing Rehabilitation	$ 0
Housing Opportunity	186,975
Public Facilities	186,975
Planning	0
Emergency/Other	0
Economic Development – CDLF & ED Infrastructure	0
TOTAL	$373,950

IMPLEMENTATION SCHEDULE

Public Facilities, Housing Rehabilitation, Planning and Housing Opportunity

February 17, 2006	Submission deadline for pre-applications (original and one copy required, must be post-marked on or before deadline date).
On or About March 17	Applications will be reviewed, scored, and recommended funding amounts determined.
November 30, 2006	Last date final applications are due (original only) to Lewis and Clark Regional Development Council.*

Economic Development (CDLF and ED Infrastructure) and Emergency Applications

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

*At the option of the CDBG committee, due dates for final applications may be extended. This option may be exercised without public notice at the sole discretion of the committee if final applications are invited after March 17 due to availability of additional funds resulting from additional allocations, returned or unobligated funds, or fund transfers. In such cases the committee may extend the final application deadline up to five months after committee approval of a pre-application, but not later than seven days prior to the latest date by which applications and amendments must be received by DCS.

REGION VIII
ROOSEVELT CUSTER REGIONAL COUNCIL

DISTRIBUTION OF FUNDS

FUNDING AMOUNTS AND CATEGORIES

The statewide distribution of Community Development Block Grant (CDBG) funds is found in Section IV of the State Action Plan (http://www.state.nd.us/dcs/community/plan/). Funds available to Region VIII are estimated to be $255,236. Those funds will be allocated under the following categories:

Economic Development	0%	$ 0
(there are approximately $400,000 available in revolved CDLF funds, see page 3)		
Public Facilities & Planning	100%	$255,236
Housing	0%	0
Emergency Public Facility	0%	0
Total Funding		$255,236

IMPLEMENTATION SCHEDULE

Applications for funding from the Community Development Loan Fund (CDLF) will be accepted by the Roosevelt-Custer Regional Council (R-CRC) at any time throughout the program year.

PUBLIC FACILITIES

IMPLEMENTATION SCHEDULE

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

Pre-applications are due Friday, February 24, 2006. Send only one copy with original signatures postmarked on or before the due date. Project interviews will be held on Thursday, March 23, 2006 and all pre-applications will be reviewed, scored and funding levels determined.

Funding Procedures

Applications for Community Development Block Grant funds must go through one of the eight Regional Planning Councils in the State.

To view the State of North Dakota's and the Regional Planning Council's 2005 Community Development Block Grant Program Distribution Statements in their entirety go on line at www.state.nd.us/dcs/community/block/ or email us at dcs@state.nd.us for a hard copy of this document.

If you do not have internet access and would like a copy of the document, please call (701) 328-5300 or contact the Division of Community Services, 1600 E. Century Avenue, Suite 2, Bismarck, ND 58503.

HOME PROGRAM SUMMARY

The Department of Housing and Urban Development (HUD) has designated the State of North Dakota as a participating jurisdiction (PJ) and as such it may apply for and distribute HOME funds. The agency responsible for administration of the North Dakota HOME Program is the Department of Commerce, Division of Community Services (DCS).

The State plans to distribute its FY2006 HOME program allocation in accordance with its Action Plan, a requirement of the National Affordable Housing Act of 1990, HOME Rule at 24 CFR 92 and 24 CFR part 91. The State will use its HOME funds for the following activities to help meet the housing needs identified in the State Action Plan:

- Rehabilitation of Owner-occupied and Rental Property
- Homebuyer Assistance
- Refinancing of Homeowner-occupied Housing
- Tenant Based Rental Assistance (to include security and utility deposits)
- Acquisition, Site Improvements, or Demolition Linked to a Project
- New Construction
- Administrative Costs
- Operating Expenses for Multi-Regional Community Housing Development Organizations (CHDOs)

DISTRIBUTION PLAN

The State will administer its program through agreements with CHDOs, State Recipients (Fargo, Bismarck and Grand Forks), and Sub recipients. The HOME Program will be allocated on non-competitive set-asides based on priority needs as established by the statewide housing needs assessment and local established needs. Set-asides will be awarded based on regional, multi-regional or statewide plans.

Relocation is the only allowed activity in a designated flood plain under the State's multi-year environmental review. Local governments may complete their own Environmental Reviews and make their own flood plain determinations on a case-by-case basis.

All recipients are expected to locally meet the HOME Program match requirement of 25 percent unless specifically waived by the DCS. Existing general waivers include a state policy that homeowner rehabilitation and TBRA activities will be match free.

