JOPLIN HOMEBUYER ASSISTANCE PROGRAM POLICY APPENDIX

5/10/2016

City of Joplin

Certificate of Adoption

On this 13th day of June, 2016, I Troy Bolander, Director of Planning and Neighborhood Services for the City of Joplin, recognizes that over a period of time it is necessary to reword and clarify the policy manual to reflect changes in JHAP program policies and procedures. The following documents are hereby adopted and approved by reference on the date indicated above:

1. **Joplin Homebuyer Assistance Program Policy Manual 5/10/2016**-City of Joplin (Copy Attached.)
2. **Joplin Homebuyer Assistance Program Policy Appendix 5/10/2016**-City of Joplin (Copy Attached.)

All previous versions of these documents are repealed and declared to be obsolete and no longer in force.

By: _____

Troy Bolander, Director of Planning and Neighborhood Services
City of Joplin, Missouri

TABLE OF CONTENTS

APPENDIX – A - J-HAP PROGRAM OVERVIEW 3
Exhibit A.1 J-HAP Sample Homebuyer Assistance Program Agreement 3
Exhibit A.2 Map of Tornado Area 12
Exhibit A.3 FAQS 13
Exhibit A.4 Assistance Approval Letter 21

APPENDIX - B - INDIVIDUAL APPLICATIONS 22
Exhibit B.1 Family Composition Definitions 22
Exhibit B.2 Detailed Definitions Related To Disabilities 25
Exhibit B.3 Other Matters for Ineligibility 28
Exhibit B.4 Evidence of Status as "Qualified Alien" Eligible for Federal Public Benefits 30
Exhibit B.5 Sample Application Packet 34
Exhibit B.6 Applicant Workflows 51
Exhibit B.7 J-HAP Closing Guidance 53

APPENDIX – C - INCOME CALCULATION 55
Exhibit C.1 Annual Income Inclusions 55
Exhibit C.2 Annual Income Exclusions 58
Exhibit C.3 Treatment of Family Assets 60
Exhibit C.4 Other Types of Income not included in Earned Income 61
Exhibit C.5 Income Approval Letter 65

APPENDIX – D - DUPLICATION OF BENEFITS 66
Exhibit D.1 Regulatory Authority 66
Exhibit D.2 Overview, Purpose and Scope 67
Exhibit D.3 Policy 67

APPENDIX – E - PROPERTY REVIEW 70
Exhibit E.1 J-HAP Environmental Request Form 70
Exhibit E.2 Environmental Review Details 71
Exhibit E.3 Property Approval Letter 76

APPENDIX - A - J-HAP PROGRAM OVERVIEW

Exhibit A.1 J-HAP Sample Homebuyer Assistance Program Agreement

Joplin – Homebuyer's Assistance Program (J-HAP)

Community Development Block Grant Disaster Recovery (CDBG-DR) Program
City of Joplin, Missouri

HOMEBUYER ASSISTANCE AGREEMENT

THIS AGREEMENT, entered into this _____ **day of** _____**, 20**____, by and between _____ hereinafter referred to as "Homebuyer", and the **City of Joplin, Missouri**, a Municipal Corporation, hereinafter referred to as "City", is as follows:

WHEREAS, the City desires to make certain Community Development Block Grant Disaster Recovery funds available to Homebuyer; and

WHEREAS, in exchange for said funds, Homebuyer agrees to comply with certain documentation requirements of City as described herein.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements hereinafter set forth and contained, the Homebuyer and City hereby mutually agree as follows:

1. Statement of Work. Subject to this agreement, the Homebuyer will receive financial assistance (CDBG-DR funds) from the City to pay for closing costs of purchasing property at _____ _, Joplin, Missouri.
2. Schedule. The start date for this agreement shall be the date of this agreement and the completion date shall be sixty days from the start date. This may be extended upon agreement of both parties.
3. Budget. The City agrees to furnish funds not to exceed $40,000 to the Homebuyer. The amount of assistance will be determined by the addition of the lender required down-payment and the applicable buyer-paid closing costs. This amount will be based on the Settlement Statement submitted to the city seven days prior to the closing. Adjustment increases to the Settlement Statement will not be considered in the final assistance award. Reductions in the final settlement statement must be repaid to the city. The use of CDBG-DR funds shall be restricted to the following activities unless otherwise approved by the City's Planning & Community Development Director:
    a. Up to 100% of the Closing Costs that are required and/or requested by the lender and associated with purchasing the property.
    b. Up to 100% of the Down-payment that is required and/or requested by the lender and associated with purchasing the property.
    c. $5,000 incentive for a qualified Energy Star Home
4. Grant Recapture. The grant amount will be attached to the participating property as a Deed Restriction or 2nd Mortgage, which will expire according to the terms of the document and the chart below.

Homeownership Assistance Amount	Affordability Period
<$15,000	5 years
$15,000 - $40,000	10 years

Grants value will be forgiven at a pro-rated amount per year, figured on the anniversary date of the closing date of the property, for five or ten years depending on the level of assistance. At the end of the final year, the full value of the grant will be forgiven.

5. Rules and Restrictions. The rules and restrictions for this program are detailed on pages four through nine of this agreement.
6. Documents Required Prior to or At Closing. A checklist of documents required to be submitted by the Homebuyer prior to or at Closing is attached as Attachment A. This is not an exhaustive list and additional information may be required by the City.
7. Program Income. In the event the Homebuyer is required to repay all, or a portion of, the grant, the repaid grant funds will be considered program income. Any program income created from this project will be deposited in the City of Joplin's CDBG-DR account and added to the Homebuyers Assistance Program budget. The program income will also be the first funds spent on any CDBG project, before drawing down additional funds from HUD.
8. Availability of Records. Homebuyer agrees to cooperate with the City, and with lenders, to allow access to information that is necessary to document compliance with program rules and regulations.
9. Termination. This Agreement terminates after ten (10) years have expired from its date of commencement. Termination of this agreement may occur prior to the completion of this Agreement in the following manner:
    a. Either party may at any time, with or without cause, upon twenty (20) days written notice terminate this contract; or
    b. Upon mutual agreement, when a homebuyer has demonstrated compliance with all requirements of City, and United States Department of Housing and Urban Development, for such period of time that further monitoring of Homebuyer's compliance is not required.

ATTEST:

_____

Homebuyer

_____

Homebuyer

CITY OF JOPLIN, MISSOURI
A Municipal Corporation

_____

Troy Bolander
Planning & Community Development Director

Attachment A

Documents Needed Before/at Closing:

Radon Clearance Test Results (City) -New Construction Only-	
Tenant/Resident Occupancy Certification (Applicant)	
Lead Pamphlet Acknowledgment (Applicant)	
Deed Restriction (Title Company)	

JOPLIN CDBG-DR
HOMEBUYER ASSISTANCE PROGAM (J-HAP)
GUIDELINES 2016



INTRODUCTION

The City of Joplin, Missouri will make CDBG-DR funds available to the Program Subrecipient for the purpose of developing and operating homeownership programs for low-income households. The government's primary objectives in using part of its CDBG-DR allocation for homeownership programs is to repopulate the tornado affected area, increase the number of affordable housing units in the City of Joplin, and to increase the opportunities for homeownership for low, moderate, and middle income (LMMI) families. In general, the City of Joplin, Missouri will provide CDBG-DR funds for the purpose of assisting qualified LMI homebuyers. All properties must be contained in the Tornado Area as described in the "Eligible Properties" section.

These guidelines will serve as operational parameters within which the Homebuyer can receive CDBG-DR funds. In addition to these guidelines, all projects funded under the Community Development Block Grant – Disaster Recovery are subject to the regulations codified at 24 CFR Part 570 and alternative requirements provided in Federal Register Notice FR-5628-N-01, dated April 16, 2012.

STATEMENT OF INTENT

The content of this document establishes the operating parameters for all City of Joplin, Missouri CDBG-DR funded homebuyers programs. As the City of Joplin, Missouri provides funds for the homebuyer program, it is the responsibility of the Homebuyer to attract other public and private funds and to minimize the use of CDBG-DR funds.

MARKETING/FAIR HOUSING/EQUAL OPPORTUNITY

The City will use Affirmative Fair Housing Marketing to ensure that all citizens within the City of Joplin, especially those who are least likely to apply, will hear about the program, and have an opportunity to apply.

The City will follow the Fair Housing Act which prohibits discrimination in housing sales or loans on the basis of race, religion, color, national origin, sex, familial status (having children under the age of 18), or handicap. The City will not discriminate in any aspect of a credit transaction on the basis or race, religion, age, color, national origin, receipt of public assistance, sex, marital status, or the exercise of any right under the Consumer Credit Protection Act.

In addition to the Fair Housing Act, the program will be required to comply with 24 CFR § 5.105 which includes, but is not limited to, equal access to HUD-assisted or insured housing without regard to actual or perceived sexual orientation, gender identity, or marital status.

ELIGIBLE HOMEBUYERS

The household annual gross income, as defined by the CDBG regulations, of the homebuyer may not exceed 120% of the area median. A homebuyer is also one who must occupy the property as his/her principal residence. The purchasing household must be low income at the time of application to qualify. Income will be verified using the Part 5 definition according to HUD's standards. This will require the collection

of source documentation which could include, but is not limited to, the most recent IRS 1040 tax form from each source of income for the household.

Applications will be accepted on a "first come, first served" method to ensure that the process is fair and equitable.

The City and/or its contracted agent will review and approve all applications based on the requirements described in these guidelines. An appeal by a denied applicant may be made in writing to the City and/or its contracted agent and the City and/or its contracted agent will review the application to ensure a decision was made based upon the guidelines.

ELIGIBLE PROPERTIES

All properties must be contained within the City Limits of Joplin and within the boundaries of the Tornado Path that are generally described as the area between Black Cat Road and Davis Boulevard and between 13th Street/Junge Boulevard and 32nd Street. Properties located in the floodplain will not be eligible for this program. Assistance will initially only be made available to existing single-family units or single-family units that are already under construction. Once Environmental Clearance is received for new Construction, the program will be available to those properties as well.

All properties must be appraised unless another method is approved in writing by the Government. New Construction must meet the local International Building Codes. Housing Units that do not comply with the local codes are not eligible for assistance through this program. Any purchase contracts should include a contingency clause that the property must pass the required inspections.

Eligible properties must be a one unit single family dwelling (attached or detached) designed for residential use, condominiums, or planned unit developments approved by Fannie Mae, Freddie Mac, or the Mortgage Insurer, townhomes, and modular homes that are located in an area consistent with such use and intended for owner-occupancy.

Manufactured housing is not eligible for this program. Modular Housing is eligible if the home meets all local Building Code and other City Code requirements.

Properties constructed prior to 1978 may contain lead paint hazards. The Homebuyer will receive an informational packet about the associated risks with lead paint and will be required to sign and form acknowledging receipt of that information.

ENVIRONMENTAL REVIEW

Information must be provided to the City of Joplin to review that will prove to adequately comply with the applicable NEPA regulations. For existing properties, this review will require documentation related to flood plain location, Airport Hazards, and Coastal areas. If a property does not pass this review, it will not be eligible for assistance.

A more in-depth review will be required for properties that do not currently exist or under construction. One requirement of a new construction activity is that all new homes will be subject to a radon clearance test. At least 2 samples will be provided in each home in seperate rooms.

LOAN TO VALUE

For Homeownership Assistance projects, the City of Joplin cannot approve funding where the combined debt (CDBG-DR funding and other public and/or private financing) exceeds the loan to value limits as set forth by the underwriting, closing and funding criteria of Fannie Mae, Freddie Mac, USDA, FHA or VA. The appraised value used for this determination must be the approved appraisal for CDBG-DR Homeownership Assistance projects.

CO-SIGNERS/CO-BORROWERS ON FIRST MORTGAGE LOANS

The use of a co-signer or co-borrower's income for purposes of qualifying for a first mortgage loan is permissible under some first mortgage loan programs. A co-signer or co-borrower's income may be used to assist in qualifying ratios and may be included in loan documents with a mortgage company. However, if the co-signer will also be an occupant of the property he/she is required to also meet all CDBG-DR program eligibility and occupancy requirements.

FORM OF OWNERSHIP

For the purposes of this program, homeownership means ownership in fee simple title. This housing may only contain a single dwelling unit. See section above for "Eligible Properties".
Forms of sale known as "life estates" or "contracts for deed" or "contracts for sale" are not a HUD approved form of ownership.

ESTIMATE OF FAIR MARKET VALUE

Appraisals are required for each property prepared by a licensed fee appraiser.

PERIOD OF AFFORDABILITY

To ensure long-term affordability, the City is adopting the HOME requirements for this program. The City of Joplin requires that housing assisted through this program remain affordable to a reasonable range of low-income homebuyers for a period of time based on the amount of CDBG-DR funds invested. The period of affordability will be determined based on the following table.

Homeownership Assistance Amount	Affordability Period
<$15,000	5 years
$15,000 - $40,000	10 years

A Deed Restriction template and 2nd Mortgage template are made available by the City of Joplin and includes separate paragraphs detailing the affordability period and the recapture provisions. Either of these documents may be utilized.

FORM OF SUBSIDY

This subsidy will be provided in the form of a 0% interest forgiveable loan with deferred payments. The loan will not require regular monthly payments.

A Deed Restriction shall be placed upon the property by the City of Joplin for the Government. The Deed Restriction shall provide for recapture of the CDBG-DR subsidy in the event that the homebuyer sells the property, is foreclosed upon by another mortgagee, or ceases to occupy the property as his/her principal residence. The total of CDBG-DR assistance may not exceed $35,000.00 for homebuyers at or less than 120% of median income. The CDBG-DR subsidy may be used to fund:

1. 100% of the primary lender required down payment costs, and/or
2. 100% of reasonable closing costs.

A special exception to this rule shall be made for Low-Moderate Income Families (families whose income is less than 80% AMI) who seek to contract to build a new home on a vacant parcel or purchase an existing property that meet one of the following two criteria:

1. Construction of the home began after May 22, 2011 OR
2. The home has never been occupied

The exception allows for down payment assistance up to 30% of the purchase price plus reasonable and approved closing costs, not to exceed $35,000.

An additional $5,000 incentive is available to program participants who purchase a qualified Energy Star Home. Refer to Section 10, Chapter 1 for additional information.

In any case, the most a family may qualify for is down payment assistance up to 30% of the purchase price plus price reasonable and approved closing costs plus an additional $5,000 incentive for a total not to exceed $40,000.

