

**NOTICE FOR PUBLIC COMMENT  
REGARDING THE  
SUBSTANTIAL AMENDMENT  
TO THE STATE OF NEVADA'S 2011 ANNUAL ACTION PLAN  
OUTLINING THE ALLOCATION OF THE  
NEIGHBORHOOD STABILIZATION  
PROGRAM – Round 3 (NSP3) FUNDING**

NOTICE IS HEREBY GIVEN that pursuant to provisions of Section 1497 of the Wall Street Reform and Consumer Protection Act of 2010 (Pub. L. 111-203, approved July 21, 2010) (Dodd-Frank Act) for additional assistance in accordance with the second undesignated paragraph under the heading "Community Planning and Development – Community Development Fund" in Title XII of Division A of the American Recovery and Reinvestment Act of 2009, as amended, for the purpose of assisting in the redevelopment of abandoned and foreclosed homes, the State of Nevada has completed and made available for public review its Substantial Amendment to the Consolidated Annual Action Plan for the 2011-2012 Program Year for the purpose of assisting in the redevelopment of abandoned and foreclosed under the program commonly referred to as the Neighborhood Stabilization Program – Round 3 (NSP3).

The document is available for public review beginning February 11, 2011 and is located on the State of Nevada's Housing Division Website at [www.nvhousing.state.nv.us](http://www.nvhousing.state.nv.us). Copies are also available at the Nevada Housing Division, 1535 Old Hot Springs Road, Suite 50, Carson City NV, and at all City and County Administration offices.

To be included in the State's report to HUD, all comments relative to the plan must be submitted to the State of Nevada Housing Division no later than 12:00 noon on February 26, 2011. Comments may be faxed, emailed or mailed to the addresses below.

Further information may be obtained by contacting the following:

State of Nevada Housing Division  
1535 Old Hot Springs Road, Suite 50  
Carson City, Nevada 89706  
Attn Hilary Lopez, Chief of Federal Programs  
[hlopez@nvhousing.state.nv.us](mailto:hlopez@nvhousing.state.nv.us) or  
Debbie Parra, Grants and Projects Analyst Supervisor  
[dparra@nvhousing.state.nv.us](mailto:dparra@nvhousing.state.nv.us)  
Fax (775) 687-4040  
Office: (775) 687-2040

The State of Nevada does not discriminate in the admission or access to, or treatment or employment in its federally assisted programs or activities. Hilary Lopez at 1535 Old Hot Springs Road, Suite 50 Carson City, Nevada, 89706 has been designated to coordinate compliance with the nondiscrimination requirements contained in the HUD regulations implementing Section 504, 24 C Part B.

Soni Bigler, Grants and Projects Analyst II  
Nevada Housing Division

## 1. NSP3 Grantee Information

NSP3 Program Administrator Contact Information	
Name (Last, First)	Lopez, Hilary
Email Address	<a href="mailto:hlopez@housing.nv.gov">hlopez@housing.nv.gov</a>
Phone Number	775-687-2033
Mailing Address	1535 Old Hot Springs Road, Suite50, Carson City, NV 89706

## 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:

The State of Nevada utilized the following quantitative and qualitative data sources in developing its Neighborhood Stabilization Plan – Round 3 (NSP3) Substantial Amendment:

- HUDUSER.org – Neighborhood Stabilization Program Data: This data provides information on the number of vacant properties, real estate owned (REO) properties, and high-cost mortgages within a targeted geographic area. It also provides information on the percent of low and moderate households within the targeted area and the potential number of units that need to be addressed through NSP3 or another program to positively impact that area.
- RealtyTrac: The data on RealtyTrac.org provides information on the number of households that received a foreclosure filing in the previous month by county and/or major urban area. This information can assist in pinpointing geographic areas with a high number of foreclosures relative to other areas in the State.
- NHD data: NHD analyzed its single family and multi-family portfolios to identify areas with high rates of loan defaults and rental properties with high vacancy rates. This information was used to gain information on single and multi-family properties that may be located in high foreclosure areas and/or be negatively impacted by the current housing market crisis.
- Peer-to-peer discussion: The Nevada Housing Division (NHD) staff worked with colleagues from across the state to gain information on which neighborhoods, at a local level, were most impacted by the housing downturn and foreclosure crisis. In the rural areas of the state, where quantitative data is harder to find, peer-to-peer exchange provided good qualitative data on the situation in these rural communities. This information was also used to determine which areas were slated to receive other local or federal funds that could be leveraged with the State's NSP3 monies for maximum impact.

## Determination of Areas of Greatest Need

### Describe how the areas of greatest need were established.

Response: The State of Nevada was particularly hard hit by the current economic downturn and housing crisis. As the fastest growing state for much of the late 20<sup>th</sup> and early 21<sup>st</sup> Centuries, it enjoyed economic prosperity associated with new housing and business development, investor interest, and an expanding population. However, this growth was also accompanied by rapid housing price escalation and a greater dependence on exotic and subprime mortgages to make homeownership a reality. Once these exotic and subprime mortgages started to reset to higher interest rates and/or required interest and principal payments, many households found they were unable to afford the monthly mortgage payments. This signaled the first wave of foreclosures. Then, as the housing bubble burst and home prices declines significantly, homeowners found they owned more on their mortgage than the home was worth. This caused numerous homeowners to abandon their homes which have resulted in blighted neighborhoods. Further, as the economy slid into recession, the unemployment rate in Nevada skyrocketed to the highest in the nation – currently 14.5% - which caused many more families to move into foreclosure.

