

1. NSP3 Grantee Information

NSP3 Program Administrator Contact Information	
Name (Last, First)	D'Avignon, William
Email Address	wadavignon@cityofyoungstownoh.com
Phone Number	330-742-8830
Mailing Address	9 W Front St. Suite 205, Youngstown, Ohio 44503

2. Areas of Greatest Need

Map Submission

The map generated at the HUD NSP3 Mapping Tool for Preparing Action Plan website is included as an attachment.

Data Sources Used to Determine Areas of Greatest Need

Describe the data sources used to determine the areas of greatest need.				
Response:				
Eligible Areas				
<p>Prior to determining the area of greatest need, the geographic areas of eligibility by census tract were completed by to ensure funding would be used were a minimum of 51% of the population is at or below 120% of the area median income. The following chart identifies all but one of the 40 census tracts located in the City of Youngstown (Census Tract 803300) as being eligible for NSP 3 funded activities.</p>				
NSP 3 Eligible Census Tracts				
Census Tract	Eligible	% 120 AMI	Persons 120 AMI	Total Persons
800100	YES	74.6%	1,483	1,988
800200	YES	68.1%	609	894
800300	YES	76.2%	1,207	1,585
800400	YES	73.2%	1,035	1,413
800500	YES	59.3%	2,312	3,899
800600	YES	82.4%	1,575	1,912
800700	YES	86.9%	1,853	2,132
800900	YES	92.5%	658	711
801000	YES	78.2%	1,808	2,312
801100	YES	80.3%	2,079	2,590
801200	YES	85.8%	1,637	1,909
801300	YES	78.5%	2,013	2,565
801400	YES	69.7%	1,655	2,376
801500	YES	62.5%	1,376	2,202
801600	YES	83.7%	3,865	4,619
801700	YES	89.0%	1,950	2,191
801900	YES	73.0%	451	618
802000	YES	96.0%	1,093	1,139
802100	YES	79.8%	1,235	1,548

802200	YES	91.6%	1,100	1,201
802300	YES	89.7%	1,454	1,621
802400	YES	81.4%	3,557	4,368
802500	YES	80.1%	1,593	1,990
802600	YES	69.9%	1,489	2,130
802701	YES	66.4%	2,265	3,412
802702	YES	58.5%	1,822	3,114
802800	YES	65.5%	1,885	2,878
802900	YES	74.6%	2,121	2,844
803000	YES	75.7%	1,621	2,141
803100	YES	77.0%	1,540	1,999
803200	YES	89.6%	1,015	1,133
803300	NO	0.0%	0	0
803400	YES	90.0%	1,503	1,670
803500	YES	81.0%	839	1,036
803700	YES	74.6%	790	1,059
804000	YES	62.0%	2,073	3,345
804100	YES	62.2%	1,149	1,847
804200	YES	54.8%	1,357	2,477
804300	YES	88.2%	1,510	1,712
804400	YES	58.1%	548	943

Source: 2000 US Census

To target the funds to States and local communities with the greatest need, HUD estimated the number of loans 90 days delinquent or in foreclosure for each Census Tract in America. This estimate was based on a model that was comprised of three factors that explain most foreclosures and delinquent loans.

Rate of Subprime Loans. This is measured with HMDA data on high cost and high leverage loans made between 2004 and 2007. These data are available at the Census Tract (neighborhood) level.

Increase in Unemployment Rate between March 2005 and March 2010. This data is from the BLS Local Area Unemployment Statistics, at the city and county level.

Fall in Home Value from Peak to Trough. Home value data at the Metropolitan Area level is available quarterly through March 2010 from the Federal Housing Finance Agency Home Price Index.

In addition to wanting to capture loans that are currently delinquent or in the foreclosure process, HUD sought to capture the aggregate impact of the foreclosure crisis on individual neighborhoods between 2007 and 2010. To do this, HUD estimated for each neighborhood the number of foreclosure starts between January 2007 and March 2010 as well as the number of foreclosure completions between January 2007 and June 2010. Each neighborhood was assigned the larger of the two estimates.

Finally, HUD has March 2010 administrative data from the United States Postal Service on addresses not picking up mail for 90 days or longer. This data is a very good current indicator of neighborhood stress from vacant housing. This number is adjusted using Census 2000 tract level data to remove vacant vacation properties from the count.

HUD used that data to assign an NSP 3 needs rating from 20 – 0. A score of 20 means the area has the greatest need. HUD also established a minimum needs score for each State. The minimum needs score for the State of Ohio is 17. A review of data provided by the HUD NSP 3 data mapping tool shows all but five of the 40 census tracts in the City of Youngstown meet the minimum score of 17. A total of 14 census tracts have the highest score of 20, ten census tracts are rated 19, Six scored 18, and five scored a 17.

The following chart shows the rating of all City of Youngstown census tracts.

