**Montana HOME Investment Partnerships and Housing Trust Fund Programs
Annual Certification for Rental Housing**

|  |  |
| --- | --- |
| Certification Period | **January 1, 2023 – December 31, 2023** |
| Project Name |  |
| Project Address |  |
| City, Zip Code |  |
|  |  |
| Owner Information |
| Original Contract # |  |
| Original Grantee |  |
| Current Owner |  |
| Owner Contact Person |  |
| Street Address |  |
| City, State, Zip Code |  |
| Phone |  |
| Email |  |
| Date Entity Commenced Ownership of Project |  |
| CHDO (Yes or No) |  |
| Non-Profit Organization (Yes or No) |  |
|  |  |
| Management Information (If different from Owner Information) |
| Management Company Name |  |
| Management Contact Person |  |
| Professional Title |  |
| Street Address |  |
| City, State, Zip Code |  |
| Phone |  |
| Email |  |
| Date Company Commenced Management of Project |  |
| On-Site Contact Person |  |
| On-Site Phone |  |
| On-Site Contact Email |  |

#### Annual Tenant Income Certification/Establishing Tenant Eligibility

## Establishing Tenant Eligibility [24 CFR 92.203 and 92.252(h); 24 CFR 93.351 and 93.302(e)]

1. The owner/management has conducted initial income verification for each HOME or HTF household and has the supporting documentation available, including full third-party documentation of all income and assets.
🞎Yes
🞎No. If no, explain:
2. For each household occupying a unit designated as HOME or HTF, the owner/management agent has conducted an annual recertification of all income and assets, to include examination of source documents at least every sixth year.

🞎Yes
🞎No. If no, please explain:

1. If source documentation is examined only every sixth year, the owner/management agent has obtained self-certifications of income from households in HOME or HTF units.
🞎Yes
🞎No. If no, please explain:

###### Rent Restrictions [24 CFR 92.252; 24 CFR 93.302]

1. Each HOME- or HTF-assisted unit was rent-restricted as prescribed by the HOME or HTF Contract and limited to the HUD-published HOME rent limit, the HTF rent limit or the project-based rental assistance contract rent.
🞎Yes
🞎No. If no, please explain:
2. No fee(s), other than rent, were charged to any HOME or HTF tenant for non-optional services or provisions (i.e., water-billing service fees, parking fees, non-refundable security deposit fees, payments for meals, etc.).
🞎None were charged.
🞎Additional fees were charged. Explain:

## Utility Allowances [24 CFR 92.252(d) and HOME Final Rule; 24 CFR 93.302(c)]

1. Are tenants responsible for paying their own utilities?

🞎 Yes

🞎 No. If no, skip Question 7)

1. The Owner certifies that the utility allowance is reviewed annually and is calculated by using either the Section 8 Utility Allowance Schedule or the HUD Utility Schedule Model (as applicable). NOTE: All projects awarded funds after August 23, 2013 are required to use the HUD Utility Schedule Model.

🞎Yes
🞎No. If no, please explain:

## Over-Income Units and ‘Next Available Unit’ Rule [24 CFR 92.252(i); 24 CFR 93.303(f)]

## Have any HOME- or HTF-assisted tenants become over-income during the last year?

## 🞎 Yes. If yes, please answer the following questions.🞎 No. If no, skip questions 9 and 10.

## If a HOME- or HTF-assisted tenant became over income, the next available comparable unit in the project was rented to a qualified household.🞎Yes🞎No. If no, please explain:

1. If a HOME-assisted tenant’s income exceeded 80% of the Area Median Income (AMI) at recertification, the household’s rent was adjusted to 30% of the household adjusted income (unless other federal program rules apply to the unit) or the Fair Market Rent of a comparable unit, whichever is less.
🞎Yes
🞎No. If no, please explain:

## Vacant Units [24 CFR 92.252(j); 24 CFR 93.303(j)]

## If a floating HOME- or HTF-assisted unit in the project became vacant during the past year, reasonable attempts were made to restore compliance with the HOME or HTF unit mix requirements by designating a comparable unit occupied by an income-qualified household as a HOME or HTF unit.🞎Yes🞎No. If no, please explain:

## If a fixed HOME- or HTF-assisted unit in the project became vacant during the past year, reasonable attempts were made to restore compliance with the HOME or HTF unit mix requirements by renting the unit to an income-qualified household.