Data from RealtyTrac ([www.realtytrac.org](http://www.realtytrac.org) accessed February 7, 2011) indicates that Nevada continues to post the highest foreclosure rate in the nation with 1 in every 84 households receiving a foreclosure filing in December 2010. The national rate is 1 in every 501 households for December 2010 according to RealtyTrac. The Las Vegas-Paradise metro area posted the nation's highest foreclosure rate with 1 in every 9 households receiving a foreclosure filing during 2010.

Within the State and as of December 2010, in terms of counties, Lyon County, Clark County, Nye County, and Washoe County are the most impacted by the foreclosure crisis, respectively. Data shows that in Lyon County 1 in every 66 households received a foreclosure filing in December 2010 – just slightly ahead of Clark County at 1 in every 71 households. Nye and Washoe Counties are at 1 in every 77 households and 1 in every 151 households, respectively. The next closest county, Churchill County, has only 1 in every 266 households receiving a foreclosure filing in December 2010. The top four impacted counties also contain the two largest metro areas in the state – the Las Vegas-Paradise Metro Area and the Reno-Sparks Metro Area. Additionally, in 2000, the US Census Bureau introduced Combined Statistical Areas (CSA) made up of adjacent metropolitan and micropolitan areas which are population and economic centers. The two largest CSAs in Nevada are the Las Vegas-Paradise-Pahrump CSA and the Reno-Sparks-Fernley CSA. These are economic and population centers in the state. All of these areas are located within the top four counties impacted by the foreclosure crisis. Since the State is responsible for serving both rural and urban areas, communities within the CSAs in the four most impacted counties have been selected for NSP3 targeting.

Given the State's limited NSP3 resources, and in order to try and impact each targeted area, it was necessary to hone-in on specific neighborhoods within Lyon, Clark, Nye, and Washoe Counties that have been negatively impacted by the foreclosure crisis. The US Department of Housing and Urban Development (HUD) Foreclosure Needs Data was used to assist in this process. Data derived from HUD, in combination with other data sources, led to the selection of the following target areas:

- 1) Fernley Target Area – Located in Lyon County, Fernley has been hard hit by the foreclosure crisis. The NHD is specifically targeting an area within Fernley bounded on the north by US 50, the west by State Route 95A, the south by Desert Shadows Road, and the east by US 50. According to HUD data, this area has a NSP3 need score of 18, above the state minimum

threshold score of 17. There are over 3,000 housing units in this area of which 15.8% are 90 or more days delinquent on their mortgage or in foreclosure. Between July 2009 and June 2010 234 housing units were Real Estate Owned (REO) properties. Housing prices have decreased by approximately 29% since their peak value and unemployment in the area has increased from 5.5% in June 2005 to 18.3% in June 2010 (based on Bureau of Labor Statistics Local Area Unemployment Statistics).

During NSP1 an effective Down Payment Assistance (DPA) program was implemented by Lyon County. Given the success of this effort, the NHD is proposing to provide funds to Lyon County so it can continue to provide DPA to eligible homebuyers.

- 2) Buena Vista Springs (BVS) Target Area – This area, located within the City of North Las Vegas, has been greatly impacted by the current housing crisis with both single family and large multi-family projects in foreclosure. Adding to this is the fact that many families have abandoned their homes leaving behind blighted areas. The City of North Las Vegas is proposing to utilize NSP3 funds to acquire and redevelop the Buena Vista Springs apartment complex which recently went into foreclosure. The State will support this effort with an allocation of State NSP3 funds. In addition, the NHD will directly fund one or more non-profit agencies to assist with the acquisition, rehab, and resale/rental of foreclosed and abandoned single-family homes. The NHD selected this area to leverage its American Reinvestment and Recovery Act (ARRA) of 2009 Weatherization Assistance Program (WAP) funds which have been used to make existing homes more energy efficient for lower income households. As the WAP funds cannot be utilized in vacant homes, NSP3 funds provide a viable way to achieve two goals: clearing inventory from the housing market and making homes more energy efficient for lower income households.

The specific area that will be addressed is bounded on the north by Cartier Street, the west by Clayton Street, the south by W. Carey Avenue, and the east by Revere Street. HUD data shows that this area has a NSP3 need score of 20. It also shows that approximately 65% of households have incomes at or below 80% of area median income. Clark County, within which the City of North Las Vegas is located, has a current unemployment rate of 15.6%. In terms of housing, the Las Vegas metro area has seen over a 50% decrease in home values since the peak value in the early 2000s. Of the households that received a mortgage between 2004 and 2007, 41.1% received high cost mortgages. This makes it more likely that a homeowner may default.

- 3) Pahrump Target Area – Located within Nye County, the City of Pahrump enjoyed economic and population growth during the latter 20<sup>th</sup> Century. However, as the housing bubble burst and the economy in the Las Vegas valley went into decline so did this once thriving area. Like the other NSP3 target areas, the Pahrump Target Area has a high NSP3 need score. It also is similar in that there has been a substantial fall in home values and an increase in the number of REO and abandoned properties. During the past year alone, there have been over 180 foreclosure starts and over 16% of properties are 90 or more days delinquent on their mortgage or in foreclosure.