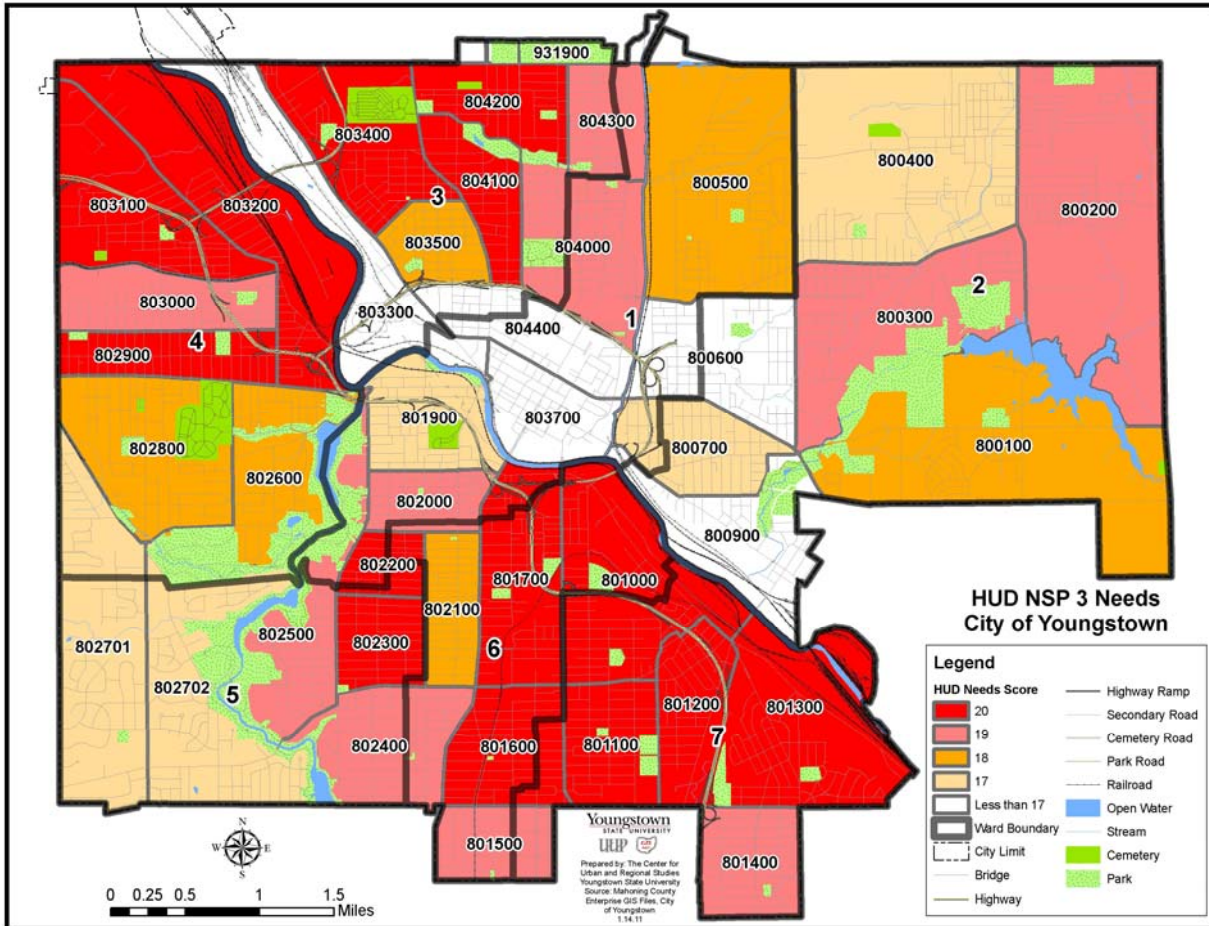
HUD NSP 3 NEEDS SCORE BY CENSUS TRACT

Census Tract	HUD Needs Score	USPS Address No Status	USPS 90 day vacant	Total USPS Addresses	% Estimated Delinquent Mortgages	HMDA Mortgages
801700	20	196	27	772	15.9%	55
803400	20	179	40	666	15.6%	31
801100	20	54	116	1202	15.5%	308
801300	20	39	72	1088	15.4%	248
802200	20	152	18	592	15.0%	23
802300	20	215	55	739	14.7%	33
803100	20	31	8	720	14.7%	76
801000	20	92	121	933	14.6%	159
803200	20	65	56	530	13.9%	52
801200	20	19	94	882	13.5%	184
804200	20	22	82	1137	13.5%	200
801600	20	371	109	1694	13.2%	331
802900	20	66	80	1223	13.2%	350
804100	20	71	30	669	13.2%	95
802500	19	114	37	925	12.9%	108
800300	19	59	26	682	12.8%	65
802400	19	413	144	1996	12.8%	238
804000	19	298	153	1301	12.7%	64
803000	19	38	51	974	12.4%	215
804300	19	149	88	672	12.3%	67
800200	19	23	38	529	12.0%	17
801500	19	80	50	979	11.8%	303
802000	19	87	71	494	11.2%	9
801400	19	30	59	1097	11.0%	310
802100	18	147	8	597	11.0%	25
802600	18	59	58	885	10.9%	239
802800	18	39	61	1390	10.5%	396
803500	18	67	50	858	10.5%	32
800500	18	246	53	1316	10.2%	54
800100	18	83	5	868	9.8%	115
8027.02	17	28	18	1419	9.5%	440
8027.01	17	13	24	1721	9.1%	337
800400	17	37	86	619	8.9%	44
800700	17	93	108	839	8.7%	32