SUBORDINATION

The Government will be in a subordinate position to primary mortgage providers. This subordinate status will only be true for those loans that occur at the time of the first mortgage and will not include subsequent loans (e.g. Home Equity Loans). Assisted home buyers must notify the City of Joplin and/or its contracted agent of any request for the subordination of the CDBG-DR Deed Restriction to another loan. The City of Joplin will make the final written determination regarding the subordination of the CDBG-DR loan.

SALE BEFORE EXPIRATION OF THE PERIOD OF AFFORDABILITY

In the event that the CDBG-DR subsidized property is sold during the period of affordability, the grantor agency shall provide for the recapture of at least a portion of the CDBG-DR investment. The City will require repayment of the direct subsidy when a resale occurs during the affordability period. This recapture amount will be pro-rated based on the amount of time the applicant has occupied the home. As an example, a homeowner that is subject to a 5 year affordability period will have 20% of their recapture amount forgiven each year they occupy the home and meet the principal occupancy requirements. However, if there are no net proceeds or insufficient proceeds to recapture the full amount of CDBG-DR investment due, the amount subject to recapture must be limited to what is available from net proceeds. Net proceeds are defined as the sales price minus superior non-CDBG-DR loan repayments and any closing costs.

FORECLOSURE DURING THE PERIOD OF AFFORDABILITY

In the event of a foreclosure by a superior lien holder or transfer in lieu of foreclosure during the period of affordability, the Government may recapture the full CDBG-DR subsidy from net proceeds of the property sale before the homeowner's recovery of down payment, principal payments, and capital investment. In the

event that net proceeds are insufficient to repay the full amount of the CDBG-DR subsidy, the Government may reduce the subsidy to be recaptured in the same manner as for a sale before the expiration of affordability.

VIOLATION OF RESTRICTION ON PRINCIPAL RESIDENCE

In the event that the homebuyer ceases to occupy the subsidized unit as his/her principal residence during the required period of affordability, the Government shall recapture the CDBG-DR subsidy. Notwithstanding the provisions on recapture of subsidy in the event of a sale before the expiration of the period of affordability and the recapture of subsidy in the event of a foreclosure by a superior lienholder during the period of affordability, in the event of a foreclosure due to violation of restriction on principal residence, the CDBG-DR subsidy shall be recaptured after the first mortgagee has recovered the value of its loan. The homebuyer may only recover his/her down payment, principal payments, and value of capital improvements after the full amount of the CDBG-DR subsidy, and costs of foreclosure have been recovered by the grantor agency. In lieu of foreclosure, the homebuyer shall return the pro-rated amount of the CDBG-DR subsidy to the Government.

SECURITY

All properties acquired under a CDBG-DR-assisted homebuyer program will be considered to be CDBG-DR-assisted and therefore are subject to all restrictions.

All restrictions regarding the period of affordability and use of property as principal residence during the period of affordability shall be included in the loan agreement, mortgage, and mortgage note, made in favor of the grantor agency.

REPORT TO THE GOVERNMENT (CITY OF JOPLIN, MISSOURI)

The Homebuyer shall provide the Government with copies of all loan agreements, mortgages, and mortgage notes for properties assisted under the provisions of these guidelines.

USE OF RECAPTURED CDBG-DR SUBSIDY

Any CDBG-DR funds recaptured under the provisions of these guidelines shall be returned to the Government within ten days of receipt, unless otherwise noted in a written agreement.

CDBG-DR RELOCATION REQUIREMENTS

All Homebuyers and sellers are required to sign a Seller and Buyer's Occupancy Certification. This document will show whether or not current tenants reside in the property that is being assisted through the program. If tenants are present, additional steps may be necessary.

A CDBG-DR-assisted homeownership project is subject to relocation requirements under the Uniform Relocation Act (URA). In order to avoid the costs of relocation and to avoid the displacement of persons, the Government requires that homebuyers purchase only vacant properties or properties which are owner-occupied and are being publicly marketed. An owner-occupant who sells a property is not eligible for relocation assistance under the URA as long as the seller, prior to sale is informed in writing: (1) of the fair market value of the property; and (2) that the buyer does not have the power of eminent domain and, therefore, will not acquire the property if negotiations fail to result in an amicable sales agreement.

COUNSELING

All prospective homebuyers will receive counseling according to the requirements of their lender. Additional homebuyer counseling will not be required by this program.

LOAN MANAGEMENT

While The City of Joplin encourages affordable and sustainable first mortgages, some life events such as recessions, layoffs, illnesses, injury or death could dramatically affect anyone's financial health with little or no warning. For these reasons, home buyers must notify the City of Joplin or its contracted agent if they are experiencing difficulty in meeting their first mortgage obligation. The City of Joplin emphasizes the importance for the home buyer to contact their first mortgage lender at the onset of the financial difficulty. Many lenders work with borrowers who have a good payment history to arrange a temporarily reduced payment plan until they regain their financial health. The sooner a home buyer contacts their lender, the easier it is to deal with the problem.

The City of Joplin or its contracted agent can provide the assisted home buyer with a listing of available credit counseling agencies that may be able to assist if these problems arise.

RECORD RETENTION

The City and/or its contracted agent will maintain records for home buyer projects in accordance with the regulations for five (5) years after the completion date for the project recorded in the HUD DRGR system, except for documents imposing recapture restrictions which must be retained for five (5) years after the affordability period ends.

OTHER APPLICABLE FEDERAL REQUIREMENTS

These are contained in the CDBG regulations which are codified at 24 CFR Part 570 and alternative requirements provided in Federal Register Notice FR-5628-N-01, dated April 16, 2012. These in requirement include the following:

- Program Income (24 CFR 570.503 and 570.504).
- Programmatic and Budget Changes.
- Civil Rights and Fair Housing; Employment and Contracting Opportunities (24 CFR 570.601, 570.607 and 570.614).
- Labor Standards (24 CFR 570.603).
- Environmental Requirements (with respect to the use of funds, 24 CFR 570.604).
- Historic Preservation.
- National Flood Insurance Program (24 CFR 570.605).
- Floodplain Management (24 CFR Part 55).
- Relocation, Real Property Acquisition, and One-for-One Housing Replacement (24 CFR 570.606).
- Lead-based Paint (24 CFR 570.608)
- Political Activity (24 CFR 570.207(a)(3)).
- Conflict of Interest (24 CFR 570.611).
- Program Monitoring (24 CFR 570.501(b), 24 CFR 85.40(a) and (e), and 24 CFR 84.51(a)).
- Suspension and Termination (24 CFR 570.503 (b) (6), 24 CFR 85.43 and 44, and 24 CFR 84.62).

Exhibit A.2 Map of Tornado Area

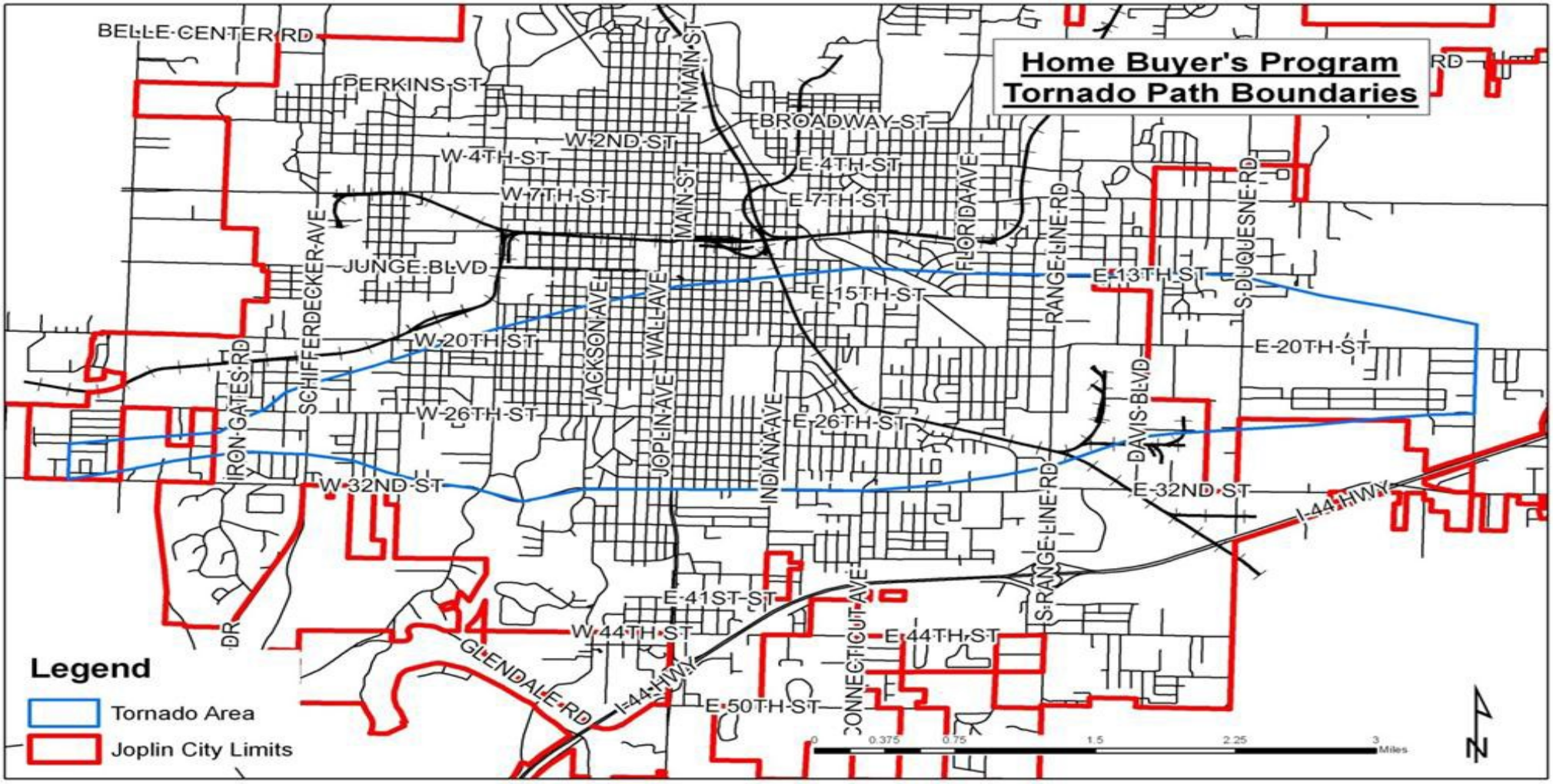


Exhibit A.3 FAQS

CITY OF JOPLIN HOMEBUYER ASSISTANCE PROGRAM (J-HAP) FREQUENTLY ASKED QUESTIONS (FAQ'S)

1. What is the Joplin Homebuyer Assistance Program (J-HAP)? The City of Joplin's primary objective is to allocate a portion of its U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) grant funds for homeownership programs to repopulate the tornado – affected area, increase the number of affordable housing units and to improve the opportunities for homeownership for low and moderate income (LMI) families. In coordination with the City of Joplin, Nan McKay & Associates (the J-HAP Program Office) will be conducting all application processing. The total amount of homebuyer assistance cannot be less than $1,000 or greater than $30,000 for homebuyers. The subsidy may be used to fund:

- 100% of the primary lender required down payment costs, and/or
- 100% of the reasonable and approved closing costs.

A special exception to this rule shall be made for Low-Moderate Income Families (families whose income is less than 80% AMI) who seek to contract to build a new home on a vacant parcel or purchase an existing property that meet one of the following two criteria:

1. Construction of the home began after May 22, 2011 OR
2. The home has never been occupied.

The exception allows for down payment assistance up to 30% of the purchase price plus reasonable and approved closing costs, not to exceed $35,000.

An additional $5,000 incentive is available to program participants who purchase a qualified Energy Star Home. Refer to Section 10, Chapter 1 for additional information.

In any case, the most a family may qualify for is down payment assistance up to 30% of the purchase price plus price reasonable and approved closing costs plus an additional $5,000 incentive for a total not to exceed $40,000.

2. How do I qualify for J-HAP assistance to purchase a home? To qualify for assistance, you must adhere to the following eligibility requirements:

- Your household annual income must not exceed 120% of the median income for the City of Joplin. *Refer to the table below for examples of maximum income guidelines by household size*.
- You must have the financial ability to secure a first mortgage with a financial institution or mortgage company. J-HAP funds provided by the City of Joplin can be used for down payment assistance and/or closing costs.
- Applicants must complete all necessary forms required by HUD and the City of Joplin (forms to be provided by J-HAP Program office) prior to proceeding through the J-HAP application and eligibility verification process.

Household Size	**1 Person**	***2 Person***	**3 Person**	***4* Person**	**5 Person**	**6 Person**	**7 Person**	**8 Person**
Annual Income (120%)	$43,450	*$49,650*	$55,850	$62,050	$67,000	$72,000	$76,950	$81,900

* These income limits are established by HUD, revised annually, and subject to immediate change without notice (Effective 3/28/2016). Contact the JHAP Office for the latest income limits.

3. What is the maximum amount of assistance that I can request from the J-HAP? How do I know how much J-HAP can I receive? Assistance will be capped to 20% of purchase price plus closing costs.

- The 20% amount can be a combination of down payment assistance and principal reduction. The 20% includes the down payment percentage (amount) that a lender would normally require of a borrower. If a gap exists, between the borrower's available funds for closing and a total 20% down payment, the balance of funds would be considered a principal reduction.
- Closing costs are not included in the 20% calculation. The maximum amount of assistance cannot be any more than 20% of the purchase price plus actual closing costs, together not to exceed $30,000.

A special exception to this rule shall be made for Low-Moderate Income Families (families whose income is less than 80% AMI) who seek to contract to build a new home on a vacant parcel or purchase an existing property that meet one of the following two criteria:

1. Construction of the home began after May 22, 2011 OR
2. The home has never been occupied.

The exception allows for down payment assistance up to 30% of the purchase price plus reasonable closing costs, not to exceed $35,000.

An additional $5,000 subsidy is available to program participants who purchase a qualified Energy Star Home. Refer to Section 10, Chapter 1 for additional information.

In any case, the most a family may qualify for is down payment assistance up to 30% of the purchase price plus price reasonable closing costs, not to exceed $40,000.

4. Who calculates and approves the amount of J-HAP assistance that I can receive? Your mortgage lender will be able to calculate how much J-HAP assistance you will be eligible for, subject to the loan product that best fits your situation. Yet, your J-HAP request must then be approved by the City before it can be disbursed at the closing of the real estate contract.