The specific area within the City of Pahrump that will be targeted is bounded on the north by Route 372, the west by S. Barney Street, the south by Gamebird Road, and the east by Route 160 and Mandy Avenue. Given the large number of abandoned and foreclosed properties in this area, the NHD will use NSP3 funds to support a DPA program for eligible homebuyers. A similar program was operated in NSP1, although in a broader area, and had success.

- 4) Washoe County Target Area – Many areas in Washoe County have been hard hit by the changes in the housing market. In order to have maximum impact in Washoe County, the NHD has worked with Washoe County staff to determine a target area that was negatively impacted. This area is comprised of the community that extends north to McCarran Boulevard, west to Sutro Street, south to Interstate 80, and east to US 395. This is a lower income area with an NSP3 need score of 19.51, significantly above the State's minimum need score. Of the 688 households to receive a mortgage between 2004 and 2007, HUD data indicates that 26.47% received a high cost mortgage. Further, over 18% of households are 90 or more days delinquent on their mortgage or in foreclosure. Like Fernley, this area has experienced substantial housing value declines since the height of the market. Washoe County is also experiencing high unemployment.

To assist in positively impacting this area, the State will provide Washoe County with NSP3 funds to support their effort to acquire, rehabilitate, and rent units within this target neighborhood. The County will target assistance to very low income households and utilize county social service resources to provide additional services to those assisted.

- 5) Agate Target Area – Also located in Clark County, this area contains a variety of mixed uses such as commercial, single-family, multi-family, and vacant land. The County has included this area in its Transit Oriented Development Corridor. Vacant land in this area has been considered for multi-family development of affordable senior or special needs housing. Market studies show there is a need for this type of housing in the area. Additionally, development of the vacant parcel(s) would enhance the neighborhood and reduce blight. This area is bordered on the north by W. Pebble Road, the west by I-15, the south by W. Serene Road, and the east by South Las Vegas Boulevard.

The HUD NSP3 score for this area was 19. The HUD data indicated that over 80% of the population in this area has incomes at or below 120% of area median income. Although the HUD data do not show that a large number of households are 90 days delinquent on their mortgage or in foreclosure or that there is a large number of REO properties, development of vacant land in this community would act as a catalyst to attract more investment into the area and, in turn, increase surrounding property values.

- 6) Downtown Las Vegas Target Area – This area is adjacent to downtown Las Vegas and has a high NSP3 need score as calculated by HUD. There are several larger scale multi-family housing developments in this area that have moved into foreclosure. The Nevada Housing Division will pursue this area to see if there is a potential to provide a small amount of NSP3 funds to a developer seeking to acquire and rehabilitate a multi-family project. The majority of funding for the project would need to come from other sources such as HOME, private financing, and/or bond financing.
- 7) Pinewood Target Area – This area is bounded on the north by E. Desert Inn Road, on the west by Paradise Road, on the south by E. Twain Avenue, and the east by Maryland Parkway. It contains a large multi-family apartment complex that is being considered for redevelopment. The apartment complex currently contains a high number of vacant units which is negatively impacting the community. If this project does not move forward, the Nevada Housing Division

will not make investment in this target area.

The combined HUD NSP3 score for the above targeted areas is 19.37, far above the state minimum score of 17. It is felt that targeting resources into these areas and building on NSP1, local, or other state efforts in these areas will result in positively impacting the housing supply in the target neighborhoods. By leveraging NSP3 funds with ongoing efforts, the maximum impact can be achieved.

Per HUD's NSP3 requirements for State's, the Nevada Housing Division is responsible for restating the need of Nevada's other entitlement communities. These communities consist of the Clark County and North Las Vegas Consortium, the City of Las Vegas, the City of Henderson, the City of Reno, and Washoe County (a non-entitlement community that received a direct allocation of NSP3). The needs in these communities are varied and, therefore, interested individuals are referred to the following documents for more information on each jurisdiction's foreclosure mitigation needs and proposed programs to address those needs:

- Clark County/North Las Vegas NSP3 Substantial Amendment located at: <http://www.clarkcountynv.gov/Depts/finance/crm/Pages/NSP.aspx>
- City of Las Vegas NSP3 Substantial Amendment located at: [http://lasvegasnevada.gov/Government/parks\\_neighborhood.htm](http://lasvegasnevada.gov/Government/parks_neighborhood.htm)
- City of Henderson NSP3 Substantial Amendment located at: [http://www.cityofhenderson.com/neighborhood\\_services/CDBG/NSP3%20DRAFT%20Action%20Plan%20w-summary.pdf](http://www.cityofhenderson.com/neighborhood_services/CDBG/NSP3%20DRAFT%20Action%20Plan%20w-summary.pdf)
- City of Reno NSP3 Substantial Amendment located at: <http://www.reno.gov/Index.aspx?page=126>
- Washoe County NSP3 Action Plan located at: [www.washoecounty.us](http://www.washoecounty.us)

The State met with staff from each jurisdiction and discussed particular needs in each geographic area. The State was able to sponsor several jurisdictional programs as a result of these discussions. The Nevada Housing Division provides other sources of funding, such as HOME and State Low Income Housing Trust Funds, to each of these jurisdictions to assist in developing single and multi-family housing for low and moderate-income households. Therefore, while the Nevada Housing Division did not provide NSP3 funds to each entitlement community, it is still partnering with them on housing projects.