Only the forms of HOME assistance listed in Part 92.205(b) will be allowed. Applicants may use private funds, tax credits, Rural Development, Federal Home Loan Bank, CDBG, Department of Energy, or other grant/loan programs to help leverage HOME activities. The State may reallocate funds from one category to another because of unexpected demand, an emergency due to a natural disaster or determinations that performance based measures have not been met.

The North Dakota HOME Program will include the following components:

1. Community Housing Development Organizations (CHDOs)

HOME funds will be reserved for two Multi-Regional Community Housing Development Organizations (CHDOs). A Multi-Regional CHDO is a nonprofit agency that meets the CHDO requirements as defined in HOME program regulations. The Western Multi-Regional CHDO will cover planning regions I, II, VII and VIII. The Eastern Multi-Regional CHDO will cover planning regions III, IV, V and VI. Each Multi-Regional CHDO board must consist of representation from all four regions in its jurisdiction.

To access the Multi-Regional CHDO set-aside, interested parties would contact and partner with either the Affordable Housing Developers Inc in planning regions I, II, VII and VIII or the Eastern Dakota Housing Alliance in planning regions III, IV, V and VI. These two entities will have equal access to each fiscal year's CHDO allocation and will be eligible for the operating set-aside.

Up to ten percent of each Multi-Regional CHDO set-aside may be used for pre-development loans to assist specific projects. Predevelopment loan repayments must be sent to the DCS. The repaid funds will be added to the next FY allocation. Each Multi-Regional CHDO must have a scoring criteria developed that is consistent with the States Consolidated Plan.

The application process will be a two stage process.

a. Submission of a Multi-Regional CHDO Plan(s) by **March 1, 2006**.

b. Submission of the final CHDO Application(s) by **December 1, 2006**.

2. State Recipient Set-Aside

HOME allocations have been set-aside for the two communities (Bismarck and Grand Forks) that are entitlement cities, but not PJ's. This program component is non-competitive, and each city will be eligible to apply for a predetermined amount of funding based on population, number or percentage of low income households, and housing needs. Although these cities will be able to design their projects to meet local needs, all activities must be within the parameters of the State HOME Program. **Each city must submit a plan by March 1, 2006.** This plan will reserve their set-aside funds. The city must submit the final **Rental Project Application**(s) for review, a certification of CP compliance and the IDIS set–up before HOME funds will be committed. Submission of the final **Rental Application**(s) must be received by **December 1, 2006.**

3. Sub recipient Set-Aside

HOME funds will be set-aside for the Housing Finance Agency, Cass and Stutsman County Housing Authorities and the seven Community Action Agencies. These funds will be used to complete activities in their jurisdiction that are consistent with the State's Consolidated Plan and are a priority for their area. **All annual plans must be submitted to the DCS no later than March 1, 2006.**

4. Administration

The State as the Participating Jurisdiction, state recipients, and sub recipient will be allowed to receive HOME monies for administrative expenses. These costs may not exceed ten percent of the entire HOME allocation for North Dakota.

5. American Dream Downpayment Initiative (ADDI)

Program Description:

In an effort to increase the overall homeownership rate, HUD has proposed the American Dream Downpayment Initiative (ADDI). Amounts made available under this program may be used only for downpayment assistance toward the purchase of single family housing by eligible families. The ADDI funds will be administered as a part of the HOME Investment Partnerships Program (HOME). Recipients of these grant funds are required to be first-time home buyers and must have an annual income that does not exceed 80% of the area median income. The amount of assistance provided to any eligible family cannot exceed 6 percent of the purchase price of a single family housing unit, or $10,000, which ever is greater.

Application Process:

Entities eligible for the ADDI funding include the cities of Fargo, Grand Forks and the North Dakota Housing Finance Agency.

For a recipient to receive a grant under this program (if appropriated by HUD), they must submit a plan to the Division of Community Services (DCS) no later than March 1, 2006.

6. Estimated Summary of Funding:

2006 HOME Program Funding	$ 3,000,000
2006 HOME Program Income	$ 72,983.35
2006 ADDI Funds	$60,000

7. HOME Goals

The HOME program focuses on four major housing needs;

1. Single Family Rehabilitation
2. Homeowner Assistance
3. Rental Production and Rehabilitation
4. Tenant Based Rental Assistance

Each of these needs is considered high priority needs for use of HOME funds. These needs are addressed and prioritized locally by set-asides made by the Division of Community Services to their grantees. Each grantee delivers the HOME program in their region, city or multiple regions. Based on past activities completed with HOME funds and changes in program needs, the State has established the following goals for 2006. Each year the State will review the needs and completed goals and make a determination if the goals should be changed based on new developments that have created different needs around the state.