801900	17	82	52	372	8.7%	12
800600	16	91	29	811	8.6%	33
804400	15	27	48	260	7.8%	5
800900	15	30	58	320	7.6%	8
803300	7	0	0	97	4.2%	17
803700	7	61	9	510	4.2%	1

Source: HUD NSP 3 Data Mapping Tool

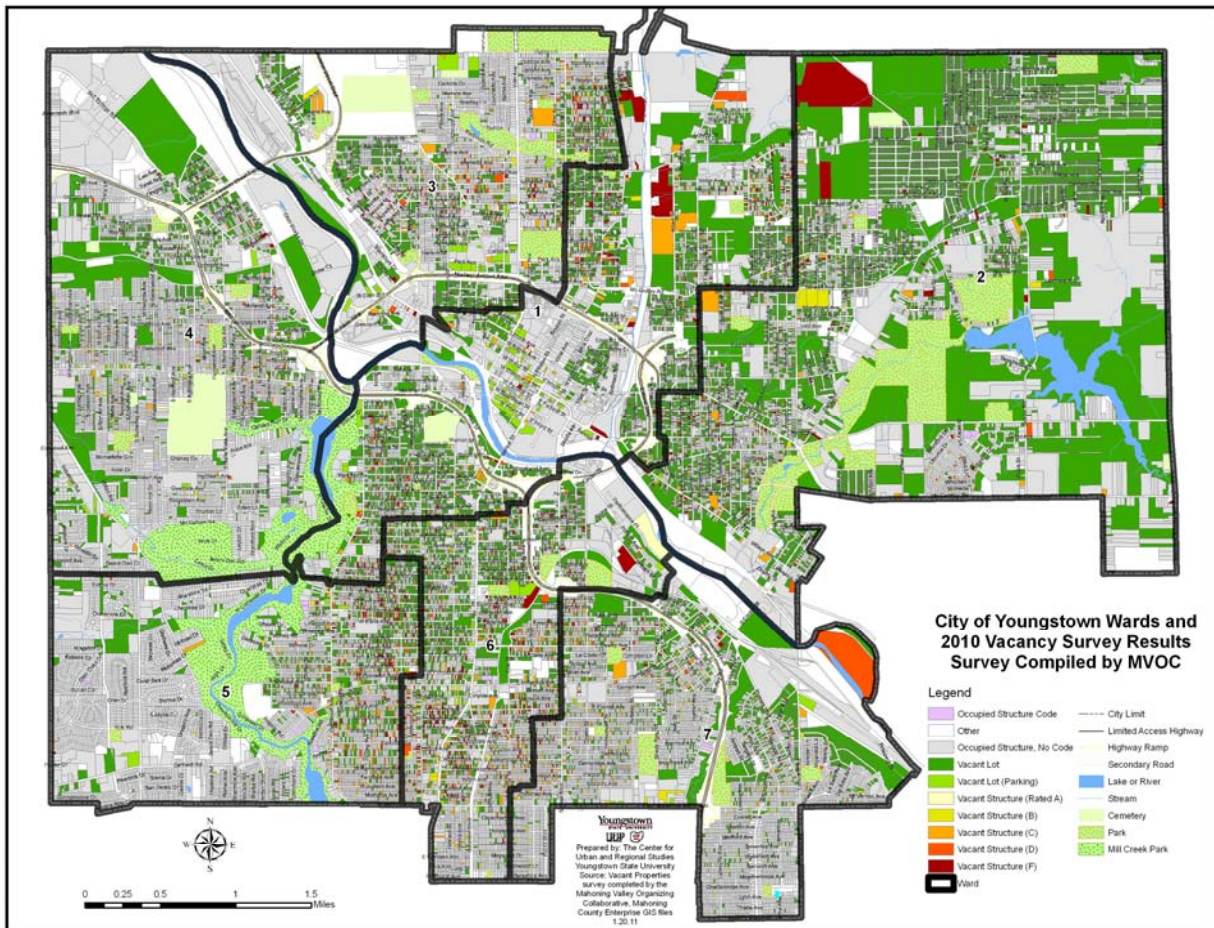
The following map depicts the HUD NPS 3 needs rating by census tract for the City of Youngstown:



Source: HUD NSP 3 Data Mapping Tool

Property Survey

A second source of data was reviewed to determine the area of greatest need. In December 2010 the Mahoning Valley Organizing Collaborative (MVOC) and Youngstown State University (YSU) administered a comprehensive vacant property survey. Each of the 62,509 parcels was surveyed and all vacant lots and structures were identified utilizing a uniform and consistent methodology. Vacant structures were rated A (salvageable) through F (requiring demolition) and assigned a color code. The results of the survey are depicted in the following map:



Source: Mahoning Valley Organizing Collaborative

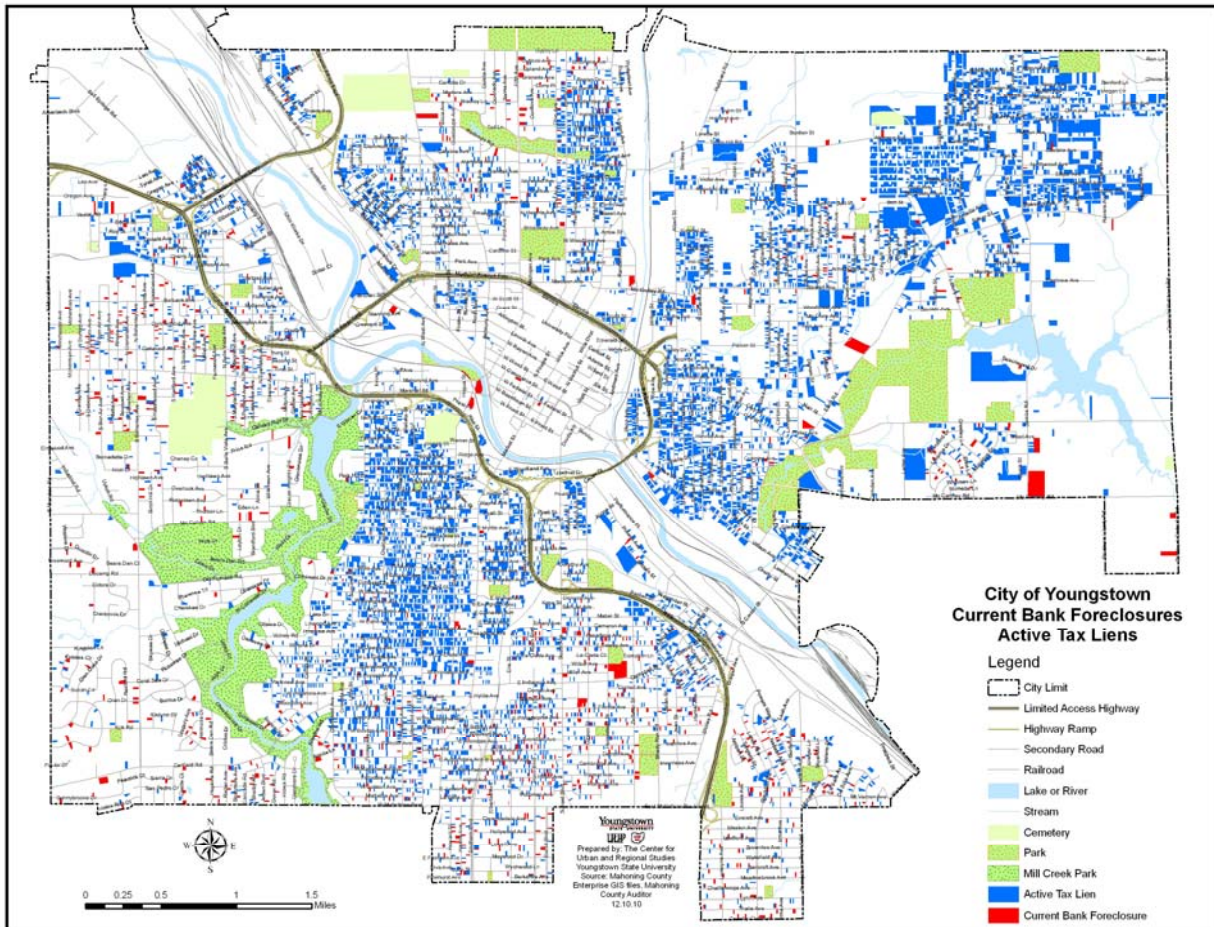
The survey showed that of the 29,912 structures in the City of Youngstown a total of 3,246 structures are vacant. The survey further shows that of those vacant structures, 14 percent (462) were considered salvageable (rated A/B) and 57 percent (1,852) were considered blighted to the extent that demolition was necessary (rated D/F). The same survey was conducted in 2008 and a total of 4,574 structures were vacant with 1,065 (23%) considered salvageable and 1,838 (40%) considered blighted. A comparison of the two surveys shows that during the two year period there has been an overall reduction of 29% in total vacant structures.

The above map is also telling in that the areas that are shown in white are areas of denser population (sustainable) and the areas shown in green are areas of vacant land.

Additional data from the Mahoning County Auditor and Lien Forward Ohio (a regional council of government formed by the City of Youngstown and Mahoning County to address returning unproductive land to productive use) was collected on property tax delinquency and foreclosures.

Bank Foreclosures and Tax Delinquency

Over 15,000 properties in the City of Youngstown are certified tax delinquent (2 or more years of unpaid property tax). The tax delinquency information was mapped below to identify patterns of disinvestment. Blue on the below map represents properties that are not tax productive. Also shown on the below map are current properties that have active bank foreclosures.



Source: Mahoning County Auditor and Lien Forward Ohio

Shown in red in the above map are total of 1,011 properties that were in foreclosure as of November 2010. HUD data reference foreclosures starts in the previous year but as the data shows many foreclosure actions remain open for years in the Mahoning County court system.

Determination of Areas of Greatest Need and Applicable Tiers

Describe how the areas of greatest need were established and whether a tiered approach is being utilized to determine the distribution of funding.

Response:

Housing Market

Utilizing data from sources including the Multiple Listing Service (MLS) and Mahoning County Auditors records, an analysis of current housing market conditions identifies the strengths and weaknesses of the local housing market. The data provides insight into the stability of Youngstown neighborhoods, where the amount of available housing stock often far outpaces demand. In the past year (2010), only 578 residential sales occurred within the City — an average of only 48 sales per month (see below table).