### 3. Definitions and Descriptions

#### Definitions

Term	Definition
Blighted Structure	Blighted Structure is defined based on Title 18, Chapter 231, in the Nevada Revised Statutes that defines a blighted urban area. Combining this definition with the definition of "structure" provides the definition of

	<p>“blighted structure.” A “blighted structure” is a structure that is used or intended to be used for residential, commercial, industrial or other purposes, or any combination thereof, which is unfit or unsafe for those purposes and is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime because of one or more of the following factors:</p> <ol style="list-style-type: none"> <li>1. Defective design and character of physical construction;</li> <li>2. Faulty arrangement of the interior and spacing of buildings;</li> <li>3. Overcrowding;</li> <li>4. Inadequate provision for ventilation, light, sanitation, open spaces and recreational facilities; and</li> <li>5. Age, obsolescence, deterioration, dilapidation, mixed character or shifting of uses.</li> </ol>
Affordable Rents	<p>The local definitions for non-entitlement communities are included below. Definitions of “affordable rents” for entitlement communities are included in their Substantial Amendments or Action Plans.</p> <p>Gross rental rates for affordable rental housing shall not exceed 30% of the adjusted household income for households earning up to 120% of the area median income within which the housing is located as adjusted for family size. At this time, the HOME program rents as published by HUD and adjusted from time to time will be used. More restrictive local definitions of “affordable rents” may be used with State approval.</p> <p>Gross rents shall include contract rent and utilities. If the tenant pays utilities, a utility allowance must be subtracted from the maximum allowable rent to determine the maximum contract rent.</p>

**Descriptions**

Term	Definition
Long-Term Affordability	<p>Long-term affordability shall be in accordance with the HOME program standards at 24 CFR 92.252(a),(c), (e), and (f) for rental properties and 24 CFR 92.254 for homeownership housing.</p> <p>In addition, to secure these periods of continued affordability the State will require each sub-grantee, direct sub-recipient, developer, and homebuyer to execute a contract that identifies the period of continued affordability for the specific project and incorporates resale or recapture provisions should the government entity, organization, or individual transfer title of the property before the expiration of the continued affordability period.</p> <p>For all properties acquired with NSP funds, the State will require the recordation of a Deed of Trust and/or Land Use Restriction Agreement that outlines the above terms.</p>
Housing Rehabilitation Standards	<p>Housing acquired and rehabilitated with NSP funds will be required to meet local building code standards for the jurisdiction within which the property is</p>

located. In addition, each home and rental unit will be evaluated for opportunities to improve the energy efficiency of the unit balancing costs of such activities against the benefit of the improvement.

#### 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): 27.00%

Total funds set aside for low-income individuals = \$1,350,000.00

##### Meeting Low-Income Target

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

Response:

A minimum of \$1,350,000.00 in NSP3 monies will be directed to eligible activities benefitting households with incomes at or below 50% of area median income for the jurisdiction within which the activity is located. Anticipated amounts by project are as follows:

- Fernley Target Area DPA – \$250,000.00
- Pahrump Target Area DPA – \$200,000.00
- Washoe County Target Area – \$400,000.00
- Buena Vista Springs Target Area - \$500,000.00

#### 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., ≤ 80% of area median income)?

(Select One)  
Yes-Buena Vista Springs

If yes, fill in the table below.

Question	Number of Units
The number of low- and moderate-income dwelling units—i.e., ≤ 80% of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities.	288
The number of NSP affordable housing units made available to low-, moderate-,	

and middle-income households—i.e., ≤ 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).	N/A – Land Bank
The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income.	N/A – Land Bank

### 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:  
 In accordance with NSP regulations, a copy of this Substantial Amendment was posting on February 11, 2011, at [www.nvhousing.state.nv.us](http://www.nvhousing.state.nv.us) for a 15-day public comment period ending at noon on February 26, 2011. Notice of this posting was published in the *Reno Gazette Journal*, *Las Vegas Review Journal*, *Pahrump Valley Times*, *Lahontan Valley News* and *El Tiempo* (the Las Vegas area’s Spanish Language newspaper). A hard copy of the Substantial Amendment was also posted at the Division’s Carson City and Las Vegas offices, the State of Nevada Library and Archives, city and county offices in jurisdictions impacted by this Amendment, and public libraries.

Additionally, NHD announced the NSP3 funding and provided a broad overview of the program and potential activities at the State Legislature’s Interim Finance Committee meeting on December 17, 2010.

#### Summary of Public Comments Received.

The summary of public comments received is included as an attachment.

### 7. NSP Information by Activity

Enter each activity name and fill in the corresponding information. If you have fewer than seven activities, please delete any extra activity fields. (For example, if you have three activities, you should delete the tables labeled “Activity Number 4,” “Activity Number 5,” “Activity Number 6,” and “Activity Number 7.” If you are unsure how to delete a table, see the instructions above.)

The field labeled “Total Budget for Activity” will populate based on the figures entered in the fields above it.

Consult the NSP3 Program Design Guidebook for guidance on completing the “Performance Measures” component of the activity tables below.