HOME Action Plan Goals											
Tenure	Household Characteristics	Household Income Range (% of MFI)	State	Region I	Region II	Region III	Region IV	Region V	Region VI	Region VII	Region VIII
Renter-Occupied Household	Small Related (2 to 4 Persons)	0 to 30%	98	4	6	4	14	39	24	2	5
		31 to 50%	30	1	2	1	5	11	6	2	2
		51 to 80%	1	0	0	0	0	1	0	0	0
	Large Related (5 or more persons)	0 to 30%	10	0	1	0	2	3	2	1	1
		31 to 50%	4	0	0	0	1	2	1	0	0
		51 to 80%	4	0	0	0	1	2	1	0	0
	Elderly (1 or more persons age 65 plus)	0 to 30%	169	8	11	6	24	63	37	11	9
		31 to 50%	61	2	3	2	10	24	13	4	3
		51 to 80%	6	0	0	0	1	2	2	1	0
	Other Households	0 to 30%	143	6	8	5	22	54	31	9	8
		31 to 50%	27	1	2	1	5	9	5	2	2
		51 to 80%	12	1	1	1	1	4	2	1	1
Owner-Occupied Household		0 to 30%	19	2	2	1	4	3	1	3	3
		31 to 50%	50	5	5	2	10	9	2	12	5
		51 to 80%	121	11	11	5	27	24	3	31	9
Special Needs											
Total Goals			755	41	52	28	127	250	130	79	48
Total 215 Rental Goals			565	23	34	20	86	214	124	33	31
Total 215 Owner Goals			190	18	18	8	41	36	6	46	17

The special needs populations will be assisted with our general set-asides. The state request that each grantee prioritize special needs populations such as the elderly and disabled populations. The state also requires each grantee to reach as many very low income families as possible. Due to changing regulations, changes in HUD funding, and changes in local needs determinations, goals best reflect the need at a given point in time.

8. HOME Performance Measures

HUD has written the Final Notice (draft) for Outcome Performance Measurements Systems for Community Planning and Development Formula Grant Programs. The HOME Program will be collecting performance data on HOMENet as soon as the program has been updated (expected in Summer of 2006). Grantees will be required to report performance data for all open activities at that time. The performance data will consists of entering one of three **objectives** for the program; Suitable Living Environment, Decent Housing, and Creating Economic Opportunities. An appropriate **outcome** will also be required; Availability/Accessibility, Affordability, or Sustainability. Based on the objectives and outcomes selected, the system will populate the specific **output indicators** for each activity. You will be required to complete the requested information in the output indicators. DCS will be providing additional training in Performance Measurements to all grantees in 2006.

9. Additional Information

For more detailed information on the distribution of the HOME program you can download the complete HOME Program description and HOME applications at http://www.state.nd.us/dcs/community/home/. Or contact Michael Spletto at 701-328-2695 or e-mail at mspletto@state.nd.us

EMERGENCY SHELTER GRANTS PROGRAM SUMMARY

The State of North Dakota will distribute its anticipated FY2006 Emergency Shelter Grants Program (ESGP) allocation of $275,592 through a competitive grant application process. Communities of 2,500 or more populations will be targeted since those are the communities experiencing the greatest need to provide services and facilities for the assistance to the homeless and potentially homeless. Nonprofit entities located on Indian reservations are eligible to receive funds through the community in which they are located. The Division of Community Services (DCS) will review and prioritize all applications based on the ability to achieve the following state program objectives:

- To fund projects that encourages the use of program funds to complement the use of other public and private funds in providing assistance to the homeless.
- To fund projects which document and address shortages in funding, facilities, and services to the homeless, and which encourage and demonstrate maximum coordination of services and programs within the community.
- To fund projects which document participation in region wide or statewide continuum of care process.
- To fund projects which can be completed in a timely manner, within budget, and in conformance with all applicable federal and state requirements.
- To fund projects which involve, to the maximum extent practicable, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESGP, and in providing service for occupants of these facilities.

The maximum amount of funds that will be made available to any one homeless facility or agency providing assistance to the homeless is $25,000. The DCS may set-aside 20 percent ($55,000) of its allocation to fund homeless prevention activities and/or essential services based on the DCS's evaluation of need.