Youngstown Area	Number of Sales	Monthly Rate
West	223	18.6
North	48	4
South	286	23.8
East	21	1.75
Total	578	48

Where there appears to be a low demand for housing, the median sale prices is also far below that of the regional market. The 2000 Census reported that the median value of an owner-occupied unit in Youngstown was \$40,900, significantly lower than the county value of \$70,700 and the state value of \$103,700. Recent sales indicate that the median for sale home prices are well below the 2000 Census median value. Below are the median sales prices for 2010 sales:

Youngstown Area	Prior 12 Mo Median Sales	Prior 9 Mo. Median Sales	Prior 3 Mo Median Sales
West	\$26,900	\$16,500	\$26,250
North	\$22,000	\$21,950	\$20,000
South	\$10,000	\$10,000	\$16,250
East	\$7,250	\$4,500	\$6,800
Average	\$16,537	\$13,237	\$17,325

Though all the median sales prices lag behind those of the greater regional market, Youngstown's South and East sides have median home sales prices registering below \$15,000 for the past year.

With a weak housing market and home prices throughout the City far below the regional home prices, the strategy of acquisition and rehabilitation has proven difficult. Under the NSP program a total of 12 housing units were purchased and rehabilitated and only two have been resold. These projects have also required the investment of nearly three times the amount of what the properties can be sold for.

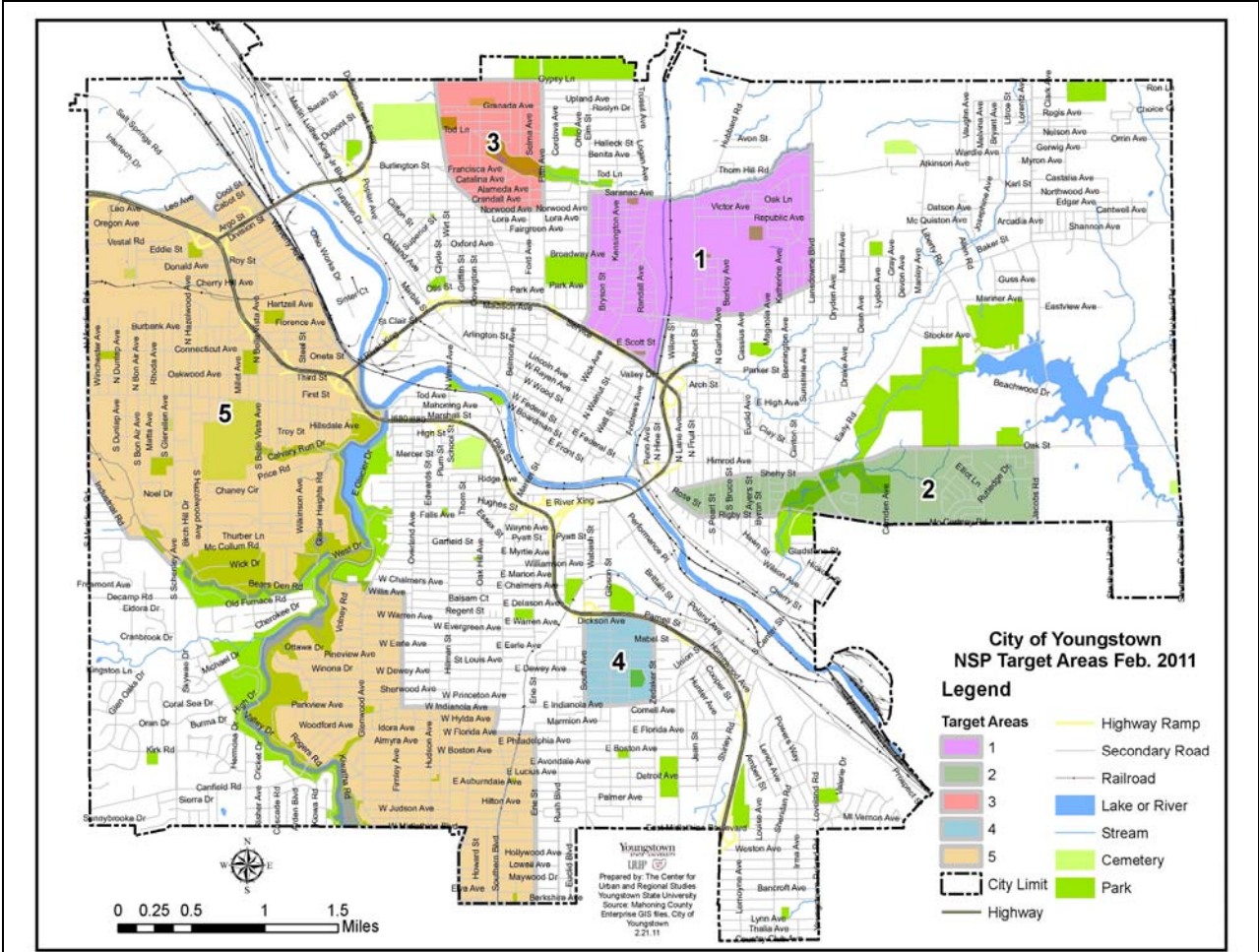
With the limited amount of NSP 3 funding available, the strategy for returning stability to the housing market within targeted areas of the City of Youngstown is blight removal.