## 🞎Yes🞎No. If “No”, please explain:

## Physical Condition [24 CFR 92.251 and 92.504(d); 24 CFR 93.301 and 93.404(d)]

## Each HOME- or HTF-assisted unit and building in the project is suitable for occupancy according to State and local codes, ordinances, requirements, and either HUD’s Uniform Physical Condition Standards (UPCS) or Housing Quality Standards (HQS) (as applicable), and were inspected accordingly, within the past year.🞎Yes🞎No. If no, state nature of violation and describe any corrective action that has been taken or is planned.

## Lead-Based Paint [24 CFR 35 and 36]

## Each tenant has signed the “Lead Based Paint” form and has been given a copy of the signed form.🞎Yes🞎No, due to one of the following exemption(s):

* + None of the buildings or portions of the buildings in the development were constructed prior to January 1, 1978 (See 35.86 “Target Housing”.)
	+ All buildings on the property have been certified Lead-based paint free and appropriate test reports and certifications have been or will be provided to Commerce.
	+ All units are 0-bedroom units (See 35.86 “Target Housing” and 0-bedroom dwelling.)
	+ This is a HUD Elderly development and no child of less than 6 years of age resides or is expected to reside in any unit.
	+ The development is designated exclusively for persons with disabilities and no child less than 6 years of age resides or is expected to reside in any unit.
	+ Other reason as follows:
1. The property owner has incorporated ongoing lead-based paint maintenance activities into regular building operations, such as visual inspection of lead-based paint annually and at unit turnover; repair of all unstable paint; and repair of encapsulated or enclosed areas that are changed.
🞎 Not Applicable

🞎 Yes
🞎 No. If no, please explain:

## Comparable Basis – Tenant Facilities [24 CFR 92.251 and 24 CFR 93.301]

## The Owner certifies that all tenant facilities (such as recreational facilities, parking areas, washer/dryer hookups, and other appliances) of any building in the project are provided on a comparable basis to all tenants (including HOME- or HTF-assisted) in the development.🞎Yes🞎No. If no, please explain:

## Lease Agreement [24 CFR 92.253(b); 24 CFR 93.303(b)]

## The lease term for all HOME- or HTF-assisted units is at least one year and each lease contains all the provisions required by the HOME or HTF Program and does not include any prohibited provisions.🞎Yes🞎No. If no, please explain:

## Has the lease been updated during the last year?

## 🞎Yes. If yes please attach and highlight any changes. 🞎No.

## Tenant Selection Criteria [24 CFR 92.253(d); 24 CFR 93.303(d)]

## The owner/management has adopted and utilizes written tenant selection policies that:

* 1. are consistent with the purpose of providing housing for income eligible households;
	2. are reasonably related to program eligibility and the applicants’ ability to perform the obligations of the lease;
	3. provide for the selection of tenants from a written waiting list in the chronological order of their application, insofar as is practicable; and,
	4. requires prompt written notification to any rejected applicant of the grounds for any rejections.
	🞎Yes
	🞎No. If no, explain:
1. Has the Tenant Selection Criteria been updated in the last year?

## 🞎Yes. If yes, please attach and highlight any updates. 🞎No.

**Termination of Tenancy [24 CFR 92.253(c); 24 CFR 93.303(c)]**

1. The undersigned certifies that tenants have neither been evicted nor had leases fail to be renewed, except for serious or repeated violations of the terms and conditions of the lease; for violation of applicable Federal, State, or local law; for completion of the tenancy period for transitional housing, or for other good cause.

🞎Yes
🞎No. If no, explain:

1. In the event of a lease termination, is a 30-day notice provided to tenants as required by the HOME and HTF Programs?
🞎Yes
🞎No. If no, explain:

**Discrimination Against Section 8/Housing Choice Vouchers [24 CFR 92.253(d)(4); 24 CFR 93.303(d)(4)]**

## All HOME- or HTF-assisted units were leased to residents regardless of their status as holders of rental vouchers or certificates that are available under 24 CFR 882, 887, or 92.211 (ex. Section 8, Tenant-Based Rental Voucher, etc.).🞎Yes🞎No. If no, explain:

## Affirmative Fair Housing Marketing Plan [24 CFR 92.351; 24 CFR 93.350(b)]

1. Is a Fair Housing poster on display at the project location?
🞎Yes
🞎No. If no, explain:
2. Where is the Fair Housing poster displayed?

🞎 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

## Does the property have five or more HOME-or HTF-assisted units?

🞎 Yes

🞎 No. If no, skip questions 27-30.