Applicants for the Emergency Shelter Grants Program are Units of Local Government, and eligible nonprofit organizations. Eligible nonprofit organizations may apply directly to the DCS, with a certification of approval of the project by the unit of local government in which they are located. Applications will be solicited directly from all shelter programs, and units of local government, in the state.

During the 2006 program year, any returned funds will be disbursed in a manner which will take into consideration the greatest areas of unfunded need among the remaining programs.

It is anticipated that applications will be requested for submission to the Division of Community Services by April 30, 2006.

Geographic Distribution

The HOME and ESG program funds will be available to eligible applicants statewide. The CDBG program is available to eligible applicants in every city and county, except the three entitlement cities of Grand Forks, Fargo, and Bismarck.

Homeless and Other Special Needs Activities

Homeless Activities for 2006 Include:

1. Awarding of funds to the state's emergency shelters and other non-profit organizations to provide shelter, services, and homeless prevention activities.

2. Beginning the development of a ten year plan to end chronic homelessness.

3. Continue assistance to the Homeless Coalition on the statewide continuum of care plan.

4. Continue to promote the usage of the statewide Homeless Management Information System (HMIS).

5. Pursue additional Shelter Plus Care grants for homeless individuals and families with disabilities.

Other Special Needs Activities:

As indicated in the Strategic Plan section of the Consolidated Plan, no specific activities are planned during the 2005 -2009 Consolidated Plan years, other than under the affordable housing goals, to address the needs of non-homeless special needs persons. Other state agencies currently administer programs specifically for the elderly, frail elderly, persons with disabilities, developmentally disabled, alcohol and drug abuse persons, and persons with HIV/AIDS, and the demand for CDBG and HOME funds for other needs far exceeds the capability to further target the use of funds.

Obstacles to Meeting Underserved Needs

The major obstacle to meeting underserved needs is the small amount of funds the state receives through the CDBG, HOME, and ESG programs. The needs far exceed the ability of these programs to make any significant impact, which is why the state continues to fund the same type of housing and non-housing activities each year. Housing rehabilitation continues to be a high priority need, but the interest in doing more rehabilitation is severely hampered by the lead-based paint requirements. Costs to investigate and mitigate lead-based paint are very high and the lack of funds means fewer opportunities for rehabilitation. Since there is nothing we can do to change either of these problems, no actions are planned.

Foster and Maintain Affordable Housing

During the 2006 program year we will continue to promote targeting CDBG and HOME funds to households of 0 to 30 percent of the MFI, persons with disabilities, the elderly, and minorities, focusing primarily on housing rehabilitation and assistance in buying or renting affordable housing.

Removal of Barriers to Affordable Housing

The Statewide Housing Needs Assessment indicated that some leaders view zoning, size of lots, cost of development, availability of infrastructure, restrictions regarding development of multi-family units, development of agricultural land, and the need for stricter codes to improve property values and pride in ownership as potential barriers to creating housing. These are primarily local issues over which the state has little or no authority. However, we do have a state building code and we will continue to promote its adoption and enforcement and continue to provide training support to local building officials through the North Dakota Building Officials Association. In addition, we will promote the use of CDBG and HOME funds for development whenever it becomes a potential.

Lead-based Paint

During this program year we will continue working with the North Dakota State Health Department and the University of North Dakota to provide training for lead-based paint risk assessors. In addition, we expect to see more coordination with the Community Action Agencies to increase the amount of lead-based paint testing activities.

Institutional Structure

As previously noted, we do not believe that there are any gaps in the current institutional structure for the delivery of programs that need to be addressed.

Coordination Efforts

As previously noted, we believe that good coordination of programs is occurring and that no specific additional actions are required.

Fair Housing

We reviewed the state's Analysis of Impediments to Fair Housing and have determined that the findings are still applicable. During the 2006 program year, we will continue to promote the adoption and enforcement of the State Building Code. The code was updated effective October 1, 2004, and now contains provisions for fair housing design that are considered by HUD to meet the requirements of the design standards under the Federal Fair Housing Act. Each community that receives CDBG funds will be required to identify at least one fair housing activity to undertake in conjunction with its grant award. We will continue, as shown in our affordable housing goals, to emphasize targeting funds to low income households, persons with disabilities, and minorities.

Anti-Poverty

The primary activities will be to create jobs with CDBG funds, encourage referrals of low-income persons and families to the Self-Reliance program (although no data can be obtained showing referrals because of confidentiality), and, as reflected in our affordable housing goals, to target HOME and CDBG funds to low-income households.

Non-housing Community Development – Short Term Objectives

This section identifies by region the short term objectives for non-housing CDBG activities for the 2005 program year.