Blight Removal

Clearance and Demolition is listed in the City of Youngstown's 5-year Consolidated Plan (2010-2014) as a "high" priority. With over 1,100 vacant commercial and residential structures meeting the definition of "blighted" an estimated \$11 million is required to address the need. The City allocated \$1.3 million of the \$2.7 million in Neighborhood Stabilization Program funds to blight removal. An additional \$1.1 million of State of Ohio NSP funds were also used for blight removal in the City of Youngstown and during 2009 and 2010 a total of 811 blighted structures were removed. Despite this very aggressive two-year demolition program, there remains an additional 951 blighted residential structures. These blighted structures have the greatest impact on neighborhood stability, property values, and the general health and welfare of the citizens of Youngstown.

Rapidly arrest decline. The main function of the NSP is to support uses and activities that will rapidly arrest the decline of targeted neighborhoods that have been negatively affected by abandoned or foreclosed properties. NSP will not effectively deal with all of the destabilizing effects of blight, abandonment and foreclosures throughout the City. It can however, effectively provide stability to portions of the city. Targeting areas that have a higher than average owner-occupancy rate, strong neighborhood organizations, stabilizing neighborhood assets such as parks or schools and areas where the removal of the limited amount of blight will rapidly arrest further decline.

With public input and political support, Youngstown has identified five target areas where the use of \$722,246 for blight removal will rapidly arrest further decline and have a stabilizing effect. Those target areas are shown in the following map:



	HUD NSP Needs Score	Total Housing	USPS 90 days vacant	Mortgage 2004-2007	Foreclosure starts last year	REO7/09-6/10	% Persons 120% AMI
Target Area 1 ID 8324035	18.21	2384	161	111	9	6	85.46
Target Area 2 ID 8656097	17.51	1103	48	108	8	4	78.36
Target Area 3 ID 6234161	20	1041	62	166	17	10	55.78
Target Area 4 ID 5551635	20	514	64	83	9	4	85.37
Target Area 5 ID 6240478	18.36	12079	646	2255	185	110	75.04
TOTAL AREAS	18.43	17121	981	2723	228	134	76.00

Source: HUD NSP 3 Data Mapping Tool

Justification for waiving the 10% cap on Demolition

Youngstown is not faced with unique circumstances. Therefore it makes sense that Congress allowed HUD to grant exceptions for demolition needs. Unfortunately, a one-size-fits-all mentality isn't easily applicable to urban redevelopment. The cities widespread vacancies are mirrored in New Orleans, Flint, Detroit, St. Louis, Dayton, Buffalo and many other older industrial cities. For cities such as these, returning the housing market to health is contingent upon first removing a significant amount of blighted, vacant structures.

The City of Youngstown has 951 residential structures that need to be demolished. This blight attracts crime, lowers neighborhood morale and deters growth and investment. Targeting streets dotted with even a few of these blighted structures will significantly increase neighborhood stability and the market value of neighboring homes.

Youngstown desperately requires the necessary funding to demolish blighted structures that have been accumulating for decades. These structures are beyond repair and would be liabilities to hold in land banks. The removal of blight is the necessary first step in repairing the housing market.

Since the housing market is already flooded with available and affordable housing units for sale, the property from demolished structures can be turned into green space or recreational areas such as neighborhood gardens and parks. This practice, outlined in the *Youngstown 2010* plan, and successfully implemented in a pilot neighborhood can be applied to the rest of the city to achieve favorable results. Ridding neighborhoods of blighted homes will provide Youngstown with less dense yet more desirable neighborhoods that more accurately fit current population and demographics.

The City of Youngstown requests an increase to the demolition allowance from 10 percent to 66 percent. Doing so would allow for a quicker net return on the housing market, and it would also improve the appearance and marketability of many neighborhoods suffering from blight.

If Youngstown were to conduct demolitions with only 10 percent of total awarded funds (\$100,000), less than 20 of the over 950 blighted structures would be removed. Conversely, if the waiver is granted and the increase to 66% (\$722,246) of funds allowed for demolitions, it would allow for 140 blighted structures to be removed. Removing those blighted structures from the target areas is the most practical solution to providing a healthy housing market in a timely manner.

Using 66 percent of allocated funds for demolition makes the most sense for a target area with a housing market that is weighed down by a significant amount of blight. The increased funding will allow for a faster, more efficient absorption of vacant homes, while providing a means to eradicate these structures that are irreparably beyond rehabilitation standards.