5. Can J-HAP be combined with other housing loan programs? You will need to consult your mortgage lender to evaluate potential home loan products to determine what options are available and what best suits your specific situation.

6. Does J-HAP prevent me from refinancing my home in the future? No, you can refinance in the future, provided that: 1) there is no change in property ownership, 2) the new loan must **only** pay off the remaining balance of the original loan, and 3) subject to Lender approval.

7. When and where are the J-HAP applications due? Applicants can pick-up a J-HAP Application Packet in-person at the J-HAP Program Office located at 602 South Main Street, Joplin, MO 64801 (North Entrance). Applicants can also call (417) 850-2249 or submit an e-mail request to JHAP@joplinmo.org (Subject Line: J-HAP Application Request). Completed J-HAP applications should be returned with all relevant/required documentation to the J-HAP Program Office for processing. The J-HAP application and all necessary documents (including additional information, if requested) must be returned to J-HAP Program Office within 30 calendar days. If an Applicant is unable to provide all required documents to J- HAP Program Office within 30 calendar days, upon securing all necessary information they will need to return to the J-HAP Program Office to update their J-HAP application.

The J-HAP Program Office hours that will go in effect starting Monday, May 2, 2016, can be seen in the table below:

J-HAP Program Office Hours starting Monday, May 2, 2016:					
Hours	Monday	Tuesday	Wednesday	Thursday	Friday
Office	8:00am-5:00pm*	8:00am-5:00pm*	8:00am-5:00pm*	8:00am-5:00pm*	8:00am-5:00pm*

* The office will be closed every day from noon-1pm for lunch. The office hours are subject to change.

8. What paperwork is required to submit with the J-HAP application? A list of required personal information is available via the 'Personal Information Required for J-HAP Application' form which can be found under the J-HAP information link at http://www.joplinmo.org/cdbg-dr. Further, the J-HAP Application Package will explain all necessary required documentation, and a J-HAP counselor will assist you through the

application process. If additional documentation is required, the applicant will be notified by the J-HAP Program Office in a timely manner.

9. What does my credit score have to be to qualify for the program? J-HAP applicants will need to secure a home loan through a mortgage lender to qualify for this funding assistance, and an applicant's credit score is one factor used to obtain loan approval. Those interested in participating in the J-HAP should be visiting with their lender of choice as soon as possible to determine their credit score and evaluate their ability to secure a home loan.

10. Is this J-HAP assistance a grant or a loan? The assistance will be in the form of a Forgivable Loan. Further, an affordability covenant (either a Deed of Trust or Deed Restrictions) will be filed against the property receiving J-HAP assistance.

11. What is an affordability covenant? If I receive assistance, will there be an affordability covenant on the property? If so, how long must the affordability period be maintained? Affordability covenants can be used to limit the resale price of a property or tie ownership to established income thresholds to maintain the affordability of the property, for a set period of time. Yes, there will be an affordability covenant on the property if you receive J-HAP assistance. Please refer to the table below for timeframes associated with the subsidy.

Homeownership Assistance Amount	**Affordability Covenant Period**
<$15,000	5 years
$15,000 - $40,000	10 years

12. Can I buy a house anywhere in City of Joplin? All properties must be contained within the City Limits of Joplin and within the boundaries of the Tornado Path (Disaster Zone) that are generally described as the area between Black Cat Road and Davis Boulevard and between 13th Street/Junge Boulevard and 32nd Street. Please refer to the City of Joplin's interactive map found at https://joplin.integritygis.com/ or a PDF version with additional environmental information located under the J-HAP information link at http://www.joplinmo.org/cdbg-dr.

13. How will I know if the property I wish to purchase is eligible for J-HAP assistance? The applicant will receive an official Property Approval letter from the City of Joplin. After the Applicant's J-HAP eligibility has been approved by the City, the applicant will submit a lender pre- approval letter and an official property review request to the J-HAP Program Office. The City will then conduct the Environmental Assessment (EA) review and on-site inspection of the property to insure the location

complies with federal funding requirements. The J-HAP Program Office will notify the Applicant of the EA determination following the review/inspection through an official letter signed by the City of Joplin. The EA Review/Inspection process should normally be completed within fourteen (14) days after it has been initiated, yet certain locations may require a longer time to complete do to unique property factors.

14. Is there a minimum sales price on the home that I select? No, there are no minimum or maximum sales prices on the homes to be purchased through the J-HAP.

15. Can I get a home built or do I have to buy an existing house? As of September 23, 2013, assistance can be provided for homes that have not yet been constructed. Assistance will continue to be made available to existing single-family units or single-family units that are already under construction at this time. The J-HAP will not fund the construction process. J-HAP funds can only be applied to a fully finished home.

16. Are there specific construction requirements for applicants that apply for assistance for a house that will be newly constructed after time of application? Yes. A radon test, in a manner prescribed by the JHAP Office, is required which shall consist of at least two canister samplings to be analyzed by a certified laboratory. Laboratory results must be submitted to the JHAP office prior to loan closing.

17. How long will it take to receive the J-HAP funds? J-HAP funds will be available upon the closing of the real estate contract, subject to satisfaction of lender loan requirements and final City approval of J-HAP funding requirements. Due to City of Joplin finance disbursement requirements, at this time all real estate closing transactions using J-HAP funds will occur **on** Friday.

18. Are second homes eligible for J-HAP? No. To qualify for a JHAP forgivable loan the home must be your primary residence.

19. Can a JHAP applicant retain an ownership interest in the home in which the family/individual lived in prior to submitting an application to the JHAP Program? No, before closing on a JHAP assisted home, the applicant must sell their current home. The applicant must also sign a real estate affidavit prior to closing which lists their ownership in real property. To evidence the selling of their home, the applicant will provide if they have an ownership interest. To evidence the selling of their home, the applicant will provide the JHAP Program with a closing statement by a title company/bank showing the original home has been sold. Prior to closing on a JHAP assisted home, the applicant will be required to sign an affidavit which discloses their interest in all real property. To qualify for a JHAP forgivable loan, the home to be purchased must be your primary residence.

20. I am currently under contract to buy a home in the J-HAP Zone, can I be eligible for the J-HAP Forgivable Loan? Yes, if you are currently under contract for an

existing home in the J-HAP Zone, you are eligible to apply for a J-HAP Forgivable Loan. However, the buyer/applicant does assume some risk of potential denial based on environmental review by entering into a contract prior to receiving property approval from the City. Please refer to questions 28 for more information.

21. I just closed on my contract to purchase a home in the JHAP Zone. Am I eligible to pay-off my existing loan and refinance with a new loan under the JHAP Program? Unfortunately you will not be eligible to participate in the J-HAP.

22. If I am a realtor, contractor or other professional that would like to know if my properties qualify for the J-HAP, how do I find out? The J-HAP has a goal of providing financial assistance directly to the homebuyer. In order to know if a property is J-HAP eligible, a prospective homebuyer must first apply to the program and a decision will be made regarding the applicant's eligibility. At this point, an address-specific review will then be conducted on one property per prospective homebuyer applicant.

The City has, however, made available a map for general guidance when looking for properties. This map **DOES NOT** represent a final eligibility determination for the property and is only to be used as a general guide. This map can be found under the J-HAP information link at http://www.joplinmo.org/cdbg-dr .

23. How do I appeal any decisions or determinations during the J-HAP application process that I dispute? J-HAP applicants are encouraged to work with the J-HAP Program Office to resolve any questions or potential concerns they might have as they progress through the application steps. Yet, if an applicant believes that an incorrect decision has been made during the application process, they may file a "Request for Informal Hearing" form (obtained from the J-HAP Program Office) and return it to City Hall (attn.: Troy Bolander).

24. Where can I obtain more J-HAP information? You should visit the City's CDBG-DR website under the J-HAP information link at http://www.joplinmo.org/cdbg-dr for any updates and/or contact J-HAP Program Office to visit with a J-HAP counselor.

25. Are my assets accounted for as income for J-HAP? Yes, assets are part of the overall income calculation for J-HAP. HUD Part 5 guidelines are used to determine which assets will be counted towards a family's income. For a more thorough explanation of information required for determining assets, please access the City's J-HAP page at http://ww.joplinmo.org/cdbg-dr. Refer to Item E – Personal Information Required.

26. Will the J-HAP program require all properties to meet all City of Joplin building code guidelines? If the home exists it does not have to meet all current City of Joplin building codes (but must meet basic health and safety codes). If the home is recent or new construction, it must meet all current City of Joplin building codes, and will be subject to inspection.

27. Will foreclosed or repossessed homes be eligible for J-HAP? This is subject to the applicant obtaining a loan for the property.

28. Is an existing structure located near a Rail Road or other noise source eligible for the J-HAP? Yes. Applications received for existing structures are not subject to all of the same Environmental Restrictions as applications for new construction. The only item reviewed for existing structures will be whether or not the property is located in a flood plain.

29. Can the applicant currently be entered into a Contract for Sale for an existing property or a property under construction at time of application? Yes. Applicants can be under a Purchase Contract for an existing home/home under construction prior to their J-HAP application. The contract, however, must be dated after May 6, 2013. The property can be under construction, meaning that at a minimum, the permanent foundation must be in place at the time the contract is signed. If the applicant wishes to purchase a vacant property, a specific HUD Option Contract will be available from either your realtor or the City of Joplin as the only means to secure that property before the City completes its environmental review.

30. Can acquisition/construction begin on a site while the application is being processed? No. A determination will need to be made during the application process whether a site contains an existing structure or will be used for new construction. During this time, any attempt to change the status of a property from vacant to containing a structure will make that property ineligible.

31. Can an applicant have a co-signer on their loan? Yes, co-signers are allowed with the program. However, if the co-signer will be an occupant of the property their income must be included in the eligibility determination. If the co-signer will not be an occupant, their income will not be included. If the property is transferred from the intended occupant to the co-signer, the funds provided to the applicant will be recaptured by the J-HAP program according to the Deed Restriction/2nd Mortgage.

32. Where can I find an explanation of all terms and conditions that I will be obligated to once I am a participant in J-HAP? Please refer to the J-HAP Homebuyer Assistance Agreement. The Agreement explains all terms and conditions for J-HAP participation, and outlines participant obligations. The Agreement is available on the City's CDBG-DR website under the J-HAP information link at http://www.joplinmo.org/cdbg-dr.

33. Is there a document or diagram that shows me the overall process I will go through when applying to J-HAP? Yes. Please refer to the J-HAP Applicant Flowchart Diagram. It gives the applicant a quick overview of the J-HAP process. The J-HAP Applicant Flowchart Diagram is available on the City's CDBG-DR website under the J-HAP information link at http://www.joplinmo.org/cdbg-dr.

34. What is the definition of a financial institution? Any institution the business of

which is engaging in financial activities as described in section 4(k) of the Bank Holding Company Act (12 U.S.C. § 1843(k)). Under the Final Rule promulgated by the Federal Trade Commission (FTC), an institution must be *significantly engaged* in financial activities to be considered a "financial institution."

35. When do all of the final closing documents have to be to the City, in order to ensure a Friday closing/funding? J-HAP closing documents are due for review, 9 days prior to the scheduled Friday closing date. Example: For a closing on Friday, May 23rd all closing documents must be submitted to the City by Wednesday May 14th.

Exhibit A.4 Assistance Approval Letter

Planning &Community Development
602 S. Main Street
Joplin, Missouri 64801
(417)624-0820
Fax (417)625-4620

27 May 2014

Amy Howe
1525 Burgan Road
Joplin, MO 64801

Subject: J-HAP Assistance Approval

Dear Ms. Howe,

Thank you for participating in the Joplin Homebuyer Assistance Program.

Your J-HAP assistance is in the amount of $ 29,788.83. The money will be disbursed to assist in the purchase of your property at 965 Brooklyn Avenue, Joplin. You or a representative should arrange a time to pick up the check at the Planning & Community Development office on the 4th Floor of City Hall after 9:00 AM on Friday, May 30, 2014.

Copies of all final closing documents must be provided to the City on the day of closing. Fully recorded copies must also be provided to the city once recording occurs. Please remember, you are required to notify the City if you sell the home, transfer title, or no longer occupy the property as your principal residence. This includes moving out of or renting the property.

If you have any questions, please contact me at the phone number or email address listed below.

Sincerely,

Patrick F. Clark
Planning and Community Development Specialist
City of Joplin
602 Main Street
Joplin, MO 64801
Phone: 417-624-0820 ext. 539
pclark@joplinmo.org

APPENDIX – B – INDIVIDUAL APPLICATIONS

Exhibit B.1 Family Composition Definitions

Dependent [24 CFR 5.603]

A *dependent* is a family member who is under 18 years of age or a person of any age who is a person with a disability or a full-time student, except that the following persons can never be dependents: the head of household, spouse, co-head, foster children/adults and live-in aides.

Joint Custody of Dependents

Dependents that are subject to a joint custody arrangement will be considered a member of the family that they spend a majority of nights with. If there is a joint custody arrangement or the divorce decree/parenting agreement is silent on custody of dependents, the City will use the IRS rule: If dependents live with the applicant family a greater number of nights than they stayed with the noncustodial parent, the applicant family is considered the custodial parent. If the children spend an equal number of nights with both parents, the custodial parent is the parent with the higher income.

Should separated or divorced parents follow informal arrangements for custody of their children, the custodial home shall be the home address listed on each child's school registration form.

FULL–TIME STUDENT [24 CFR 5.603]

A *full-time student* (FTS) is a person who is attending school or vocational training on a full-time basis. The time commitment or subject load that is needed to be full-time is defined by the educational institution.

Disabled Family [24 CFR 5.403, FR Notice 02/03/12]

A *disabled family* is one in which the head, spouse, or co-head is a person with disabilities. Even though persons with drug or alcohol dependencies are considered persons with disabilities, this does not prevent the City from denying assistance for reasons related to alcohol and drug abuse in accordance with the policies in this Chapter.

Foster children and foster adults who are living with an applicant family are considered household members but not family members. The income of foster children/adults is not counted in family annual income. [24 CFR 5.603].

Foster adults are usually persons with disabilities, unrelated to the tenant family, who are unable to live alone [24 CFR 5.609].

A *foster child* is a child that is in the legal guardianship or custody of a state, county, or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency.

Absent Family Members

The City has determined it is important to make the J-HAP available to eligible military families and so has established separate policies for military applicant families and for all other applicant families

in considering if a family member is considered absent. (See also policy on determining income for military applicant families.)