Region 1

- Assist one removal of architectural barriers project.
- Assist one water/sewer project.
- Assist one economic development project.
- Create 5 job opportunities.
- As funding allows, target other priority health and safety related projects.

Region 2

- Target water improvements, sewer improvements and infrastructure for economic development.
- Create 10 to 15 job opportunities.
- Target one emergency services project.
- Target two water and/or sewer projects.

Region 3

- Assist two economic development projects with start-up or expansion.
- Assist two public facility projects.
- Assist one removal of architectural barriers project.
- Assist one project of particular urgency.

Region 4

- Target job creation for low and moderate income individuals, the goal for 2006 will be to create 20 new jobs.
- Target two projects that will provide economic diversification to stabilize the economy in economically disadvantaged communities.
- Fund at least one Public Facilities/Removal of Architectural Barriers (ROAB) project that reflects the priorities of the Red River Regional Council.
- Public Facility dollars will be targeted to projects that present a direct affect on the health and safety of communities.
- Target all projects funded with CDBG funds to have a direct benefit to the low and moderate income individuals.

Region 5

- Four loans to businesses funded in part with CDBG Funds.
- Two infrastructure expansion projects to serve business or industry, funded in part with CDBG Funds.
- Three priority municipal public facility projects funded in part with CDBG Funds.
- Fifty FTE jobs created by businesses funded in part with CDBG Funds.

Region 6

- The target for 2006 will be the creation of 35 jobs for very low, low and moderate income individuals through the funding of 3 different projects funded.
- The target for 2006 will be two to three projects that present a direct affect on the health and safety of local communities.
- The target for 2006 will be one to two projects that removal architectural barriers.

Region 7

- Target job creation for low and very low income persons. Target for 2006 will be the creation of 15 new jobs.

- Provide CDBG dollars for public facility projects that address problems of health and safety, or architectural barriers or both. For 2006, the target will be four public facility projects.

- Target a majority of all projects funded with CDBG funds to have a direct benefit to low and very low income persons.

Region 8

- Create 8 new jobs - one CDLF loan and non CDLF loan.
- Fund one water and/or sewer project with CDBG Funds.
- Fund one "public service" projects with CDBG Funds.
- Fund one planning project with CDBG Funds.

Faith-Based Organization

This section describes the objectives of HUD's new faith-based regulations found in 24 CFR Part 92 dated September 30, 2003.

Objective 1: Make clear that organizations are eligible to participate in the eight listed HUD programs without regard to their religious character or affiliation.

Objective 2: Make clear that an organization participating in any of the eight listed HUD programs may not use direct HUD funds to support inherently religious activities.

Objective 3: Make clear that a religious organization that participates in any of the eight listed HUD programs will retain its independence.

CDBG funds may not be used for acquisition, construction, or rehabilitation of structures to the extent that those structures are used for inherently religious activities. CDBG funds may be used for the acquisition, construction, or rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the regulations.

Where a structure is used for both eligible and inherently religious activities, CDBG funds may not exceed the cost of those portions of the acquisition, construction, or rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to CDBG funds in this part. Sanctuaries, chapels, or other rooms that a CDBG-funded religious congregation uses as its principal place of worship, however, are ineligible for CDBG-funded improvements.

Monitoring

In this section we are required to describe how the state will monitor the activities carried out to achieve the goals of the Strategic Plan.

Monitoring will be the responsibility of the staff assigned to the CDBG, HOME, and ESG programs and the organizations that partner with the Division of Community Services to implement these programs. This will primarily be accomplished through quarterly and final reports on each funded project. To assure long-term compliance with program requirements, staff will do on-site monitoring of files and each completed project using a systems review of the implementing organizations. Staff will also perform desk-top monitoring using drawdown requests, environmental review notices, Section 504 Self-evaluations, and the Integrated Disbursement Information System (IDIS).

APPLICATION FOR FEDERAL ASSISTANCE

Version 7/03

		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION: Application	Pre-application	**3. DATE RECEIVED BY STATE**	State Application Identifier
☐ **Construction**	☐ **Construction**	**4. DATE RECEIVED BY FEDERAL AGENCY**	Federal Identifier
☑ **Non-Construction**	☐ **Non-Construction**		