## For projects with five or more HOME-or HTF-assisted units, an up-to-date Affirmative Fair Housing Marketing Plan (AFHMP) is on file (and available for viewing by interested parties) at the development.🞎Yes. If yes, indicate the date of the last update:🞎No. If no, explain:

1. The AFHMP has been reviewed by the Owner and has been found to be effective in soliciting tenants.
🞎Yes
🞎No. If no, explain:
2. If the affirmative marketing requirements were not met, the Owner has attached a plan of corrective actions to be taken to implement the AFHMP.
🞎Yes
🞎No. If no, explain:
3. Has the AFHMP been updated as required every five (5) years?

## 🞎Yes. If updated during the last year, please attach and highlight any updates. 🞎No

## Fair Housing and Reasonable Accommodations/Accessibility

## The owner has and is complying with all federal, state, and local laws relating to fair housing and equal opportunity, including but not limited to the following:

* 1. The Federal Fair Housing Act and the Montana Fair Housing Act;
	2. Age Discrimination Act of 1975;
	3. Section 504 of the Rehabilitation Act of 1973;
	4. Americans With Disabilities Act of 1990 (ADA);
	5. Title VI Civil Rights Act – 1964; and
	6. Section 3 of the Housing and Urban Development Act of 1968

🞎Yes
🞎No. If no, please explain:

1. Has the owner received any requests for accommodation?

🞎Yes. If yes, please describe the request and the result:
🞎No.

**Violence Against Women Act Compliance [24 CFR 92.359; 24 CFR 93.356]**

1. Does the property’s lease contain language regarding resident rights with respect to the VAWA?

🞎Yes
🞎No. If no, please explain:

1. Has the owner received any requests for Emergency Transfers as allowed under the VAWA?

🞎Yes. If yes, please describe the request and the result:
🞎No

## Change in Management/Ownership

## The management of the project has changed since the last annual certification.🞎Yes, there has been a change. If yes, the Department of Commerce must be or has been notified in writing within 30 days of the change.

##  Date of notification:

##  New management company and contact information:

## 🞎No, there has been no change.

## Record Keeping

## The Owner will maintain required records for the most recent five years throughout the affordability period and has policies in place to keep these records accordingly. (Required records include documentation related to tenant income verifications, unit rents, affirmative marketing, and property standards.)

## 🞎Yes🞎No. If no, explain:

1. Resident data for the HOME and HTF units at the project has been completed on the *Rental Occupancy Report*, a copy of which is attached to this form.
🞎Yes
🞎No. If no, explain:
2. Please fill out the following table indicating the 2023 Rent Schedule

**Net Rent Schedule (if applicable) – Tenant Pays Utilities**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | 0-Bed | 1-Bed | 2-Bed | 3-Bed | 4-Bed | 5-Bed |
| Low HOME Rent |  |  |  |  |  |  |
| Utilities |  |  |  |  |  |  |
| Total Low HOME Rent |  |  |  |  |  |  |
| High HOME Rent |  |  |  |  |  |  |
| Utilities |  |  |  |  |  |  |
| Total High HOME Rent |  |  |  |  |  |  |
| HTF Rent |  |  |  |  |  |  |
| Utilities |  |  |  |  |  |  |
| Total HTF Rent |  |  |  |  |  |  |

**Gross Rent Structure (if applicable) – Tenant Does NOT Pay Utilities**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **0-Bed** | **1-Bed** | **2-Bed** | **3-Bed** | **4-Bed** | **5-Bed** |
| **Low HOME Rent** |  |  |  |  |  |  |
| **High HOME Rent** |  |  |  |  |  |  |
| **HTF Rent** |  |  |  |  |  |  |

## Other Compliance Requirements

## Other than Montana HOME or HTF funds, does the project have any other government funding and/or income, rent or leasing restrictions?

## 🞎No.🞎Yes. Please check all that apply:

* Housing Tax Credits
* Project-Based Section 8 (Attach Contract)
* USDA Rural Development (Attach Contract)
* Project-Based Section 811 (Attach Contract)
* Project-Based Section 202 (Attach Contract)
* Other:
1. Have your rent amounts changed since the last HOME or HTF rental recertification?

🞎No
🞎Yes. Date of Rent Increase Approval: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The undersigned, having entered into a loan or grant agreement pursuant to the applicable provisions of the Montana Department of Commerce HOME and HTF Programs do hereby certify that the housing project is in continuing compliance with the requirements of the HOME and/or HTF Programs and any other applicable compliance requirement.

**Responsible Entity: Owner**

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Manager:**

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Housing Development Program**

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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