3. Definitions and Descriptions

Definitions

Term	Definition										
Blighted Structure	<p>“Blighted structure” shall mean premises which because of their age, obsolescence, dilapidation, deterioration, lack of maintenance or repair which constitute public nuisances at the premises or any combination thereof, including the ineffectiveness of Housing Code Enforcement after lawfully issued citations or violation notices, constitute an apparent fire hazard, place of retreat for immoral and criminal purposes constituting a public nuisance or repeated and serious breaches of the peace, health hazard, public safety or any combination thereof; an unreasonable interference with the reasonable and lawful use and employment of other premises within the neighborhood; or a factor seriously depreciating property values in the neighborhood.</p>										
Affordable Rents	<p>The definition of “maximum affordable rents” is the FY 2011 HUD Fair Market Rent for Youngstown-Warren-Boardman Metro Area and is listed below:</p> <table border="1" data-bbox="513 894 1430 1029"> <thead> <tr> <th>Efficiency</th> <th>1-bedroom</th> <th>2-bedroom</th> <th>3-bedroom</th> <th>4-bedroom</th> </tr> </thead> <tbody> <tr> <td>\$462</td> <td>\$519</td> <td>\$627</td> <td>\$789</td> <td>\$851</td> </tr> </tbody> </table>	Efficiency	1-bedroom	2-bedroom	3-bedroom	4-bedroom	\$462	\$519	\$627	\$789	\$851
Efficiency	1-bedroom	2-bedroom	3-bedroom	4-bedroom							
\$462	\$519	\$627	\$789	\$851							

Descriptions

Term	Definition
Long-Term Affordability	<p>The City of Youngstown will adopt and enforce the minimum continued affordability requirements of the HOME program for all NSP assisted rental and home ownership projects of 5 to 15 years depending on the per unit investment.</p>
Housing Rehabilitation Standards	<p>The City of Youngstown will apply the City of Youngstown Housing and Property Maintenance Code (adopted August 2003, the 2003 edition of the International Property Maintenance Code as amended) to all NSP assisted rehabilitation activities. The City will also seek to improve energy efficiency for NSP funded residential rehabilitation projects.</p>

4. Low-Income Targeting

Low-Income Set-Aside Amount

Enter the low-income set-aside percentage in the first field. The field for total funds set aside will populate based on the percentage entered in the first field and the total NSP3 grant.

Identify the estimated amount of funds appropriated or otherwise made available under the NSP3 to be used to provide housing for individuals or families whose incomes do not exceed 50 percent of area median income.

Response:

Total low-income set-aside **percentage** (must be no less than 25 percent): 25.08%

Total funds set aside for low-income individuals = \$275,000

Meeting Low-Income Target

Provide a summary that describes the manner in which the low-income targeting goals will be met.

Response:

The City of Youngstown will allocated the required minimum 25% (\$275,000) to partner with the Youngstown Neighborhood Development Corporation (YNDC) to acquire abandoned, foreclosed homes for affordable rental units to benefit individuals and families whose incomes do not exceed 50% of the AMI as shown in the following chart.

Income	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
Very Low								
50%	\$18,800	\$21,500	\$24,200	\$26,850	\$29,000	\$31,150	\$33,300	\$35,450

5. Acquisition and Relocation

Demolition or Conversion of LMI Units

Does the grantee intend to demolish or convert any low- and moderate-income dwelling units (i.e., $\leq 80\%$ of area median income)?

No

If yes, fill in the table below.

Question	Number of Units
The number of low- and moderate-income dwelling units—i.e., $\leq 80\%$ of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities.	na
The number of NSP affordable housing units made available to low-, moderate-, and middle-income households—i.e., $\leq 120\%$ of area median income—reasonably expected to be produced by activity and income level as provided for in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion).	na
The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income.	na

6. Public Comment

Citizen Participation Plan

Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment or abbreviated plan.

Response:

The City of Youngstown conducted several “stakeholder” meetings in preparation of this plan amendment. The stakeholder meetings included:

Thursday, January 7, 2011 8:30 am **“Banking CRA Meeting”**

Monday, January 10, 2011 12:00 pm **“City Council CDA Committee Meeting”**

Tuesday, January 18, 2011 1:30 pm **“Planning Commission Meeting”**

Additional “citizen participation/input” meetings were held with the following various neighborhood groups and organizations:

Tuesday, February 1, 2011 6:00 pm **“Northside Town Hall Meeting”**

Thursday, February 3, 2011 6:00 pm **“Southside Town Hall Meeting”**

Tuesday, February 8, 2011 7:00 pm **“Westside Town Hall Meeting”**

Thursday February 10, 2001 6:00 pm **“Eastside Town Hall Meeting”**

The amendment was posted on the City of Youngstown website www.cityofyoungstownoh.org and made available for public review and comment for a 15 day period from February 10th through February 25th 2011.

Summary of Public Comments Received.

The City of Youngstown did not receive any public comments on the draft plan posted for public review.

7. NSP Information by Activity

Activity Number 1		
Activity Name	(Enter the name of Activity Number 1)	
Uses	Select all that apply:	
	<input type="checkbox"/> Eligible Use A: Financing Mechanisms	
	<input checked="" type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation	
	<input type="checkbox"/> Eligible Use C: Land Banking	
	<input type="checkbox"/> Eligible Use D: Demolition	
<input type="checkbox"/> Eligible Use E: Redevelopment		
CDBG Activity or Activities	24 CFR 570.201(a) Acquisition	
National Objective	Low-Income Housing to Meet 25% Set-Aside (LH25)	
Activity Description	Acquisition and rehabilitation of vacant/abandoned residential dwellings for rental or sale to, two income eligible families. Affordability period will be established between 5-15 years determined by the amount of NSP 3 subsidy in accordance with HOME program rules.	
Location Description	Census Tract 802500	
Budget	Source of Funding	Dollar Amount
	NSP3	\$275,000
	(Other funding source)	\$
	(Other funding source)	\$
Total Budget for Activity	\$275,000	
Performance Measures	2 households	
Projected Start Date	March 8, 2011	
Projected End Date	March 8, 2014	
Responsible Organization	Name	Youngstown Neighborhood Development Corp (YNDC)
	Location	201 E. Commerce Street, Suite 140, Youngstown, Ohio 44503
	Administrator Contact Info	Ian Beniston 330-480-0423 ibeniston@yndc.org