5. APPLICANT INFORMATION

Legal Name: State of North Dakota		**Organizational Unit:**	
		Department: Department of Commerce	
Organizational DUNS: 802741843		Division: Division of Community Services	
Address:		**Name and telephone number of person to be contacted on matters involving this application (give area code)**	
Street: 1600 East Century Avenue, Suite 2 PO Box 2057		Prefix: Ms.	First Name: Bonnie
City: Bismarck, ND 58502-2057		Middle Name	
County: Burleigh		Last Name Malo	
State: North Dakota	Zip Code 58502-2057	Suffix:	
Country: United States		Email: bmalo@state.nd.us	
6. EMPLOYER IDENTIFICATION NUMBER *(EIN)*: 4 5 – 0 3 0 9 7 6 4		Phone Number (give area code) (701) 328-2476	Fax Number (give area code) (701) 328-2308

8. TYPE OF APPLICATION: ☑ **New** ☐ **Continuation** ☐ **Revision** If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) ☐ ☐ Other (specify)	**7. TYPE OF APPLICANT:** (See back of form for Application Types) A Other (specify) **9. NAME OF FEDERAL AGENCY:** U.S. Department of HUD
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 1 4 – 2 2 8 TITLE (Name of Program): Community Development Block Grant **12. AREAS AFFECTED BY PROJECT** *(Cities, Counties, States, etc.)*: State of North Dakota	**11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:**

13. PROPOSED PROJECT		**14. CONGRESSIONAL DISTRICTS OF:**	
Start Date: 04/06	Ending Date: 03/07	a. Applicant Statewide	b. Project

15. ESTIMATED FUNDING:		**16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?**
a. Federal	$ 4,893,144 .00	a. Yes. ☐ THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:
b. Applicant	$ .00	
c. State	$ .00	
d. Local	$ .00	b. No. ☐ PROGRAM IS NOT COVERED BY E. O. 12372
e. Other	$ .00	☑ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
f. Program Income	$ 1,500,000 .00	**17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?**
g. TOTAL	$ 6,393,144 .00	☐ Yes If "Yes" attach an explanation. ☑ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Authorized Representative		
Prefix Mr.	First Name Paul	Middle Name T.
Last Name Govig		Suffix
b. Title Director		c. Telephone Number (give area code) (701) 328-4499
d. Signature of Authorized Representative Paul T. Govig		e. Date Signed 1/06/06

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APPLICATION FOR FEDERAL ASSISTANCE

Version 7/03

		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION: Application	Pre-application	**3. DATE RECEIVED BY STATE**	State Application Identifier
☐ **Construction**	☐ **Construction**	**4. DATE RECEIVED BY FEDERAL AGENCY**	Federal Identifier
☑ **Non-Construction**	☐ **Non-Construction**		

5. APPLICANT INFORMATION

Legal Name: State of North Dakota		**Organizational Unit:** Department: Department of Commerce	
Organizational DUNS: 802741843		Division: Division of Community Services	
Address:		**Name and telephone number of person to be contacted on matters involving this application (give area code)**	
Street: 1600 East Century Avenue, Suite 2 PO Box 2057		Prefix: Mr.	First Name: Michael
City: Bismarck, ND 58502-2057		Middle Name	
County: Burleigh		Last Name Spelttо	
State: North Dakota	Zip Code 58502-2057	Suffix:	
Country: United States		Email: mspletto@state.nd.us	
6. EMPLOYER IDENTIFICATION NUMBER *(EIN):* 4 5 – 0 3 0 9 7 6 4		Phone Number (give area code) (701) 328-2695	Fax Number (give area code) (701) 328-2308

8. TYPE OF APPLICATION: ☑ **New** ☐ **Continuation** ☐ **Revision** If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) ☐ ☐ Other (specify)	**7. TYPE OF APPLICANT:** (See back of form for Application Types) A Other (specify) **9. NAME OF FEDERAL AGENCY:** U.S. Department of HUD
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 1 4 – 2 3 9 TITLE (Name of Program): HOME Program	**11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:**
12. AREAS AFFECTED BY PROJECT *(Cities, Counties, States, etc.):* State of North Dakota	
13. PROPOSED PROJECT	**14. CONGRESSIONAL DISTRICTS OF:**
Start Date: 04/06 — Ending Date: 03/07	a. Applicant Statewide — b. Project

15. ESTIMATED FUNDING:		**16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?**
a. Federal	$ 3,000,000.00	a. Yes. ☐ THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:
b. Applicant	$ .00	
c. State	$ .00	
d. Local	$ .00	b. No. ☐ PROGRAM IS NOT COVERED BY E. O. 12372
e. Other	$ .00	☑ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
f. Program Income	$ 72,983.35	**17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?**
g. TOTAL	$ 3,072,983.35	☐ Yes If "Yes" attach an explanation. ☑ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Authorized Representative		
Prefix Mr.	First Name Paul	Middle Name T.
Last Name Govig		Suffix
b. Title Director		c. Telephone Number (give area code) (701) 328-4499
d. Signature of Authorized Representative Paul T. Govig		e. Date Signed 1/6/06