A military applicant family is one that is currently serving on active duty in any of the United States armed forces. (The City definition of family recognizes a single individual as a family.)

Other Applicant Families

Individuals may be absent from the family, either temporarily or permanently, for a variety of reasons including educational activities, placement in foster care, employment, illness, incarceration, and court order.

Definitions of Temporarily and Permanently Absent

Generally an individual who is or is expected to be absent from the assisted unit for 180 consecutive days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is or is expected to be absent from the assisted unit for more than 180 consecutive days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

Absent Students

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to the City indicating that the student has established a separate household or the family declares that the student has established a separate household.

Absences Due to Placement in Foster Care [24 CFR 5.403]

Children temporarily absent from the home as a result of placement in foster care are considered members of the family. If a child has been placed in foster care, the City will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member.

Absent Head, Spouse, or Co-head

An employed head, spouse, or co-head absent from the unit more than 180 consecutive days due to employment will continue to be considered a family member.

Family Members Permanently Confined for Medical Reasons

If a family member is confined to a nursing home or hospital on a permanent basis, that person is no longer considered a family member and the income of that person is not counted

The City will request verification of the family member's permanent absence from a responsible medical professional. If the responsible medical professional cannot provide a determination, the person will be considered temporarily absent. If the family certifies that the family member is confined on a permanent basis, they may present, and the City will consider, any additional documentation or evidence.

LIVE-IN AIDE

A *live-in aide* is a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) is determined to be essential to the care and well-being of the persons, (2) is not obligated for the support of the persons, and (3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403].

The income of a live-in aide is not counted in the calculation of annual income for the family [24 CFR 5.609(b)]. Because live-in aides are not *family* members, a relative who serves as a live-in aide would not be considered a remaining member of a tenant family.

Exhibit B.2 Detailed Definitions Related To Disabilities

Definition of a Person with a Disability under Federal Civil Rights Laws [24 CFR Parts 8.3 and 100.201] A person with a disability, as defined under federal civil rights laws, is any person who:

- Has a physical or mental impairment that substantially limits one or more of the major life activities of an individual, or
- Has a record of such impairment, or
- Is regarded as having such impairment

Person with Disabilities [24 CFR 5.403]

The term *person with disabilities* means a person who has any of the following types of conditions Has a disability, as defined in 42 U.S.C. Section 423(d)(1)(A), which reads: Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; *or* in the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in section 416(i)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity, requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.

Has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C.15002(8)], which defines developmental disability in functional terms as follows:
(A) In General the term "developmental disability" means a severe, chronic disability of an individual that: (i) is attributable to a mental or physical impairment or combination of mental and physical impairments; (ii) is manifested before the individual attains age 22; (iii) is likely to continue indefinitely; (iv) results in substantial functional limitations in 3 or more of the following areas of major life activity: (I) Self-care, (II) Receptive and expressive language, (III) Learning, (IV) Mobility, (V) Self-direction, (VI) Capacity for independent living, (VII) Economic self-sufficiency; and (v) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

(B) Infants and Young Children An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (i) through (v) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life.

- Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.
- People with the acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for AIDS are not excluded from this definition.
- A person whose disability is based solely on any drug or alcohol dependence does not qualify as a person with disabilities for the purposes of this program.

- For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term person with disabilities refers to an individual with handicaps.

(C) Individual with Handicaps [24 CFR 8.3]
Individual with handicaps means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. The term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others.

As used in this definition, the phrases further defined:

(a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or

(b) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

(c) *Major life activities* means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(d) Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(e) “Is regarded as having an impairment” is defined as having a physical or mental impairment that does not substantially limit one or more major life activities but is treated by a public entity (such as the PHA) as constituting such a limitation; has none of the impairments defined in this section but is treated by a public entity as having such an impairment; or has a physical or mental impairment that substantially limits one or more major life activities, only as a result of the attitudes of others toward that impairment.

The definition of a person with disabilities does not include:

- Current illegal drug users
- People whose alcohol use interferes with the rights of others
- Persons who objectively pose a direct threat or substantial risk of harm to others that cannot be controlled with a reasonable accommodation under the JHAP

The defined disability determines whether an applicant or participant is entitled to any of the protections of federal disability civil rights laws. Thus, a person who does not meet this disability is not entitled to a reasonable accommodation under federal civil rights and fair housing laws and regulations.

The HUD definition of a person with a disability is much narrower than the civil rights definition of disability. The HUD definition of a person with a disability is used for purposes of receiving the disabled family preference, the $400 elderly/disabled household deduction, the $480 dependent deduction, the allowance for medical expenses, or the allowance for disability assistance expenses.

The definition of a person with a disability for purposes of granting a reasonable accommodation request is much broader than the HUD definition of disability.

Exhibit B.3 Other Matters for Ineligibility

Sex Offenders, Illegal Aliens, Income & Drug/Criminal Activity

Any member of the household has been evicted from federally-assisted housing in the last three years for drug-related criminal activity.

- The City will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past ten years for drug-related criminal activity, if the City is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by the City, or the person who committed the crime is no longer living in the household.
- The City determines that any household member is currently engaged in the use of illegal drugs. Currently engaged in is defined as any use of illegal drugs during the previous six months.
- The City has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment by residents in the area. In determining reasonable cause, the City will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight than an arrest. The City will also consider evidence from treatment providers or community-based organizations providing services to household members.
- Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing
- Any household member is subject to a lifetime registration requirement under a state sex offender registration program

Criminal Activity [24 CFR 982.553]

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past ten years, the family will be denied eligibility.

Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].

Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].

Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the area by persons residing in the immediate vicinity; or criminal activity that may threaten the health or safety of other property owners, City staff, and persons performing contract administration functions or other responsibilities on behalf of the City (including a City employee or a City contractor, subcontractor, or agent).

Immediate vicinity means within a three-block radius of the premises.

Evidence of such criminal activity includes, but is not limited to:

- Any conviction for drug-related or violent criminal activity within the past ten years.
- Any arrests for drug-related or violent criminal activity within the past ten years.
- Any record of eviction from public or privately-owned housing as a result of criminal activity within the past ten years.
- A conviction for drug-related or violent criminal activity will be given more weight than an arrest for such activity.

In making its decision to deny eligibility, the City will consider the factors discussed in Section 3-III.E. Upon consideration of such factors, the City may, on a case-by-case basis, decide not to deny assistance to the applicant.

Previous Behavior in Assisted Housing Programs [24 CFR 982.552(c)]

The City **will** deny assistance to an applicant if:

- The applicant does not provide information that the City or HUD determines is necessary in the operation of the J-HAP.
- The applicant does not provide complete and true information to the City.
- Any family member has been evicted from federally-assisted housing in the last five years.
- Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
- The family owes rent or other amounts to any City in connection with the J-HAP, HCV, Moderate Rehabilitation or public housing programs, unless the family repays the full amount of the debt prior to eligibility determination decision.
- The family has breached the terms of a repayment agreement entered into with the City, unless the family repays the full amount of the debt covered in the repayment agreement prior to being determined eligible for the J-HAP.
- A family member has engaged in or threatened violent or abusive behavior toward City personnel, or the City's contractors or agents.

Abusive or violent behavior towards City personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

In making its decision to deny assistance, the City will consider the factors discussed in the earlier section. Upon consideration of such factors, the City may, on a case-by-case basis, decide to approve eligibility for the J-HAP.

Exhibit B.4 Evidence of Status as "Qualified Alien" Eligible for Federal Public Benefits

The documents listed below (descriptions of which are provided in Exhibit A) will, when combined with satisfactory proof of identity (which will come from the document itself if it bears a photograph of the person to whom it relates), establish that an applicant falls within one of the categories of ''qualified alien'' for purposes of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Under the Immigration and Nationality Act (the ''INA''), all aliens over the age of 14 who remain in the United States for longer than 30 days are required to register with the Immigration and Naturalization Service (the ''INS'') and obtain an alien registration document. All aliens over the age of 18 who receive a registration document are required to carry it with them at all times. With certain exceptions (e.g., Canadian visitors), aliens entering the U.S. are normally issued a registration document (e.g., an INS Form I–94) at the time of entry. The documents listed below that are registration documents are indicated with an asterisk (''*''). Each of the documents listed below will demonstrate lawful status, and you should not require presentation of a registration document if the applicant presents one of the other legally acceptable documents that reasonably appears on its face to be genuine and to relate to the person presenting it. However, if the document presented is not a registration document and does not on its face reasonably appear to be genuine or to relate to the person presenting it, it is appropriate to ask the applicant to produce his or her registration document as additional evidence of immigration status, so long as the request is not made for a discriminatory reason (see Nondiscrimination Advisory, Attachment 2 to Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Interim Guidance)).

Presentation of a registration document listed below that reasonably appears on its face to be genuine and to relate to the person presenting it (or to satisfy a higher applicable standard) will often obviate the need to verify the applicant's immigration status with the INS; if the applicant presents a registration document that does not meet this standard, sending the INS a copy of the document will assist it in verifying the applicant's status quickly and accurately.

Alien Lawfully Admitted for Permanent Residence

- *INS Form I–551 (Alien Registration Receipt Card, commonly known as a ''green card''); or
- Unexpired Temporary I–551 stamp in foreign passport or on INS Form I–94.

Asylee

- *INS Form I–94 annotated with stamp showing grant of asylum under section 208 of the INA;
- *INS Form I–688B (Employment Authorization Card) annotated ''274a.12(a)(5)'';
- *INS Form I–766 (Employment Authorization Document) annotated ''A5'';
- Grant letter from the Asylum Office of INS;or
- Order of an immigration judge granting asylum.

Refugee

- *INS Form I–94 annotated with stamp showing admission under §207 of the INA;
- *INS Form I–688B (Employment Authorization Card) annotated ‘‘274a.12(a)(3)’’;
- *INS Form I–766 (Employment Authorization Document) annotated ‘‘A3’’; or
- *INS Form I–571 (Refugee Travel Document).

Alien Paroled Into the U.S. for a Least One Year

- *INS Form I–94 with stamp showing admission for at least one year under section 212(d)(5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.)

Alien Whose Deportation or Removal Was Withheld

- *INS Form I–688B (Employment Authorization Card) annotated ‘‘274a.12(a)(10)’’;
- *INS Form I–766 (Employment Authorization Document) annotated ‘‘A10’’; or
- Order from an immigration judge showing deportation withheld under §243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under §241(b)(3) of the INA.

Alien Granted Conditional Entry

- *INS Form I–94 with stamp showing admission under §203(a)(7) of the INA;
- *INS Form I–688B (Employment Authorization Card) annotated ‘‘274a.12(a)(3)’’; or
- *INS Form I–766 (Employment Authorization Document) annotated ‘‘A3.’’

Cuban/Haitian Entrant

- *INS Form I–551 (Alien Registration Receipt Card, commonly known as a ‘‘green card’’) with the code CU6, CU7, or CH6;
- Unexpired temporary I–551 stamp in foreign passport or on INS Form I–94 with the code CU6 or CU7; or
- *INS Form I–94 with stamp showing parole as ‘‘Cuba/Haitian Entrant’’ under Section 212(d)(5) of the INA.

Alien Who Has Been Battered or Subjected to Extreme Cruelty

Guidance as to the requirements that must be met for an alien to fall within this category of qualified alien is set forth in Exhibit B. Note that Title IV, as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, contains provisions requiring that, upon the effective date of the new affidavit of support (required under section 213A of the Act), when determining eligibility for federal means-tested public benefits and the amount of such benefits to which an alien is entitled, the income and resources of the alien be deemed to include those of any person executing an affidavit of support on behalf of the alien and that person’s spouse. Certain exceptions are made for indigent qualified aliens and for qualified aliens who (or whose children) have been battered or subjected to extreme cruelty in the U.S. by a spouse, parent or member of the spouse or parent’s family and for qualified alien children whose parents have been subjected to such abuse. See Attachment 5, Exhibit B, Section II of FR Notice Interim Guidance.

Expired or Absent Documentation

If an applicant presents expired documents or is unable to present any documentation evidencing his or her immigration status, refer the applicant to the local INS office to obtain documentation of status. In unusual cases involving applicants who are hospitalized or medically disabled, or who can otherwise show good cause for their inability to present documentation, and for whom securing such

documentation would constitute an undue hardship, if the applicant can provide an alien registration number, you may file INS Form G–845 and Supplement, along with the alien registration number and a copy of any expired INS document presented, with the local INS office to verify status. As with any documentation of immigration status, you should confirm that the status information you receive back from INS pertains to the applicant whose identity you have verified.

Receipt for Replacement Document

If an applicant presents a receipt indicating that he or she has applied to the INS for a replacement document for one of the documents identified above, file INS Form G–845 and Supplement along with a copy of the receipt with the local INS office to verify status. Upon return receipt of information from INS, confirm that it pertains to the applicant whose identity you have verified. You should ask to see the replacement document at a later date.

Applicants with Disabilities and Nondiscrimination

If an applicant has a disability that limits the applicant's ability to provide the required evidence of immigration status (.e.g., mental retardation, amnesia, or other cognitive, mental or physical impairment), you should make every effort to assist the individual to obtain the required evidence. In addition, you should not discriminate against applicants on the basis of race, national origin, gender, religion, age or disability. See Nondiscrimination Advisory, Attachment 2 to Interim Guidance.

ATTACHMENT A TO EXHIBIT 4.2

''PINK'' I–551 ''RESIDENT ALIEN'' CARD

FRONT: Pink background (blue header bar); blue INS seal overlaps photo area. Repeating ''I–551'' becomes visible when card is tilted under normal light. Expiration date on front of card: Moth, day, and year.

BACK: Color gradually changes from pink to blue, with map of U.S. in white. Three lines of machine readable printing at bottom on white background. Immigrant classification and admission/adjustment date on back of card. First set of code is immigrant classification, beginning with letter(s) followed by numbers(s). Third set of code is admission/adjustment date, beginning with year, month, and day.

''WHITE'' I–551 ''RESIDENT ALIEN'' CARD

FRONT: White background (blue header bar); salmon lines cover the photo in an unbroken pattern. Printing ''detail'' in eagle is excellent. Immigrant classification is on front of card in lower right corner, beginning with letter(s) followed by number(s).

BACK: Pale greenish background, map of U.S. in white. Three lines of machine readable codes. Admission/adjustment date is at bottom, left corner on back of card, beginning with year, month, and day.