Activity Number 2		
Activity Name	Targeted Blight Removal	
Use	Select all that apply:	
	<input type="checkbox"/> Eligible Use A: Financing Mechanisms	
	<input type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation	
	<input type="checkbox"/> Eligible Use C: Land Banking	
	<input checked="" type="checkbox"/> Eligible Use D: Demolition	
<input type="checkbox"/> Eligible Use E: Redevelopment		
CDBG Activity or Activities	24 CFR 570.201(d)	
National Objective	Low Moderate Middle Income Area Benefit (LMMA)	
Activity Description	Inspect, issue notice and contracting for demolition of 140 blighted structures within the identified NSP 3 target areas.	
Location Description	All 5 target areas identified on the NSP 3 mapping tool	
Budget	Source of Funding	Dollar Amount
	NSP3	\$722,246
		\$
	(Other funding source)	\$
Total Budget for Activity	\$722,246	
Performance Measures	140 structures	
Projected Start Date	March 8, 2011	
Projected End Date	March 8, 2014	
Responsible Organization	Name	City of Youngstown, Building & Grounds
	Location	26 S. Phelps St 6 th Floor Youngstown, Ohio 44503
	Administrator Contact Info	Sean McKinney 330-742-8890 smckinney@cityofyoungstownoh.com

Activity Number 3		
Activity Name	Grant Administrative and Planning Costs 10% Cap	
Use	Select all that apply:	
	<input type="checkbox"/> Eligible Use A: Financing Mechanisms	
	<input type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation	
	<input type="checkbox"/> Eligible Use C: Land Banking	
	<input type="checkbox"/> Eligible Use D: Demolition	
<input type="checkbox"/> Eligible Use E: Redevelopment		
CDBG Activity or Activities	CDBG - 24 CFR 570.205 and 206	
National Objective	(Select One)	
Activity Description	Grant administrative costs for the City of Youngstown and YNDC for activity 1 and 2.	
Location Description	(Area or possible areas of greatest need where activity is being undertaken)	
Budget	Source of Funding	Dollar Amount
	NSP3	\$99,082.00
	(Other funding source)	\$
	(Other funding source)	\$
Total Budget for Activity	\$99,082.00	
Performance Measures	(Enter all performance measures here)	
Projected Start Date	March 8, 2011	
Projected End Date	March 8, 2014	
Responsible Organization	Name	City of Youngstown CDA
	Location	9 W. Front St., Youngstown, OH 44503
	Administrator Contact Info	William D'Avignon 330 742 8830 wadavignon@cityofyoungstownoh.com

8. Certifications

Certifications for State and Entitlement Communities

(1) **Affirmatively furthering fair housing.** The jurisdiction certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The applicant certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan.

(3) **Anti-lobbying.** The jurisdiction must submit a certification with regard to compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

(4) **Authority of jurisdiction.** The jurisdiction certifies that the consolidated plan or abbreviated plan, as applicable, is authorized under state and local law (as applicable) and that the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(5) **Consistency with plan.** The jurisdiction certifies that the housing activities to be undertaken with NSP funds are consistent with its consolidated plan or abbreviated plan, as applicable.

(6) **Acquisition and relocation.** The jurisdiction certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the notice for the NSP program published by HUD.

(7) **Section 3.** The jurisdiction certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Citizen participation.** The jurisdiction certifies that it is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.

(9) **Following a plan.** The jurisdiction certifies it is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD. [Only States and entitlement jurisdictions use this certification.]

(10) **Use of funds.** The jurisdiction certifies that it will comply with the Dodd-Frank Wall Street Reform and Consumer Protection Act and Title XII of Division A of the American Recovery and Reinvestment Act of 2009 by spending 50 percent of its grant funds within 2 years, and spending 100 percent within 3 years, of receipt of the grant.

(11) **The jurisdiction certifies:**

- a. that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income; and

- b. The jurisdiction 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 NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP 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. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

(12) **Excessive force.** The jurisdiction certifies that it has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
- b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

(13) **Compliance with anti-discrimination laws.** The jurisdiction certifies that the NSP grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(14) **Compliance with lead-based paint procedures.** The jurisdiction certifies that its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(15) **Compliance with laws.** The jurisdiction certifies that it will comply with applicable laws.

(16) **Vicinity hiring.** The jurisdiction certifies that it will, to the maximum extent feasible, provide for hiring of employees that reside in the vicinity of NSP3 funded projects or contract with small businesses that are owned and operated by persons residing in the vicinity of NSP3 projects.

(17) **Development of affordable rental housing.** The jurisdiction certifies that it will abide by the procedures described in its NSP3 Abbreviated Plan to create preferences for the development of affordable rental housing for properties assisted with NSP3 funds.

_Jay Williams
Signature/Authorized Official

Date

_Mayor
Title