Activity Number 1	
<b>Activity Name</b>	Fernley Target Area – Lyon County Down Payment Assistance
<b>Uses</b>	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	
<b>CDBG Activity or Activities</b>	24 CFR 570.201(n) Direct homeownership assistance	
<b>National Objective</b>	Low Moderate Middle Income Housing	
<b>Activity Description</b>	<p>This program will assist qualified households to purchase and to provide rehabilitation, if necessary, to homes currently owned by the banks as a result of foreclosure through the provision of soft second loans. The neighborhood identified is significantly impacted by the incidence of foreclosures.</p> <p>Homebuyers must complete homebuyer counseling prior to receiving the NSP3 down payment assistance. All homes purchased must meet NSP3 requirements for a minimum 1% discount of the current market appraised value.</p> <p>This program will target Neighborhood ID # 7262756 which is within the City of Fernley.</p>	
<b>Location Description</b>	Fernley Target Area; Neighborhood ID #7262756	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$750,000.00
<b>Total Budget for Activity</b>	<b>\$750,000.00</b>	
<b>Performance Measures</b>	25 households between 50% and 120% of area median income (AMI) will receive direct financial assistance in order to purchase a foreclosed or abandoned home.	
<b>Projected Start Date</b>	June 2011	
<b>Projected End Date</b>	December 2013	
<b>Responsible Organization</b>	<b>Name</b>	Lyon County
	<b>Location</b>	27 S. Main Street, Yerington, NV 89447
	<b>Administrator Contact Info</b>	Josh Foli, Lyon County Comptroller (775) 463-6510 jfoli@lyon-county.org

<b>Activity Number 2</b>	
<b>Activity Name</b>	Fernley Target Area – Lyon County Down Payment Assistance
<b>Uses</b>	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	
<b>CDBG Activity or Activities</b>	24 CFR 570.201(n) Direct homeownership assistance
<b>National Objective</b>	Low-Income Housing to Meet 25% Set-Aside (LH25)
<b>Activity Description</b>	This program will assist qualified households with incomes at or below 50% AMI to purchase and to provide rehabilitation, if necessary, to homes currently owned by the banks as a result of foreclosure through the provision

	<p>of soft second loans. The neighborhood identified is significantly impacted by the incidence of foreclosures.</p> <p>Homebuyers must complete homebuyer counseling prior to receiving the NSP3 down payment assistance. All homes purchased must meet NSP3 requirements for a minimum 1% discount of the current market appraised value.</p> <p>This program will target Neighborhood ID # 7262756 which is within the City of Fernley.</p>	
<b>Location Description</b>	Fernley Target Area; Neighborhood ID #7262756	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$250,000.00
<b>Total Budget for Activity</b>	<b>\$250,000.00</b>	
<b>Performance Measures</b>	8 households with incomes up to 50% of area median income (AMI) will receive direct financial assistance in order to purchase a foreclosed or abandoned home.	
<b>Projected Start Date</b>	June 2011	
<b>Projected End Date</b>	December 2013	
<b>Responsible Organization</b>	<b>Name</b>	Lyon County
	<b>Location</b>	27 S. Main Street, Yerington, NV 89447
	<b>Administrator Contact Info</b>	Josh Foli, Lyon County Comptroller (775) 463-6510 jfoli@lyon-county.org

<b>Activity Number 3</b>	
<b>Activity Name</b>	Buena Vista Springs Target Area – North Las Vegas
<b>Use</b>	Select all that apply:
	<input type="checkbox"/> Eligible Use A: Financing Mechanisms
	<input checked="" type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation
	<input checked="" type="checkbox"/> Eligible Use C: Land Banking
	<input type="checkbox"/> Eligible Use D: Demolition
<input type="checkbox"/> Eligible Use E: Redevelopment	
<b>CDBG Activity or Activities</b>	24 CFR 570.201(a): Acquisition, 24 CFR 570.208(a)(1) and 25 CFR 570.483(b)(1): Land Bank
<b>National Objective</b>	Low-Income Housing to Meet 25% Set-Aside (LH25)
<b>Activity Description</b>	The purpose of this activity is to provide funds to the City of North Las Vegas for the acquisition of a dilapidated apartment complex, Buena Vista Springs, that has gone into foreclosure and to eliminate blight through demolition of buildings. The property will be acquired, demolished, and the land banked until an appropriate affordable housing redevelopment project can be undertaken. Demolition of these structures will result in immediate elimination of blight, reduced crime, increased health and safety, and stabilization of two adjoining low income housing tax credit developments regulated by the Nevada Housing Division.

	<p>The State's NSP3 funds will be used towards acquiring the property. The City of North Las Vegas has designated NSP3 and other funds to also assist with the acquisition of the property, the demolition of the buildings, and the relocation of current tenants.</p> <p>The City of North Las Vegas will set aside eight (8) units in the redeveloped project for households with incomes at or below 50% of AMI in return for the State's NSP3 investment. This project meets the NSP3 preference for rental housing.</p> <p>Should opportunities exist for hiring to facilitate the implementation of this activity the City of North Las Vegas staff will give preference for the hiring of employees/contractors who reside in the Buena Vista Springs Target Area.</p> <p>This program will target NSP Neighborhood # 6232788.</p> <p>The State of Nevada, as a project sponsor, is seeking a <b>REQUEST FOR A WAIVER OF THE 10 PERCENT RULE FOR DEMOLITION</b>. Demolition will exceed the allowable 10% cap under the NSP3 notice and the State of Nevada Housing Division is hereby requesting a waiver of this cap from the US Department of Housing and Urban Development (HUD). The total amount, based on the full project budget, estimated for demolition of the 288 units is \$2,126,000 which is 10.50% of the total NSP3 budget. This exceeds the cap by only .50% and obtaining the waiver from HUD will serve in making an important redevelopment project feasible.</p> <p>More information on this project, including a full project budget, can also be found in the Clark County/City of North Las Vegas Substantial Amendment for NSP3 at: <a href="http://www.clarkcountynv.gov/Depts/finance/crm/Pages/NSP.aspx">http://www.clarkcountynv.gov/Depts/finance/crm/Pages/NSP.aspx</a></p>	
<b>Location Description</b>	Buena Vista Springs Target Area; Neighborhood # 6232788	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$500,000.00
	Clark County – NSP3	\$2,665,503.00
	City of North Las Vegas – NSP3	\$3,687,432.00
<b>Total Budget for Activity</b>	<b>\$6,852,935.00</b>	
<b>Performance Measures</b>	<p>288 units of foreclosed rental housing will be acquired  40 households will be relocated per the Uniform Relocation Act requirements  288 units of foreclosed rental housing will be demolished  Demolished property to be held as a land bank for less than 10 years  <b>8 units of housing redeveloped for households with incomes at or below 50% AMI</b></p>	
<b>Projected Start Date</b>	June 2011	
<b>Projected End Date</b>	March 2014 (funds expended) and March 2021 (redevelopment)	
<b>Responsible Organization</b>	<b>Name</b>	City of North Las Vegas
	<b>Location</b>	2225 Civic Center Drive, Suite 220 North Las Vegas, NV 89030