UNEXPIRED FOREIGN PASSPORT WITH I–551 STAMP

An I–551 stamp may be present in a foreign passport, with a handwritten ''Valid Until'' date. A proof of entry and inspection stamp will also present in the passport, similar to the stamp for an I–94. Date of entry is stamped. Immigrant visa classification (letter and number) is printed or stamped on

‘‘Admitted’’ line. Valid status expires on date enumerated at ‘‘Until’’ section of I–551stamp. The alien number may be printed beginning with letter A.

I–94 ARRIVAL/DEPARTURE RECORD

Proof of entry is signified by U.S. immigration stamp. Date of entry is stamped. Non-immigrant visa classification (letter or letter and number) is printed or stamped on ‘‘Admitted’’ line. Valid status expires on date enumerated at ‘‘Until’’ section of stamp. Refugees and asylees each receive a separate INS stamp. Asylum seekers have ‘‘valid to’’ date, while refugees have a date of admission.

‘‘RED’’ I–688B ‘‘EMPLOYMENT AUTHORIZATION’’

> FRONT: White background, read header bar and yellow interlocking wavy lines, gold INS seal becomes visible when tilted under normal light. Expiration date is on front, month, day, and year.
>
> BACK: Red outline of U.S., Alaska, and Hawaii. The word ‘‘Void’’ is capitalized and underlined.

‘‘RED’’ I–766 ‘‘EMPLOYMENT AUTHORIZATION’’

> FRONT: White background, red header bar. Statue of Liberty, USA, and Immigration and Naturalization Service symbols become visible when tilted under normal light. Expiration date is at bottom, right corner. Non-immigrant category listed over justice seal by a letter and number abbreviation of the 274A.12 immigration law citation.
>
> BACK: White background, black magnetic strip and bar code.

DECISION GRANTING ASYLUM

Documents issued to aliens, granted asylum vary.

REFUGEE TRAVEL DOCUMENT FORM I–571

Form I–571 is issued by the INS to aliens who have been granted refugee status.

ORDER GRANTING WITHHOLDING OF DEPORTATION

The documents used by immigration judges to grant withholding of deportation vary.

Exhibit B.5 Sample Application Packet

Joplin Homebuyer Assistance Program
Helping Build New Homes for the City of Joplin

Please read all the information before completing the application and returning the documentation. You will have a total of **30** days to complete the application process once you submit the application and required documentation to the Joplin Homebuyer's Assistance Program (J-HAP). J-HAP administers the application process on behalf of the City of Joplin. The J-HAP office is located at:

602 S. Main Street
Joplin, MO 64801

You will find a list of information/documentation required on page 9 of the application kit, all of this documentation is required with each completed application. As indicated no application will be considered until all required information is submitted.

The Applicant Selection Criteria and income guidelines are also included; please retain this section of the application kit for your information. Any questions you may have should be answered, if not, please contact our office at the phone number listed below.

A criminal background check is completed on each member in the household that is over 18 years of age and a review of the National Sex Offender database.

Return all completed documentation to the above listed address to the attention of JHAP. Please contact the Program Office at (417) 850-2249 if you have any questions.

Date received:_____
Staff Initials:_____
Contract Number:_____

EQUAL HOUSING OPPORTUNITY

City of Joplin's
Homebuyer Assistance Program (JHAP) Application
"Helping Build New Homes for the City of Joplin"

PLEASE PRINT. COMPLETE ALL SECTIONS OF THIS APPLICATION & RETURN ALL DOCUMENTATION TO: The J-HAP Program Office, 602 South Main Street Joplin, MO 64801. ALL BLANKS MUST BE COMPLETED OR HAVE "N/A" WRITTEN IN. THE APPLICATION MUST BE SIGNED BY ALL PERSONS WHO WILL BE LISTED ON THE DEED.

This is a re-application for this program (JHAP): □ Yes or □ No

I. Head of Household's Name: _____ Address: _____

City: _____ State: _____ ZIP: _____

Work Phone #: _____ Cell #: _____ Landline #:_____

Email address:_____

I am (check one): □Married □Single □Divorced □Legally Separated □Separated from Spouse □Widowed

II. Household members (List all persons living in the home. *List the Head of Household on Line #1*).

In the next twelve (12) months, are you expecting any additional household members? □ Yes, # of new members:_____
□ No

	FULL NAME	RELATION To H of H *	RACE**	ETHNICITY***	BIRTH PLACE	DATE OF BIRTH	SS # (ALL)
1.	_____	HoH	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____	_____	_____

***HOH = Head of Household CO = Co-Head S = Spouse OA = Other Adult C = Child NC = Non-related Child**

**** Race: W = White AA = African American NA = Native American A = Asian P = Pacific Islander**

***** Ethnicity: H = Hispanic N = Non-Hispanic**

III. Is the Head of Household (or Spouse): □ Elderly, 62 or over □Disabled □Not Applicable

Is any member of the household disabled? Who _____

IV. Does anyone need a "Reasonable" Accommodation? If yes, please list_____

_____

INCOME VERIFICATION

VI. Household Income (IE: Wages, SSI, Child Support, Cash Income, etc.) This includes children that are working.

Family Member	Type & Rate of Income	Monthly Gross Income	Annualized Gross Income
_____	_____	$_____	$ _____
_____	_____	$_____	$ _____
_____	_____	$_____	$ _____
		Total Annualized Gross Income	**$_____**

If employed, please provide the following for all employer(s) – all information must be completed:

Name of Employer	Employer Contact person	Mailing address	City	State, Zip	Phone Number	Fax Number (required)

1. Do you receive cash or non-cash assistance from other people or family members? □ Yes □ No

   If yes, please list the estimated dollar amount/value of cash or non-cash assistance each month: $_____

2. Are you self-employed (I.E., Avon, odd jobs, babysitting, lawn work, etc.)? □ Yes □ No

   If yes, please list the estimated dollar amount each month: $_____

3. Do you earn income from any other activities (i.e., flea market booth, door-to-door sales, etc.)? □ Yes □ No

   If yes, please estimate the amount of dollars received on an annual basis: $_____

4. I am currently unemployed and receiving unemployment benefits: □ Yes □ No

5. I have applied for Unemployed Benefits: □ Yes □ No

6. I have applied for Child Support: □ Yes □ No

7. I am receiving Child Support (including collection through income taxes): □ Yes □ No

   If yes, the amount received monthly: $_____

Child Care

VII. Does anyone in household pay childcare to work or go to school? _____
Amount per week? _____

If paying child care costs, you must provide child care provider's information:

Child Care Provider's Name:_____

Mailing Address: _____

City, State, Zip: _____

Phone #: _____

Fax #: _____

VIII. Assets Questionnaire

Please completely answer these questions, if these questions are not completely answered, then this could have an effect on your JHAP application. **If you answer "yes" to any of the questions below you will need to provide documentation for each item checked "yes." If you have questions, please contact us and we will help you, this is required.**

A. Does anyone in your household have a checking account?
□ Yes □ No
If yes, please attach the last 6 months of documentation.
Name on account: _____
If you have some type of income, where do you cash your checks? _____

B. Does anyone in your household have a savings account? This includes children in the household.
□ Yes □ No
If yes, please list the name(s) on the account: _____
Please attach a copy of your most account balance or passbook must be attached.

C. Does anyone in your household have a certificate of deposit (CD)?
□ Yes □ No
If yes, please attach documentation of the C.D. (i.e. bank statement).

D. Does anyone in your household have a life insurance policy?
□ Yes □ No
If yes, what type? Please check all that apply.
□ Whole Life □ Universal Life Insurance
□ Life Insurance with work □ Other: List type: _____

E. Does anyone in your household have an Estate Plan?
□ Yes □ No
If yes, what type? Please check all that apply.
□ Charitable Trust □ Revocable Trust
□ Other: _____

F. Does anyone in your household have a retirement plan?
□ Yes □ No
If yes, please list whom: _____
Type of retirement, please check all that apply.
□ Stock options □ 401 (k)
□ 403 (b) □ State Retirement
□ Federal Retirement □ Other: List type: _____

G. Does anyone in your household have or own any of the following? Please check all that apply.
□ Real Estate □ Yes □ No
□ Lump sums □ Yes □ No

□ Equity in rental property	□ Yes	□ No
□ Land contract/deed of trust	□ Yes	□ No
□ Money at home or in a safe deposit box	□ Yes	□ No
□ Annuities: name type: _____	□ Yes	□ No
□ IRA's, ROTH IRA	□ Yes	□ No
□ Money market accounts	□ Yes	□ No

H. If you answered "yes" to owning real estate, where is it located?_____(County/State)

a. What is the current balance owed on the mortgage?_____

b. Are payments up to date? □ Yes □ No

c. Is your primary residence currently in foreclosure? □ Yes □ No

IX. OTHER REQURED ITEMS, PLEASE ANSWER THE FOLLOWING:

1. Have you or anyone in your household ever been convicted of a felony? □ □ Yes □ No
   If yes, how long ago: _____ (Date/Year)

2. Have you or anyone in your household ever been convicted of a sex offense? □ Yes □ No
   If yes, how long ago: _____ (Date/Year)

3. Current landlord's name: _____
   Landlord's Phone number: _____

5. Are you & all household members a citizen or Permanent Residents of the United States? □ Yes □ No

X. Disaster Sources of Documented and Verified Assistance: Please list all other sources of financial or housing assistance received (local, state, federal and private sources). List all insurance companies currently covering your real property.

Have you applied for any storm-related assistance for damage to your home from any source (local**,** state, federal and private sources)?

Please check this box □ **if yes**, proceed with this section.

Please check this box □ **if no**, proceed to the next section.

FEMA Registration #:_____DRC#_____

Amount received: $_____Proof of FEMA assistance: Letter: ____Yes or ____No

SBA Disaster Assistance:_____DRC#_____

SMA Application #:_____Amount received: $_____

Proof of SBA assistance: Letter: ____Yes or ____No (proof of Denial letter)

Reason:_____

Insurance

If you owned your home, were you carrying Homeowner's Insurance at the time of the storm?

If "Yes," what type: □Windstorm □Flood □Contents □Other (portable buildings, etc.)

□ Insurance coverage in effect 5/22/2011 -_____

Claim received: $_____

Purpose: _____

□ Insurance coverage currently in effect -_____

Type: (fire, flood, wind, etc.):_____

Are you involved in a lawsuit your Insurance Company? □ Yes or □ No

ESC (MHDC) Disaster Assistance: _____ DRC#_____

Amount received: $_____

Proof of ESC's assistance: Letter: ____Yes or ____No (proof of Denial letter)

Reason: _____

ARC Disaster Assistance: _____DRC#_____

Amount received: $_____

Proof of ARC assistance: Letter: ____Yes or ____No (proof of Denial letter)

Reason: _____

Salvation Army Disaster Assistance: _____ DRC#_____

Amount received: $_____

Proof of Sal Army assistance: Letter: ____Yes or ____No (proof of Denial letter)

Reason: _____

Catholic Charities Disaster Assistance: _____ DRC#_____

Amount received: $_____

Proof of CC assistance: Letter: ____Yes or ____No (proof of Denial letter)

Reason: _____

Other sources and amounts: _____

Other sources and amounts: _____

Other sources and amounts: _____

Please include the address of the property you are interested in purchasing. If you do not have an address in mind at this time, leave this field blank:

_____

XII. APPLICANT CERTIFICATION:

I/We understand the information provided within 30 days of the application received date is collected to determine if I/we are eligible to receive assistance.

I/We hereby certify that all the information provided herein is true and correct.

I/We authorize the above-referenced Program Administrator and any of its duly authorized representatives to verify all information provided on this application.

By signing this application, the applicant authorizes the state and or any of its duly authorized representatives to verify the information contained herein. Title 18, Section 1001 of the U.S. Code states that a person is guilty of felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government.

I/We certify that the information given to the Joplin Homebuyer's Assistance Program (J-HAP) is accurate and complete to the best of my knowledge and belief. I/We understand that false statements of information are punishable under Federal Law. I/We also understand that false statements or information are grounds for denial of Community Development Block Grant Funds (CDBG).

_____ _____
Head of Household Signature Date

_____ _____
Co-Head or Spouse Signature Date

Applicant: Please return this application and provide the requested documentation to this address:

Joplin Homebuyer's Assistance Program
602 South Main Street
Joplin, MO 64801
(417) 850-2249
jhap@joplinmo.org

JOPLIN HOMEBUYER'S ASSISTANCE PROGRAM
602 SOUTH MAIN STREET
JOPLIN, MO 64801
(417) 850-2249
jhap@joplinmo.org

INFORMATION RELEASE AUTHORIZATION

I, _____, hereby authorize the Joplin Homebuyer's Assistance Program to release information contained in my record to the individuals or organizations listed below and only under the conditions listed below:

(1) Name of person(s) or organization(s) to whom disclosure is to be made: JHAP, Bank, (Name: _____), City of Joplin, Deloitte, Child Support Division, Employer (Name: _____), Consumer Credit Counseling Service, Educational Institution: (Name: _____)Joplin Regional Center, Prospective Lending Institution, Past Landlords, utility company (electric, gas, water, sewer and propane)
FAMILY MEMBER(S) _____

(2) Specific type of information to be disclosed: Household income, Household Composition, Asset statements, Student loans, Dependent income, Employment wages, Current Landlord's Address and Phone Number, verify that utilities services are on at the tenant's housing unit address.

(3) The purpose and need for such disclosure: Determining eligibility for participation in this program HUD – CDBG - JHAP,

(4) This authorization expires _____, 20__, (date, condition, or event) and, in any event it expires 1 year after it is signed.

(5) This consent is subject to revocation at any time by me in writing, except to the extent that action has already been taken.

Client's Signature: _____

Date Signed: _____

Witnessed by: _____

Date Witnessed: _____

Privacy Act Notice Statement: This program requires the collection of the information listed in this form to determine an applicant's Program eligibility. This information will be used to establish the level of benefits for which the applicant is eligible and to verify the accuracy of the information furnished. Information received from an applicant or as a result of verifying an applicant's edibility may be released to appropriate Federal, State and local agencies or when relevant to civil, criminal or regulatory investigators and to prosecutors. Failure to provide any information may result in delay or rejection of your eligibility approval. The Program Administrator is authorized to ask for this information under the National Affordable Housing Act of 1990.

Each adult member of the household must sign this Release of Information prior to receipt of benefits to establish continued eligibility.

PERSONAL INFORMATION REQUIRED FOR J-HAP APPLICATION

[If you do not personally have the following information, other possible Source(s) have been provided, you may also secure this information from other parties, given your specific situation.]