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APPLICATION FOR FEDERAL ASSISTANCE

Version 7/03

		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION: Application	Pre-application	**3. DATE RECEIVED BY STATE**	State Application Identifier
☐ **Construction**	☐ **Construction**	**4. DATE RECEIVED BY FEDERAL AGENCY**	Federal Identifier
☑ **Non-Construction**	☐ **Non-Construction**		

5. APPLICANT INFORMATION

Legal Name: State of North Dakota		**Organizational Unit:** Department: Department of Commerce	
Organizational DUNS: 802741843		Division: Division of Community Services	
Address:		**Name and telephone number of person to be contacted on matters involving this application (give area code)**	
Street: 1600 East Century Avenue, Suite 2 PO Box 2057		Prefix: Mr.	First Name: Tran
City: Bismarck, ND 58502-2057		Middle Name	
County: Burleigh		Last Name Doan	
State: North Dakota	Zip Code 58502-2057	Suffix:	
Country: United States		Email: tdoan@state.nd.us	
6. EMPLOYER IDENTIFICATION NUMBER *(EIN):* 4 5 – 0 3 0 9 7 6 4		Phone Number (give area code) (701) 328-2618	Fax Number (give area code) (701) 328-2308

8. TYPE OF APPLICATION: ☑ **New** ☐ **Continuation** ☐ **Revision** If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) ☐ ☐ Other (specify)	**7. TYPE OF APPLICANT:** (See back of form for Application Types) A Other (specify)
	9. NAME OF FEDERAL AGENCY: U.S. Department of HUD
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 1 4 – 2 3 1 TITLE (Name of Program): Emergency Shelter Grants Program	**11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:**
12. AREAS AFFECTED BY PROJECT *(Cities, Counties, States, etc.):* State of North Dakota	
13. PROPOSED PROJECT Start Date: 04/06 — Ending Date: 03/07	**14. CONGRESSIONAL DISTRICTS OF:** a. Applicant Statewide — b. Project

15. ESTIMATED FUNDING:		**16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?**
a. Federal	$ 275,592 .00	a. Yes. ☐ THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:
b. Applicant	$ .00	
c. State	$ .00	
d. Local	$ .00	b. No. ☐ PROGRAM IS NOT COVERED BY E. O. 12372
e. Other	$ .00	☑ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
f. Program Income	$ .00	**17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?**
g. TOTAL Sherry M. Leno	$ 275,592 .00	☐ Yes If "Yes" attach an explanation. ☑ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Authorized Representative		
Prefix Mr.	First Name Paul	Middle Name T.
Last Name Govig		Suffix
b. Title Director		c. Telephone Number (give area code) (701) 328-4499
d. Signature of Authorized Representative Paul T. Govig		e. Date Signed 1/6/06

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Prescribed by OMB Circular A-102

STATE CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the State certifies that:

Affirmatively Further Fair Housing -- The State will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

2. Establishing an ongoing drug-free awareness program to inform employees about -

   (a) The dangers of drug abuse in the workplace;

   (b) The grantee's policy of maintaining a drug-free workplace;

   (c) Any available drug counseling, rehabilitation, and employee assistance programs; and

   (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -

   (a) Abide by the terms of the statement; and

   (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other

   designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the State's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraphs 1 and 2 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of State -- The submission of the consolidated plan is authorized under State law and the State possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

_____ _____
Signature/Authorized Official Date

Director
Title

Specific CDBG Certifications

The State certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR §91.115 and each unit of general local government that receives assistance from the State is or will be following a detailed citizen participation plan that satisfies the requirements of 24 CFR §570.486.

Consultation with Local Governments -- It has or will comply with the following:

1. It has consulted with affected units of local government in the nonentitlement area of the State in determining the method of distribution of funding;

2. It engages in or will engage in planning for community development activities;

3. It provides or will provide technical assistance to units of local government in connection with community development programs; and

4. It will not refuse to distribute funds to any unit of general local government on the basis of the particular eligible activity selected by the unit of general local government to meet its community development needs, except that a State is not prevented from establishing priorities in distributing funding on the basis of the activities selected.