	<b>Administrator Contact Info</b>	Kathy Somers Neighborhood Services Manager 702-633-1532 <a href="mailto:somersk@cityofnorthlasvegas.com">somersk@cityofnorthlasvegas.com</a>
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**Activity Number 4**

<b>Activity Name</b>	Buena Vista Springs Target Area – Acquisition, Rehab, Resale of Single Family Homes
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<b>Use</b>	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
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<b>CDBG Activity or Activities</b>	24 CFR 570.201(a): Acquisition, (b) Disposition, (n) Direct Homeownership and 24 CFR 570.202: Rehab
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<b>National Objective</b>	Low Moderate Middle Income Housing (LMMH)
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<b>Activity Description</b>	<p>Through this program the Nevada Housing Division will select one or more non-profit developers to acquire, rehabilitate, and resale single family homes within the targeted area. Non-profit agencies with development experience will be solicited through a Request for Proposals/Qualifications process. Applications will be reviewed by Division staff and its designees. The highest scoring applicant will be selected. If that applicant cannot fulfill the requirements of the contract, then the next highest scoring applicant will be selected. Preference will be given to entities that have experience with acquisition and rehab programs, entities that are familiar and worked with NSP regulations previously, and entities that are located within or have worked within the target area. The RFP/Q will be made available after execution with HUD of the State’s NSP3 grant agreement.</p> <p>Properties in this target area have values below \$100,000 and RealtyTrac indicated that 1 of every 39 households in North Las Vegas received a foreclosure filing in December 2010. This target area is also adjacent to the Buena Vista Springs apartment complex slated for demolition and redevelopment by the City of North Las Vegas (see Activity 2) and will build upon those redevelopment efforts. Additionally, the Nevada Housing has used US Department of Energy ARRA Weatherization Assistance Funds to target weatherization into this area. These NSP3 monies also build on this effort to provide services in this community.</p> <p>Properties in this area will be acquired, rehabilitated (if necessary), and resold to eligible households with incomes up to 120% of AMI. All homes acquired will be made more energy efficient. Homebuyers must complete homebuyer counseling prior to receiving the NSP3 down payment assistance. All homes purchased must meet NSP3 requirements for a minimum 1% discount of the current market appraised value.</p>
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<b>Location Description</b>	Buena Vista Springs Target Area; Neighborhood # 6232788	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$1,050,000.00
<b>Total Budget for Activity</b>	\$1,050,000.00	
<b>Performance Measures</b>	14 homes acquired, rehabilitated, and resold	
<b>Projected Start Date</b>	June 2011	
<b>Projected End Date</b>	December 2013	
<b>Responsible Organization</b>	<b>Name</b>	Nevada Housing Division
	<b>Location</b>	1535 Old Hot Springs Rd., Suite 50 Carson City, NV 89706
	<b>Administrator Contact Info</b>	Hilary Lopez, Ph.D., Chief of Federal Programs 775-687-2033 hlopez@housing.nv.us

<b>Activity Number 5</b>		
<b>Activity Name</b>	Pahrump Target Area – RNDC Down Payment Assistance	
<b>Use</b>	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	
<b>CDBG Activity or Activities</b>	24 CFR 570.201(a): Acquisition, (b) Disposition, and (n) Direct homeownership assistance 24 CFR 570.202: Rehab	
<b>National Objective</b>	Low Moderate Middle Income Housing (LMMH)	
<b>Activity Description</b>	This program will assist qualified households to purchase and to provide rehabilitation, if necessary, to homes currently owned by the banks as a result of foreclosure through the provision of soft second loans. The neighborhood identified is significantly impacted by the incidence of foreclosures.  Homebuyers must complete homebuyer counseling prior to receiving the NSP3 down payment assistance. All homes purchased must meet NSP3 requirements for a minimum 1% discount of the current market appraised value.  This program will target Neighborhood ID # 1607543 which is within the City of Pahrump.	
<b>Location Description</b>	Pahrump Target Area; Neighborhood ID # 1607543	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$600,000.00
<b>Total Budget for Activity</b>	\$600,000.00	
<b>Performance Measures</b>	20 households up to 120% of area median income (AMI) will receive direct financial assistance in order to purchase a foreclosed or abandoned home. At least 25% of the funds will be used to assist homebuyers with incomes at or below 50% of AMI.	