1. Copies of State or Government issued picture ID for anyone over the age of 18 years. *[Source: Missouri Department of Revenue, other appropriate state agency]*

2. Copies of Social Security Cards of everyone who will be living in the household. *[Source: Social Security Administration office]*

3. Copies of W-2's for the past 3 years for everyone who **is or will be** living in the household. *[Source: Employer or Tax preparer]*

4. A copy of the past 3 year's income tax return. *[Source: Tax Preparer, IRS and/or State agency]*

5. Copies of the last 90 days of payroll stubs (check stubs) – must be dated consecutively, for everyone who has been working in the past 90 days. *[Source: Employer]*

6. A copy of all Social Security Administration award letter benefits received by this household (if any) *[Source: Social Security Administration]*

7. Copies of Unemployment compensation for the last 12 months (if any) *[Source: State agency]*

8. A copy of public assistance cash benefits received (TANF, etc.) *[Source: State agency]*

9. Copies of any other income received by this household (examples: stocks, bonds, cash gifts, pensions, annuities, life insurance, etc.) *[Source: Tax Returns – see #4]*

10. Copies of the household's checking account(s) statements for the last six (6) months. Must include full account number on statements. *[Source: Financial Institution]*

11. Copies of the household's saving account(s) passbook for the current month for anyone in the household who has a savings account. Must include full account number on statements. *[Source: Financial Institution]*

12. Any asset information, including Life Insurance policies. *[Source: Investment Advisor, Life Insurance Agent/Company, etc.]*

13. Copies of Birth Certificates for everyone under the age of 18.
[Source: County Health Department]

14. FEMA Award/Denial Letter (if applicable)
[Source: FEMA]

15. Small Business Administration (SBA) Award/Denial Letter (if applicable)
[Source: SBA]

16. Child Support verification for the past 12 months
[Source: Cancelled Checks, Financial Institution, Court Records]

17. Divorce decree (if applicable to support income received or child support to pay out)
[Source: Divorce Attorney]

18. Proof of Property if applicant(s) own a home;
a. Deed of Trust/Warranty Deed,
b. Current mortgage statement or proof of mortgage pay-off
c. most recent Paid Property Tax receipt.
d. (If applicant(s) own a rental home, a copy of the signed lease must be provided along with the above information.)
[Source: County Assessor's Office, Mortgage Company or Lender, County courthouse]

19. Completed and Signed 'Release of Information' forms (a copy for each adult in household over 18 years of age)
[Source: J-HAP Program Office]

CITY OF JOPLIN

(Please Keep)

APPLICANT ELIGIBILITY CRITERIA

JOPLIN HOMEBUYER ASSISTANCE (J-HAP)

HELPING BUILD NEW HOMES FOR THE CITY OF JOPLIN

JOPLIN, MISSOURI

EQUAL HOUSING OPPORTUNITY

This applicant selection criteria shall be used for the City of Joplin's Homebuyer Assistance Program (JHAP) and is compliant with equal opportunity and non-discrimination policy, in accordance with all Civil Rights legislation (1964, 1968, 1988) Section 504 of the Rehabilitation Act of 1973 (if applicable) and Affirmative Fair Housing Marketing requirements as set forth for this program. No applicant would be denied on the basis of race, color, religion, sex, familial status, handicap status or national origin. Applicants must meet all JHAP applicant eligibility for selection requirements to gain access to the JHAP.

1. PROGRAM DESCRIPTION

The City of Joplin's primary objective is using part of its Community Development Block Grant (CDBG) – Disaster Recovery (DR) allocation for homeownership programs are to repopulate the tornado – affected area, increase the number of affordable housing and to increase the opportunities for homeownership for low and moderate income (LMI) families. The total assistance cannot be less than $1,000 or greater than $30,000 for homebuyers. The subsidy may be used to fund:

a. 100% of the primary lender required down payment costs, and/or
b. 100% of the reasonable and closing costs.

A special exception to this rule shall be made for Low-Moderate Income Families (families whose income is less than 80% AMI) who seek to contract to build a new home on a vacant parcel or purchase an existing property that meet one of the following two criteria:

1. Construction of the home began after May 22, 2011 OR
2. The home has never been occupied.

The exception allows for down payment assistance up to 30% of the purchase price plus reasonable closing costs, not to exceed $35,000.

An additional $5,000 subsidy is available to program participants who purchase a qualified Energy Star Home. Refer to Section 10, Chapter 1 for additional information.

In any case, the most a family may qualify for is down payment assistance up to 30% of the purchase price plus price reasonable closing costs and an additional $5,000 subsidy for a total not to exceed $40,000.

2. APPLICATION

All persons interested in the JHAP provided and managed by the City of Joplin may request an application either in person (or through a designated individual) at the Program Office during posted office hours; or may request an application to be mailed by calling (417) 850-2249. Requests for an application can be made via email, jhap@joplinmo.org. TDD telecommunication is available by calling the TDD Missouri Relay number, 1-800-735-2966.

An application must be completed in full by the applicant and submitted either in person to the Program Office or via mail. The application provided must be used as it contains a request for all information necessary for determining initial eligibility. Applicants may request assistance in completing the application if necessary. It is the policy of the City of Joplin and the Program Office to assist wherever possible, especially in the reasonable accommodation request by persons with disabilities. All applicants whose application is not completed will be contacted within 30 calendar days of receipt, with a list of items necessary to complete the application. If all necessary documents are not received within the 30 days, the applicant may have to re-apply or refresh their application. While the City of Joplin and the Program Office will track all applications and requests for additional information, no eligibility can be determined until all documentation is received. When a completed application is received or the requested information received subsequently to make it complete, the application will then be logged by date and time received.

The application contains a release form, which must be signed to authorize the Program Office, on behalf of the City of Joplin, to verify all items inclusive of credit history and other references.

All applicants who submit a complete application (or when an application becomes complete) will be notified of eligibility status of subsequent applicant selection or rejection. Any applicant who exceeds specified income limits for eligibility based upon application information, or if ineligible during later processing, would be notified that they are ineligible.

2. ELIGIBLE PROPERTIES

All properties must be contained within the City Limits of Joplin and within the boundaries of the Tornado Path that are generally described as the area between Black Cat Road and Davis Boulevard and between 13th Street/Junge Boulevard and 32nd Street. A detailed map of this area can be seen in the attached map.

Assistance will only be made available to existing single-family units or single-family units that are already under construction and will later be opened to homes that have not yet been constructed. Forms of sale known as “life estates” or “contracts for deed” or “contracts for sale” are not a HUD approved form of ownership.

3. SELECTION

Applications will be evaluated on a first come first serve basis. A waiting list will be created, and prioritized in order of the qualified applications received.

4. REJECTION

As previously stated, any application which is incomplete will not be processed. An applicant who refuses to sign releases to allow verification of eligibility, references, etc. will be rejected. Applicants who do not meet income limits will be rejected. Applicants found to have provided false answers on the application or to the interview will be rejected. Rejection may also occur should there be a chronic history of late payment or non-payment of rent, history of eviction, non-payment of other financial obligations, intentional damage, violation of the terms of current or previous lease agreements inclusive of failure to maintain a unit in sanitary condition, current use of illegal drugs or a conviction for drug manufacture, sale or distribution or anyone who would pose a direct threat to the health and safety of others or property. Applicants would never be rejected arbitrarily such as on the basis of race, color, religion, sex, handicapped status, age, familial status or national origin. All applicants and/or co-applicants must be of legal age or legally emancipated by state law.

NOTE

The City of Joplin, and the Program Office on its behalf, will make the *"Applicant Selection Criteria"* available to any prospective applicant upon request and will post it in at City Hall and at the Program Office easily visible to the public.

6. AREA MEDIAN INCOME LIMITS (AS OF 3/28/16)

Household Size	1 Person	2 Person	3 Person	*4 Person*	5 Person	6 Person	7 Person	8 Person
Annual Income (80%)	$28,950	$33,100	$37,250	$41,350	$44,700	$48,000	$51,300	$54,600
Annual Income (120%)	$43,450	$49,650	$55,850	$62,050	$67,000	$72,000	$76,950	$81,900

NOTE

The income limits are established by HUD, and subject to change without notice. The most current/accurate income guidelines can be obtained by contacting the JHAP office.

7. AFFORDABILITY PERIOD

The City of Joplin requires that housing assisted through this program remain affordable to a reasonable range of low-income homebuyers for a period of time based on the amount of CDBG-DR funds invested. The period of affordability will be determined based on the following table. If the homebuyer violates any of the terms during this period, funds will be recaptured.

Homeownership Assistance Amount	Affordability Period
<$15,000	5 years
$15,000 - $40,000	10 years

8. Draft Map of Eligible Area:

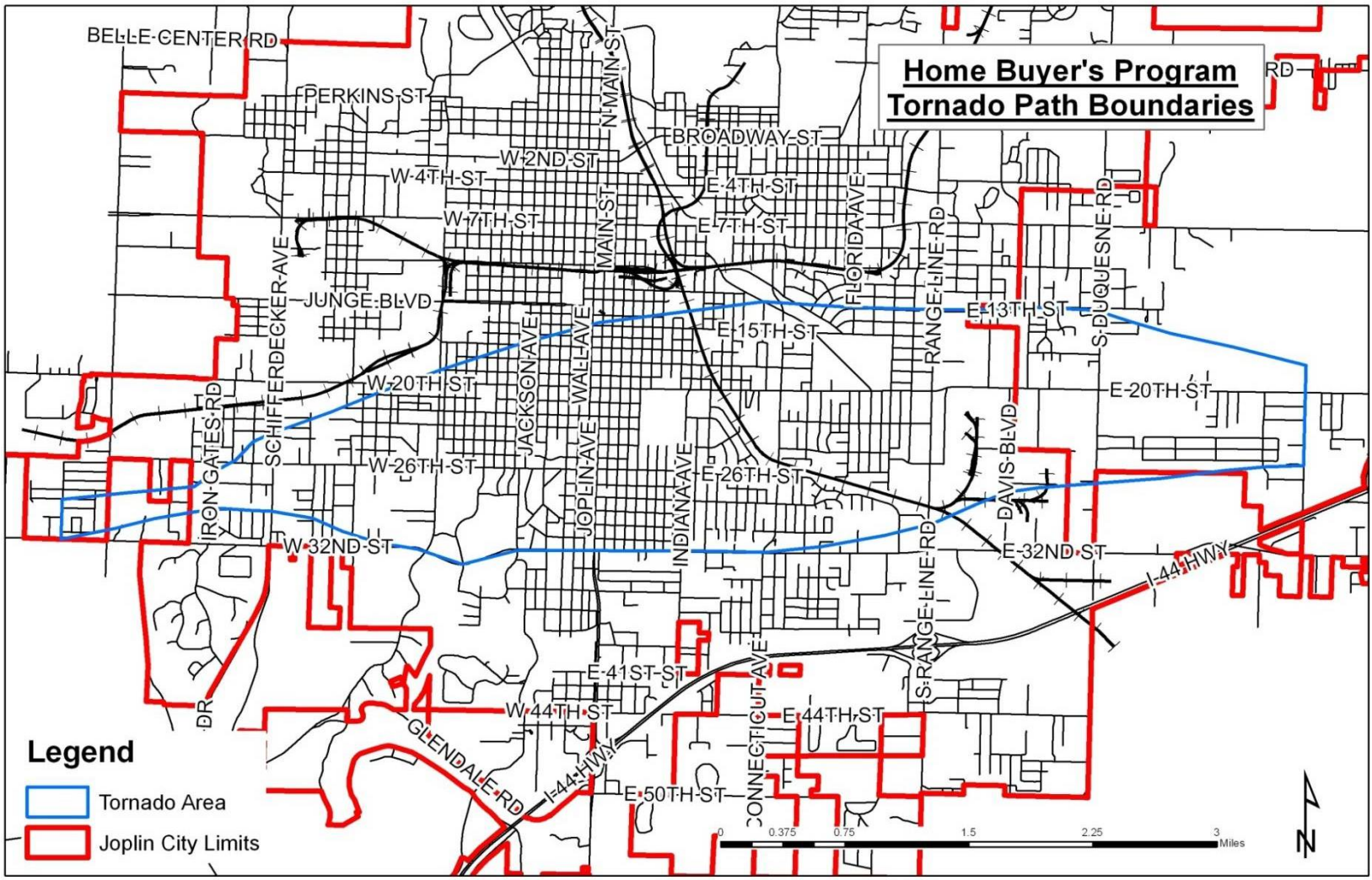
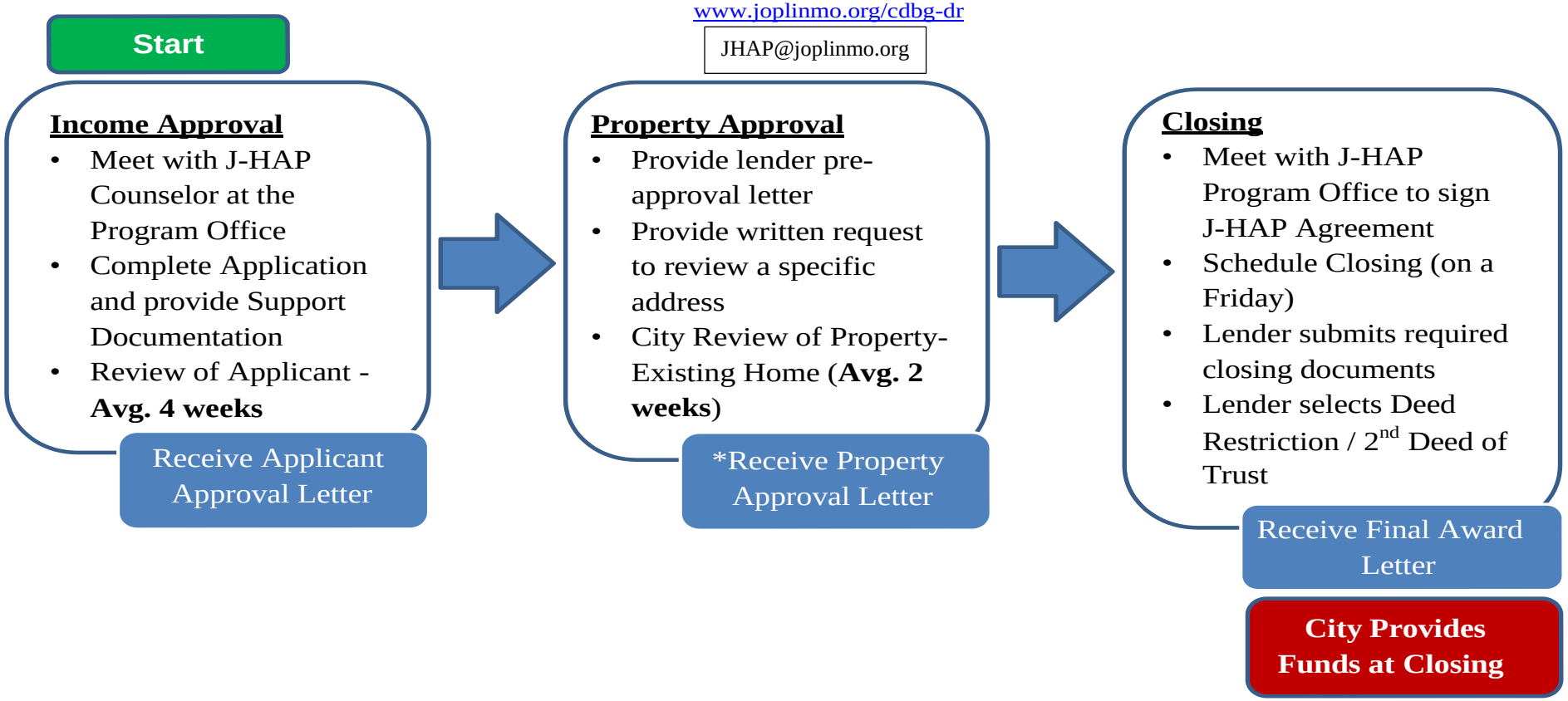