Local Needs Identification -- It will require each unit of general local government to be funded to identify its community development and housing needs, including the needs of low-income and moderate-income families, and the activities to be undertaken to meet these needs.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objectives of Title I of the Housing and Community Development Act of 1974, as amended. (See 24 CFR 570.2 and 24 CFR part 570)

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2005, 2006, and 2007 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments. The state will require units of general local government that receive CDBG funds to certify to the following:

   It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It will require units of general local government that receive CDBG funds to certify that they have adopted and are enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Compliance with Laws -- It will comply with applicable laws.

_____ _____
Signature/Authorized Official Date

Director
Title

Specific HOME Certifications

The State certifies that:

Tenant Based Rental Assistance -- If it intends to provide tenant-based rental assistance:

> The use of HOME funds for tenant-based rental assistance is an essential element of the State's consolidated plan.

Eligible Activities and Costs -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through §92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

Appropriate Financial Assistance -- Before committing any funds to a project, the State or its recipients will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

_____ _____

Signature/Authorized Official Date

Director

Title

ESG Certifications

The State seeking funds under the Emergency Shelter Program (ESG) certifies that it will ensure that its recipients of ESG funds comply with the following requirements:

Major rehabilitation/conversion -- In the case of major rehabilitation or conversion, it will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 10 years. If the rehabilitation is not major, the recipient will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 3 years.

Essential Services -- Where the assistance involves essential services or maintenance, operation, insurance, utilities and furnishings, it will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure as long as the same general population is served.

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

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

Matching Funds -- It will obtain matching amounts required under 24 CFR §576.71.

Confidentiality -- It will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project except with the written authorization of the person responsible for the operation of that shelter.

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

Consolidated Plan -- It is following a current HUD-approved Consolidated Plan or CHAS.

_____ _____

Signature/Authorized Official Date

Director

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.

2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies. (This is the information to which jurisdictions certify).

4. For grantees who are individuals, Alternate II applies. (Not applicable jurisdictions.)

5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

1600 East Century Avenue, Suite 2
PO Box 2057
Bismarck, ND 58502-2057
Burleigh County

Check ___ if there are workplaces on file that are not identified here; The certification with regard to the drug-free workplace required by 24 CFR part 24, subpart F.

9. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C.812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

STATE RESOURCES AND PLANNING DOCUMENTS

HUD Program Descriptions

- Community Development Block Grant Program – State and Regional Program Distribution Statements – www.state.nd.us/dcs/community/block

- HOME Investment Partnership Program – www.state.nd.us/dcs/community/home

- Emergency Shelter Grants Program – www.state.nd.us/community/shelter

  Contact: North Dakota Division of Community Services
  (701) 328-5300
  www.state.nd.us/dcs

Anti-Poverty Strategy

- Community Services Block Grant Program

  Contact: North Dakota Division of Community Services – Carol Griffin-Eckart
  (701) 38-5300
  www.state.nd.us/dcs

Homeless Needs and Facilities

- Continuum of Care Plan

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

Housing Needs

- 2004 Statewide Housing Needs Assessment

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

- 2005-2009 Consolidated Plan

  Contact: North Dakota Division of Community Services
  (701) 328-5300
  www.state.nd.us/dcs/plan

Low-Income Housing Tax Credits

- Low-Income Housing Tax Credit Allocation Plan

  Contact: North Dakota Housing Finance Agency Multi-Family Programs
  (701)328-8080
  www.ndhfa.state.nd.us

Lead-Based Paint Hazards

- Lead-Based Paint State and Federal Rules

  Contact: North Dakota Department of Health
  (701) 328-5188
  www.health.state.nd.us

Housing for People with HIV/AIDS

Contact: North Dakota Department of Health
1-800-70NDHIV
www.ndhiv.com

Special Needs Facilities and Services

- Needs Assessment of Long Term Care
  Contact: North Dakota Department of Human Services – Aging Services Division
  (701) 328-4601
  www.state.nd.us/humanservices/adultaging

- Services for People with Disabilities – Olmstead Commission Report
  Contact: North Dakota Department of Human Services – Developmental Disabilities Services
  (701)328-8930
  www.state.nd.us/humanservices/disabilities/dd.html

- Title VIII Independent Living State Plan
  Contact: North Dakota Department of Human Services – Independent Living Services
  (701) 328-2316
  www.state.nd.us/humanservices/disabilities

Mental Health and Substance Abuse

- State Mental Health Plan
- The Demand and Treatment Needs Assessment Studies
- The Comprehensive Statewide Plan for Substance Abuse and Prevention
  Contact: North Dakota Department of Human Services
  (701) 328-8940
  www.state.nd.us/humanservices/mentalhealth