	Homebuyers must complete homebuyer counseling prior to receiving the NSP3 down payment assistance.	
<b>Projected Start Date</b>	June 2011	
<b>Projected End Date</b>	December 2013	
<b>Responsible Organization</b>	<b>Name</b>	Rural Nevada Development Corporation
	<b>Location</b>	1301 S. Highway 160 NSB Bldg, 2 <sup>nd</sup> Floor Pahrump, NV 89041
	<b>Administrator Contact Info</b>	Ferrel Hansen, Executive Director 775-289-8519 fhansen@rndcnv.org

<b>Activity Number 6</b>		
<b>Activity Name</b>	Pahrump Target Area – RNDC Down Payment Assistance for Very Low Income	
<b>Use</b>	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
<b>CDBG Activity or Activities</b>	24 CFR 570.201(a): Acquisition, (b) Disposition, and (n) Direct homeownership assistance 24 CFR 570.202: Rehab	
<b>National Objective</b>	Low-Income Housing to Meet 25% Set-Aside (LH25)	
<b>Activity Description</b>	This program will assist qualified households to purchase and to provide rehabilitation, if necessary, to homes currently owned by the banks as a result of foreclosure through the provision of soft second loans. The neighborhood identified is significantly impacted by the incidence of foreclosures.	
	Homebuyers must complete homebuyer counseling prior to receiving the NSP3 down payment assistance. All homes purchased must meet NSP3 requirements for a minimum 1% discount of the current market appraised value.  This program will target Neighborhood ID # 1607543 which is within the City of Pahrump.	
<b>Location Description</b>	Pahrump Target Area; Neighborhood ID # 1607543	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$200,000.00
<b>Total Budget for Activity</b>	\$200,000.00	
<b>Performance Measures</b>	6 households with incomes up to 50% of area median income (AMI) will receive direct financial assistance in order to purchase a foreclosed or abandoned home.	
<b>Projected Start Date</b>	June 2011	
<b>Projected End Date</b>	December 2013	

Responsible Organization	Name	Rural Nevada Development Corporation
	Location	1301 S. Highway 160 NSB Bldg, 2 <sup>nd</sup> Floor Pahrump, NV 89041
	Administrator Contact Info	Ferrel Hansen, Executive Director 775-289-8519 fhansen@rndcnv.org

Activity Number 7		
Activity Name	Washoe County Target Area – Acquisition of Small Multi-family Apartments	
Use	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 and 24 CFR 570.202: Rehabilitation	
National Objective	Low-Income Housing to Meet 25% Set-Aside (LH25)	
Activity Description	<p>Washoe County proposes to acquire a total of eight (8) apartments in one or more small multi-family apartment buildings. Additionally it is anticipated that in order to have the greatest impact on the neighborhood, the property or properties selected would also receive rehabilitation. The units may be purchased in smaller stand alone buildings or as part of larger purchases made with other funds (including Washoe County's NSP3 funds). All eight (8) units will be reserved for households with incomes at or below 50% AMI. These units will be dedicated for use as permanent supportive housing. The renters will pay 30% of their income towards rent. The balance of rent will be paid through current Washoe County Social Service programs to assist the most vulnerable. The affordability period on the property will be set at a minimum of 15 years. The duration of the assistance for the participants will be unlimited as these units will be permanent supportive housing.</p> <p>The Washoe County NSP3 program will, to the maximum extent possible provide for the hiring of individuals who reside in the vicinity of the NSP3 target area.</p> <p>Further information on this project can be found in the Washoe County NSP3 Action Plan at: <a href="http://www.washoecounty.us">http://www.washoecounty.us</a></p>	
Location Description	Washoe County Target Area; Neighborhood # 3823211	
Budget	Source of Funding	Dollar Amount
	NSP3	\$400,000.00
Total Budget for Activity	\$400,000.00	
Performance Measures	8 units of foreclosed housing acquired and rehabilitated for households with incomes at or below 50% AMI.	

<b>Projected Start Date</b>	June 2011	
<b>Projected End Date</b>	May 2014	
<b>Responsible Organization</b>	<b>Name</b>	Washoe County
	<b>Location</b>	1001 E. 9 <sup>th</sup> St., Bldg. A, Rm. A 275 Reno, NV 89520
	<b>Administrator Contact Info</b>	Eric Young, Ph.D., Principal Planner 775-328-3613 eyoung@washoecounty.us

<b>Activity Number 8</b>	
<b>Activity Name</b>	Buena Vista Springs Target Area – Acquisition, Rehab, and Rental
<b>Use</b>	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	
<b>CDBG Activity or Activities</b>	24 CFR 570.201(a): Acquisition, (b) Disposition 24 CFR 570.202: Rehab
<b>National Objective</b>	Low-Income Housing to Meet 25% Set-Aside (LH25)
<b>Activity Description</b>	<p>Through this program the Nevada Housing Division will select one or more non-profit developers to acquire, rehabilitate, and rent single family homes within the targeted area. Non-profit agencies with development experience will be solicited through a Request for Proposals/Qualifications process. Applications will be reviewed by Division staff and its designees. The highest scoring applicant will be selected. If that applicant cannot fulfill the requirements of the contract, then the next highest scoring applicant will be selected. Preference will be given to entities that have experience with acquisition and rehab programs, entities that are familiar and worked with NSP regulations previously, and entities that are located within or have worked within the target area. The RFP/Q will be made available after execution with HUD of the State's NSP3 grant agreement.</p> <p>Properties in this target area have values below \$100,000 and RealtyTrac indicated that 1 of every 39 households in North Las Vegas received a foreclosure filing in December 2010. This target area is also adjacent to the Buena Vista Springs apartment complex slated for demolition and redevelopment by the City of North Las Vegas (see Activity 2) and will build upon those redevelopment efforts. Additionally, the Nevada Housing has used US Department of Energy ARRA Weatherization Assistance Funds to target weatherization into this area. These NSP3 monies also build on this effort to provide services in this community.</p> <p>All homes acquired will be made more energy efficient. Homebuyers must complete homebuyer counseling prior to receiving the NSP3 down payment assistance. All homes purchased must meet NSP3 requirements for a</p>