Exhibit B.6 Applicant Workflows

J-HAP Applicant Flowchart – Existing Homes

J-HAP Program Office
(417) 850-2249
602 South Main Street Joplin, MO 64801
www.joplinmo.org/cdbg-dr
JHAP@joplinmo.org



* Existing homes, at a minimum, must have a permanent foundation in place at the time the sales contract is signed. The contract also must also be dated after May 6, 2013

J-HAP Applicant Flowchart – New Construction

J-HAP Program Office
(417) 850-2249
[redacted]
602 South Main Street Joplin, MO 64801
www.joplinmo.org/cdbg-dr
JHAP@joplinmo.org

Start

Income Approval

- Meet with J-HAP Counselor at the Program Office
- Complete Application and provide Support Documentation
- Review of Applicant - **Avg. 4 weeks**

Receive Applicant Approval Letter

Property Approval

- Provide lender pre-approval letter
- Provide written request to review a specific address
- City Review of Property-New Construction (**Avg. 45 days**)

*Receive Property Approval Letter

Closing

- Meet with J-HAP Program Office to sign J-HAP Agreement
- Sign Contract for Property (Vacant lot only)
- Schedule Radom Inspection with City's Planning & Community Development Department
- Schedule Closing (on a Friday)
- Lender submits required closing documents
- Lender selects Deed Restriction / 2nd Deed of Trust

Receive Final Award Letter

City Provides Funds at Closing

* If the applicant wishes to purchase a vacant property, a specific HUD Option Contract will be available from either your realtor or the City of Joplin. This is the only means to secure a vacant property for new construction prior to the City completing its environmental review.

Exhibit B.7 J-HAP Closing Guidance

CITY OF JOPLIN HOMEBUYER ASSISTANCE PROGRAM (J-HAP)

Closing Guidance (Updated 10/16/2014)

J-HAP Applicants must take the following steps during the closing process:

1. **Scheduling a Closing Date**
   Applicants are urged to schedule their closing on a Friday. The City of Joplin can only issue the assistance checks on Fridays. Scheduling the closing on a Friday will allow the shortest turn around for applicants to receive their J-HAP assistance checks.

2. **Submit Required Documents**
   The following documents must be submitted to the City nine (9) days before closing. Example: For a closing on Friday, May 23rd all closing documents must be submitted to the City by Wednesday May 14th

- *Radon Testing Results (Testing is only applicable to new construction and should be coordinated with City as soon as construction is completed)*
- Seller and Buyer's Occupancy Certification
- Appraisal and Copy of the Sales Contract
- Final Settlement Statement (Adjustment increases will not be considered in the final award; Reductions in the final settlement statement must be repaid to the city)
- Lender selection of Second Mortgage or Deed Restriction to be recorded at sale. Deed Restriction/Second Mortgage template will be provided by the City upon request.

3. **Next Steps**

- The City will calculate the assistance amount based on the final settlement statement
- The City will process the check request for the award and send a final letter indicating the assistance amount to the applicant, lender and title company

4. **Closing (Friday)**

- Applicant or a representative should arrange to pick up the check from the City after 9:00 AM on Friday
- Second Mortgage or Deed Restriction must be signed at closing and recorded with closing documents
- Notice for Request of Foreclosure must be signed at closing and recorded
- Copies of all closing documents must be provided to the City of Joplin on the day of closing
- Fully recorded copies will also need to be provided once recording occurs

Closing Document Checklist:

Name of Recipient: Address of Recipient:	
Applicant/Lender Documents Required the nine (9) days Before Closing:	
☐ Signed J-HAP Agreement	☐ Seller and Buyer's Occupancy Certification
☐ Radon Testing (Only New Construction)	☐ Copy of the Sales Contract
☐ Appraisal	☐ Final Settlement Statement
☐ Deed Restriction/2nd Deed of Trust	☐ Request for Notice of Foreclosure
City Tasks Before Closing:	
☐ Process Deed Restriction/2nd Deed of Trust*	☐ Send Final Assistance Award letter*
☐ Process Request for Notice of Foreclosure*	☐ Process Check Request*
Applicant/Lender Documents Required at or After Closing:	
☐ Copy of Check/Check Request*	☐ Copies of All Closing Documents
☐ Signed Request for Notice of Foreclosure	☐ Fully Recorded Copies
☐ Signed Deed Restriction/Second Mortgage	☐ Insurance
☐ Second Property Affidavit	

*City Task

APPENDIX - C - INCOME CALCULATION

Exhibit C.1 Annual Income Inclusions

24 CFR 5.609

(a) *Annual income means all amounts, monetary or not, which:*

(1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or

(2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

(3) Which are not specifically excluded in paragraph (c) of this section.

(4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

(b) *Annual income includes, but is not limited to:*

(1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;

(2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;

(3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of $5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;

(4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);

(5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);

(6) Welfare assistance payments.

(i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:

(A) Qualify as assistance under the TANF program definition at 45 CFR 260.31[1]; and

(B) Are not otherwise excluded under paragraph (c) of this section.

(ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

(A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

(B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section)

(9) For section 8 programs only and as provided in 24 CFR 5.612, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, “financial assistance” does not include loan proceeds for the purpose of determining income.

HHS DEFINITION OF "ASSISTANCE"

45 CFR: GENERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

260.31 What does the term “assistance” mean?

(a)(1) The term “assistance” includes cash, payments, vouchers, and other forms of benefits designed to meet a family’s ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).

(2) It includes such benefits even when they are:

(i) Provided in the form of payments by a TANF agency, or other agency on its behalf, to individual recipients; and

(ii) Conditioned on participation in work experience or community service (or any other work activity under 261.30 of this chapter).

[1] Text of 45 CFR 260.31 follows.

(3) Except where excluded under paragraph (b) of this section, it also includes supportive services such as transportation and child care provided to families who are not employed.

(b) [The definition of "assistance"] excludes:
(1) Nonrecurrent, short-term benefits that:

(i) Are designed to deal with a specific crisis situation or episode of need;

(ii) Are not intended to meet recurrent or ongoing needs; and

(iii) Will not extend beyond four months.

(2) Work subsidies (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training);

(3) Supportive services such as child care and transportation provided to families who are employed;

(4) Refundable earned income tax credits;

(5) Contributions to, and distributions from, Individual Development Accounts;

(6) Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support; and

(7) Transportation benefits provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of [the Social Security] Act, to an individual who is not otherwise receiving assistance.

PAYMENTS IN LIEU OF EARNINGS

Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay, are counted as income [24 CFR 5.609(b)(5)] if they are received either in the form of periodic payments or in the form of a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment. If they are received in a one-time lump sum (as a settlement, for instance), they are treated as lump-sum receipts [24 CFR 5.609(c)(3)]. (See also the discussion of periodic payments in section 5-I.H and the discussion of lump-sum receipts in section 5-I.G.)

Exhibit C.2 Annual Income Exclusions

24 CFR 5.609

(c) *Annual income does not include the following:*

(1) Income from employment of children (including foster children) under the age of 18 years;

(2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);

(3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);

(4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

(5) Income of a live-in aide, as defined in Sec. 5.403;

(6) Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;

(7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

(8) (i) Amounts received under training programs funded by HUD;

(ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

(iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

(iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed $200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;

(v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;

(9) Temporary, nonrecurring or sporadic income (including gifts);

(10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

(11) Earnings in excess of $480 for each full-time student 18 years old or older (excluding the head of household and spouse);

(12) Adoption assistance payments in excess of $480 per adopted child;

(13) [Reserved]

(14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.

(15) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;

(16) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

(17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. [See Section 6-I.M. for a list of benefits that qualify for this exclusion.]

Exhibit C.3 Treatment of Family Assets

24 CFR 5.603(b) Net Family Assets

(1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

(2) In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income under Sec. 5.609.

(3) In determining net family assets, PHAs or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

(4) For purposes of determining annual income under Sec. 5.609, the term "net family assets" does not include the value of a home currently being purchased with assistance under part 982, subpart M of this title. This exclusion is limited to the first 10 years after the purchase date of the home.

Exhibit C.4 Other Types of Income not included in Earned Income

Children's Earnings

Employment income earned by children (including foster children) under the age of 18 years is not included in annual income [24 CFR 5.609(c)(1)]. (See Eligibility chapter for a definition of *foster children*.)

Certain Earned Income of Full-Time Students

Earnings in excess of $480 for each full-time student 18 years old or older (except for the head, spouse, or cohead) are not counted [24 CFR 5.609(c)(11)]. To be considered "full-time," a student must be considered "full-time" by an educational institution with a degree or certificate program.

Income of a Live-in Aide

INCOME EARNED BY A LIVE-IN AIDE, AS DEFINED IN [24 CFR 5.403], IS NOT INCLUDED IN ANNUAL INCOME [24 CFR 5.609(C)(5)]. (SEE ELIGIBILITY CHAPTER FOR A FULL DISCUSSION OF LIVE-IN AIDES.)

Periodic Payments Excluded from Annual Income

- Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the assisted family, who are unable to live alone) [24 CFR 5.609(c)(2)]. Kinship guardianship assistance payments (Kin-GAP) and other similar guardianship payments are treated the same as foster care payments and are likewise excluded from annual income [Notice PIH 2012-1].
- Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home [24 CFR 5.609(c)(16)].
- Amounts received under the Low-Income Home Energy Assistance Program (42 U.S.C. 1626(c)) [24 CFR 5.609(c)(17)].
- Amounts received under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q) [24 CFR 5.609(c)(17)].
- Earned Income Tax Credit (EITC) refund payments (26 U.S.C. 32(j)) [24 CFR 5.609(c)(17)]. *Note:* EITC may be paid periodically if the family elects to receive the amount due as part of payroll payments from an employer.
- Lump-sums received as a result of delays in processing Social Security and SSI payments (see section 6-I.J.) [24 CFR 5.609(b)(4)].
- Lump-sums or prospective monthly amounts received as deferred disability benefits from the Department of Veterans Affairs (VA) [FR Notice 11/24/08].

Income Earned under Certain Federal Programs

Income from some federal programs is specifically excluded from consideration as income [24 CFR 5.609(c)(17)], including:

- Payments to volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
- Awards under the federal work-study program (20 U.S.C. 1087 uu)
- Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
- Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
- Allowances, earnings, and payments to participants in programs funded under the Workforce Investment Act of 1998 (29 U.S.C. 2931)

Resident Service Stipend

Amounts received under a resident service stipend are not included in annual income. A resident service stipend is a modest amount (not to exceed $200 per individual per month) received by a resident for performing a service for the local Public Housing Authority (PHA) or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time [24 CFR 5.600(c)(8)(iv)].

State and Local Employment Training Programs

Incremental earnings and benefits to any family member resulting from participation in qualifying state or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff are excluded from annual income. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the training program [24 CFR 5.609(c)(8)(v)].

The CITY defines *training program* as "a learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period to time. It is designed to lead to a higher level of proficiency, and it enhances the individual's ability to obtain employment. It may have performance standards to measure proficiency. Training may include, but is not limited to: (1) classroom training in a specific occupational skill, (2) on-the-job training with wages subsidized by the program, or (3) basic education" [expired Notice PIH 98-2, p. 3].

The City defines *incremental earnings and benefits* as the difference between: (1) the total amount of welfare assistance and earnings of a family member prior to enrollment in a training program, and (2) the total amount of welfare assistance and earnings of the family member after enrollment in the program [expired Notice PIH 98-2, pp. 3–4]. In calculating the incremental difference, the City will use as the pre-enrollment income the total annualized amount of the family member's welfare assistance and earnings reported on the family's most recently completed HUD-50058.

HUD–Funded Training Programs

Amounts received under training programs funded in whole or in part by HUD [24 CFR 5.609(c)(8)(i)] are excluded from annual income. Eligible sources of funding for the training include operating subsidy, Section

8 administrative fees, and modernization, Community Development Block Grant (CDBG), HOME program, and other grant funds received from HUD.

Earned Income Tax Credit

Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)), are excluded from annual income [24 CFR 5.609(c)(17)].