	minimum 1% discount of the current market appraised value.	
<b>Location Description</b>	Buena Vista Springs Target Area ; Neighborhood # 6232788	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$350,000.00
<b>Total Budget for Activity</b>	\$350,000.00	
<b>Performance Measures</b>	3 foreclosed or abandoned homes acquired, rehabilitated, and rented to households with incomes at or below 50% of AMI	
<b>Projected Start Date</b>	June 2011	
<b>Projected End Date</b>	December 2013	
<b>Responsible Organization</b>	<b>Name</b>	Nevada Housing Division
	<b>Location</b>	1535 Old Hot Springs Rd, Suite 50 Carson City, NV 89706
	<b>Administrator Contact Info</b>	Hilary Lopez, Ph.D., Chief of Federal Programs 775-687-2033 hlopez@housing.nv.gov

<b>Activity Number 9</b>	
<b>Activity Name</b>	New Construction or Rehabilitation of Large Scale Multi-family Rental Housing
<b>Use</b>	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 checked="" type="checkbox"/> Eligible Use E: Redevelopment
<b>CDBG Activity or Activities</b>	24 CFR 570.201(a): Acquisition, (b) Disposition 24 CFR 570.202: Rehab New construction of housing is eligible as part of the redevelopment of demolished or vacant properties
<b>National Objective</b>	Low Moderate Middle Income Housing (LMMH)
<b>Activity Description</b>	Through this program the Nevada Housing Division will select one or more non-profit or for-profit developers to either: 1) acquire and rehabilitate, 2) rehabilitate only, or 3) newly construct rental housing for households with incomes up to 120% of AMI within the targeted areas. Developers with development experience will be solicited through a Request for Proposals/Qualifications process. Applications will be reviewed by Division staff and its designees. The highest scoring applicant will be selected. If that applicant cannot fulfill the requirements of the contract, then the next highest scoring applicant will be selected. Preference will be given to developers that have experience with acquiring/rehabilitating large scale (50+ units) multi-family housing, developing/newly constructing large scale (50+ units) multi-family housing, entities that are familiar and worked with NSP regulations previously, and entities that are receiving 4% or 9% Low Income Housing Tax Credits or local HOME funds. The RFP/Q will be made available after execution with HUD of the State's NSP3 grant agreement.

<b>Location Description</b>	Agate Target Area ; Neighborhood # 2109893 Pinewood Target Area; Neighborhood # 1038726 Las Vegas Target Area; Neighborhood #	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$600,000.00
<b>Total Budget for Activity</b>		\$600,000.00
<b>Performance Measures</b>	30 units of rental housing in one or more developments for households with incomes up to 120% of AMI	
<b>Projected Start Date</b>	June 2011	
<b>Projected End Date</b>	December 2013	
<b>Responsible Organization</b>	<b>Name</b>	Nevada Housing Division
	<b>Location</b>	1535 Old Hot Springs Rd, Suite 50 Carson City, NV 89706
	<b>Administrator Contact Info</b>	Hilary Lopez, Ph.D., Chief of Federal Programs 775-687-2033 hlopez@housing.nv.gov

<b>Activity Number 10</b>		
<b>Activity Name</b>	Administration – State of Nevada and subrecipients	
<b>Use</b>	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	
<b>CDBG Activity or Activities</b>	24 CFR 570.205 and 24 CFR 570.206: Administration and Planning Costs	
<b>National Objective</b>	N/A	
<b>Activity Description</b>	This activity will allow the State of Nevada Housing Division and its sub-recipients to provide planning, legal, consulting, and professional services, including homebuyer education services, and general administration support for the NSP3 program.	
<b>Location Description</b>	State of Nevada Housing Division and sub-recipient offices (Lyon County, Washoe County, City of North Las Vegas and Rural Nevada Development Corporation)	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$300,000.00
<b>Total Budget for Activity</b>		\$300,000.00
<b>Performance Measures</b>	The State of Nevada Housing Division and its sub-recipients will effectively and efficiently meet all requirements of the NSP3 program and achieve all performance measures identified within this Substantial Amendment. 50% of NSP3 funds will be expended within 2 years following execution of the grant agreement and 100% of funds will be expended within 3 years following execution of the grant agreement with HUD.	
<b>Projected Start Date</b>	May 2011	

<b>Projected End Date</b>	May 2014	
<b>Responsible Organization</b>	<b>Name</b>	Nevada Housing Division
	<b>Location</b>	1535 Old Hot Springs Rd, Suite 50, Carson City, NV 89706
	<b>Administrator Contact Info</b>	Hilary Lopez, Ph.D., Chief of Federal Programs 775-687-2033 hlopez@housing.nv.gov

## 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.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title