Miscellaneous Exclusions

Other exclusions contained in 24 CFR 5.609(c) and updated by FR Notice 12/14/12 that have not been discussed earlier in this chapter include the following:

- Reimbursement of medical expenses [24 CFR 5.609(c)(4)]
- Amounts received by participants in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred and which are made solely to allow participation in a specific program [24 CFR 5.609(c)(8)(iii)]
- Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS) [(24 CFR 5.609(c)(8)(ii)]
- Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era [24 CFR 5.609(c)(10)]
- Adoption assistance payments in excess of $480 per adopted child [24 CFR 5.609(c)(12)]
- Refunds or rebates on property taxes paid on the dwelling unit [24 CFR 5.609(c)(15)]
- Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home [24 CFR 5.609(c)(16)]
- Amounts specifically excluded by any other federal statute [24 CFR 5.609(c)(17), FR Notice 12/14/12]. HUD publishes an updated list of these exclusions periodically. It includes:
  a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b))
  b) Benefits under Section 1780 of the School Lunch Act and Child Nutrition Act of 1966, including WIC
  c) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
  d) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c))
  e) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e)
  f) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f))
  g) Payments received under programs funded in whole or in part under the Workforce Investment Act of 1998 (29 U.S.C. 2931)
  h) Deferred disability benefits from the Department of Veterans Affairs, whether received as a lump sum or in monthly prospective amounts

i) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04)
j) Payments, funds, or distributions authorized, established, or directed by the Seneca Nation Settlement Act of 1990 (25 U.S.C. 1774f(b))
k) A lump sum or periodic payment received by an individual Indian pursuant to the Class Action Settlement Agreement in the United States District Court case entitled *Elouise Cobell et al.* v. *Ken Salazar et al*
l) The first $2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first $2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408)
m) Benefits under the Indian Veterans Housing Opportunity Act of 2010 (only applies to Native American housing programs)
n) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
o) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent*-product liability litigation, M.D.L. No. 381 (E.D.N.Y.)
p) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721)
q) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q)
r) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j))
s) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433)
t) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
u) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965j, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu). For Section 8 programs, the exception found in § 237 of Public Law 109–249 applies and requires that the amount of financial assistance in excess of tuition and mandatory fees shall be considered income in accordance with the provisions codified at 24 CFR 5.609(b)(9), except for those persons with disabilities as defined by 42 U.S.C. 1437a(b)(3)(E) (Pub. L. 109–249)
v) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602)

Exhibit C.5 Income Approval Letter

Planning & Community Development
602 S. Main Street
Joplin, Missouri 64801
(417)624-0820
Fax (417)625-4738

25 May 2016

Applicant Name
Applicant Address

Dear Applicant Name:

The J-HAP Program Office has determined based on information provided that you are eligible for the City of Joplin's Homebuyer Assistance Program (JHAP). This letter is to serve as approval of your personal application as a **Low to Moderate applicant**; however, a copy of your lender's commitment letter is needed in order to proceed with the environmental review process.

Upon receipt of the initial determination of the applicant's eligibility, you must provide the JHAP office, within 90 calendar days, an acceptable lender prequalification letter, demonstrating that you have financial resources to close on a JHAP eligible property. This letter does not have to be address specific. If the prequalification letter is not presented within 90 days approval your eligibility will be withdrawn.

Upon receipt of the lender prequalification letter, as described above, you must close on a JHAP qualified property within 9 months. If you fail to close on a JHAP property within this time period, your eligibility for assistance expires.

Please contact the Program Office to complete an Environmental Review Request form and to submit your lender's commitment letter.

If you have any questions, please contact the program office at (417) 850-2249 or jhap@joplinmo.com.

Sincerely,

Larry R. Eller

Larry R. Eller
CDBG Program Manager

APPENDIX - D - DUPLICATION OF BENEFITS

Joplin – Homebuyers Assistance Program

Policy – Duplication of Benefits

August 1, 2014

Exhibit D.1 Regulatory Authority

The Stafford Act, the Code of Federal Regulations Title 44, Emergency Management and Assistance (44 CFR), and HUD's clarification for duplication of benefits under the Stafford Act for CDBG-DR provide authority and general guidelines for a grantee (i.e., the City of Joplin) or subgrantee (i.e., a J-HAP Applicant) regarding duplication of benefits.

Duplication of Benefits

Robert T. Stafford Act Sec. 312. Duplication of Benefits (42 U.S.C. 5155)

(a) General prohibition - The President, in consultation with the head of each Federal agency administering any program providing financial assistance to persons, business concerns, or other entities suffering losses as a result of a major disaster or emergency, shall assure that no such person, business concern, or other entity will receive such assistance with respect to any part of such loss as to which he has received financial assistance under any other program or from insurance or any other source.

(b) Special rules -

(1) Limitation - This section shall not prohibit the provision of Federal assistance to a person who is or may be entitled to receive benefits for the same purposes from another source if such person has not received such other benefits by the time of application for Federal assistance and if such person agrees to repay all duplicative assistance to the agency providing the Federal assistance.

(2) Procedures - The President shall establish such procedures as the President considers necessary to ensure uniformity in preventing duplication of benefits.

(3) Effect of partial benefits - Receipt of partial benefits for a major disaster or emergency shall not preclude provision of additional Federal assistance for any part of a loss or need for which benefits have not been provided.

(c) Recovery of duplicative benefits - A person receiving Federal assistance for a major disaster or emergency shall be liable to the United States to the extent that such assistance duplicates benefits available to the person for the same purpose.

(d) Assistance not income - Federal major disaster and emergency assistance provided to individuals and families under this Act, and comparable disaster assistance provided by States, local governments, and disaster assistance organizations, shall not be considered as income or a resource when determining eligibility for or benefit levels under federally funded income assistance or resource-tested benefit programs.

Exhibit D.2 Overview, Purpose, & Scope

Overview

The J-HAP Program and the 44 CFR have key requirements for verifying there is no duplication of benefits. This entails obtaining various documents from Applicants and reconciling that documentation for potential duplication of benefits. This includes reviewing actual and anticipated insurance and other proceeds.

Purpose

This document outlines the procedures to follow to minimize the risk of duplicating benefits to J-HAP Applicants, the types of previous benefits received to be evaluated, and the circumstances that trigger a duplication of benefit evaluation.

Scope

This policies and procedures document applies to all Applicants/co-Applicants to the J-HAP program.

Exhibit D.3 Policy

All Persons applying (both Applicants and Co-Applicants) for CDBG-DR funding through the J-HAP program are required to disclose all sources of financial or housing assistance received (local, state, federal, and private sources) as a result of housing damage (i.e. structural damage, any related down payment assistance, and any related housing construction, repair or rehabilitation, or emergency assistance) caused by the May 2011 Tornado. The J-HAP program office is required to verify applicable amounts received by Applicants/Co-Applicants.

Types of Previous Benefits Received to be Evaluated

1. FEMA Structural Repair Grants
2. Small Business Administration (SBA) Disaster Recovery Loans (real property structural damage only)
3. Homeowners Insurance (real property structural damage payments only)
4. National Flood Insurance Program (NFIP) (real property structural damage payments only)
5. State Wind Pool Insurance (real property structural damage payments only)

Circumstances Requiring Duplication of Benefits Evaluation

Applicants deemed eligible for New Construction, Rehabilitation/Reconstruction and Homebuyer Assistance will be required to have a DoB evaluation.

Each applicant to the J-HAP program will be required to sign a disclosure form allowing the J-HAP program office to conduct a review using the applicant's name; SSN, address at time of the May 2011 Tornado; FEMA and SBA numbers to verify if an applicant has received any homeowner assistance grants; or insurance funds following the Tornado and up to the date of application.

Grant Calculation Procedure

The determined amount for New Construction, Homebuyer Assistance and Rehabilitation/Reconstruction J-HAP grants must be reduced by the amount of funding previously received.

This calculation is made by performing the following:

1. Conduct the Applicant "Needs Assessment";
2. Identify sources of all benefits previously paid, including but not limited to:

    a. Homeowners Insurance Proceeds
    b. FEMA proceeds
    c. SBA proceeds
    d. NFIP proceeds
    e. Windpool proceeds

3. Reduce the amount of the Needs Assessment by, if any, of these sources paid to the applicant;
4. The J-HAP program has a CAP of $30,000; if the net Needs Assessment is greater than $30,000, the net benefit is $30,000;
5. If the net Needs Assessment is less than $30,000, the lesser amount becomes the benefit amount.

(*See examples in Tables I & II provided below*)

Table I – Example 1 of DoB Calculation

BASIC FRAMEWORK FOR CALCULATING DISASTER RECOVERY AWARDS

1.	Identify Applicants Need, prior to any Assistance	$ 100,000
2.	Identify all Potentially duplicative assistance	
a.	Insurance Proceeds	25,000
b.	FEMA	0
c.	SBA Loan	0
d.	NFIP	0
e.	Windpool	15,000
f.	Other	0
g.	J-HAP	0
3.	Deduct Assistance determined to be duplicative	40,000
4.	Maximum eligible award (item 1 less item 3)	60,000
5.	J-HAP Cap	30,000
6.	Final Award (lesser of Items 4 and 5)	**$ 30,000**

Table II – Example 2 of DoB Calculation

BASIC FRAMEWORK—HOMEOWNER REHABILITATION		
1. Identify Applicants Need, prior to any Assistance (rehab cost estimate)	$ 60,000	
2. Identify all Potentially duplicative assistance :		
a. FEMA Housing Grant (assumes interim housing is eligible use)		
Interim Housing (e.g., rent)		5,000
Permanent Housing (repair/rehabilitation)		15,000
b. SBA Loan		20,000
c. Insurance (Structure, not Contents)		15,000
3. Deduct Assistance determined to be duplicative:		
a. FEMA Housing Grant (assumes interim housing is eligible use)		
Permanent Housing (repair/rehabilitation)	(15,000)	
b. SBA Loan	(20,000)	
c. Insurance (Structure, not Contents)	(15,000)	
4. Maximum eligible award (item 1 less item 3)	10,000	
5. J-HAP Cap	30,000	
6. Final Award (lesser of Items 4 and 5)	**$ 10,000**	

Exceptions to Duplication of Benefits

Extenuating circumstances that are recognized under the Stafford Act (42 U.S.C. §5155) as exceptions to the prohibition of duplication of disaster-related assistance benefits are (1) that some or all of the FEMA/SBA/insurance proceeds have been repaid; (2) that the applicant's/co-applicant's current unmet needs or; (3) the amount of the applicant's/co-applicant's loss is greater than the total of FEMA, SBA, and all insurance proceeds already received.

Extenuating circumstances will be considered during the appeals process.

Appeals Process

Any applicant may appeal any grant/loan eligibility decision to the City. This includes the denial of benefits or the determination of the amount of funding.

Appeals must be submitted in writing 60 (sixty) days of the applicant's receipt of the City's decision. The appeals must explain the specific disagreement with the decision and should include any and all documentation supporting the applicant's position. There is no specific format for appeals, but the appeal must include at a minimum the following:

1. The applicant's name and current mailing address
2. The applicant's social security number
3. The specific disagreement with the decision
4. Any and all documentation supporting the applicant's position.

APPENDIX - E - PROPERTY REVIEW

Exhibit E.1 J-HAP Environmental Request Form

City of Joplin Homebuyer Assistance Program (JHAP)

ENVIRONMENTAL REVIEW REQUEST FORM

1) What is the property address for which you are requesting an environmental review?

_____

2) What is the status of the property at this time?

☐Vacant Lot ☐Home Under Construction ☐Existing Home

3) Was the house built prior to 1978?

☐Yes ☐No Year Built: _____

4) If applying for assistance on a currently vacant lot, have you identified a builder for the home?
   a. If so, please provide the builder information requested below:
      i. Builder's Name:_____
      ii. Primary Contact:_____
      iii. Builder's Phone Number:_____
      iv. Builder's Email Address:_____

5) If applying for assistance on a vacant lot, have you signed a construction contract?
   a. If yes, please provide a copy of the contract for review by the Program Office

_____ _____ _____

Applicant Printed Name Applicant Signature Date

_____ _____

Staff Review Signature Date

City Contact: _____

File Number: DR-2012-3-A (_____)

Exhibit E.2 Environmental Review Details

Responsibility for the Environmental Review:

The City will depend upon the GRANTEE-ADMINISTRATOR (Deloitte Financial Advisory Services LLP) to gather the necessary information and publish the required notices. Only the City can certify that the environmental review requirements have been satisfied and will be responsible for requesting a release of funds from HUD for each project. The responsibility for the review lies completely with the City OF JOPLIN.

The environmental review record will be prepared by the GRANTEE-ADMINISTRATOR and will be submitted to systematically record information about the Site Specific Review. The information gathered by the GRANTEE-ADMINISTRATOR will assist the City in determining the project site is in compliance with HUD environmental review regulations (24CFR Part 58) and related laws, authorities and requirements.

The Environmental Review Report must be complete and thorough and will be subject to audit from the City. Falsified or incorrect reports can result in repayment of CDBG-DR funds.

The GRANTEE-ADMINISTRATOR should be aware of environmental requirements that may affect the projects. These include but are not limited to:

- Contamination and Toxic Substances (50 CFR 402)
- Environmental Justice
- Explosive and Flammable Operations (24 CFR 658)
- Floodplain Management (24 CFR 55, Executive Order 11988)
- Historic Preservation (36 CFR 800)
- Noise Control (24CFR 51 Subpart B)
- Water Quality (Sole Source Aquifers) 40 CFR 149
- Wetland Protection (EO 11990)
- Waste Water

Conducting an Environmental Review

The following will describe each of the topical areas which must be analyzed by GRANTEE-ADMINISTRATOR staff in preparing the environmental review record. The City is using the following levels of review in conducting environmental reviews for J-HAP:

- **Existing Structures**: The City is using the Categorically Excluded Not Subject (CENST) review for existing structures. CENST reviews are not subject to the laws and authorities of 24 CFR 58.5. The compliance areas listed at 24 CFR 58.6 are the primary topics of concern and evaluation in the CENST review. To qualify as an existing structure, a foundation must be in place at the time an environmental review is requested.
- **Homes Not Yet Under Construction:** An environmental assessment was completed to provide assistance to homes not yet under construction. The City is using tiering procedures, as provided at 24 CFR Part 58.15 in conducting its environmental review for homes not yet under construction, and

has determined compliance areas that are the primary topics of concern and evaluation. These areas include but are not limited to:

Contamination and Toxic Substances (50 CFR 402)

- **Radon Mitigation:** Radon testing must also be conducted in newly constructed homes prior to occupancy by a JHAP Program participant. Radon testing must also be conducted in homes not yet under construction. If the subsequent test results indicate the home is 4.0 pCi/L or higher, remediation is required and a mitigation system must be installed in the home.
- **Toxic Facilities:** Particular attention should be given to any site proposed for HUD assistance that is located on, or in the general proximity of, such areas as dumps, landfills, industrial sites or other locations that contain hazardous wastes. It is HUD policy that all property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals, gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. The enviromapper tool (http://www.epa.gov/emefdata/em4ef.home) can be used to document toxic facilities.
- **Site Contamination:** Make note of any above ground, hazardous chemical storage facilities, gas stations, dry cleaners or other commercial uses that use, store, generate, transport or dispose of petroleum or chemicals and that are adjacent to or visible from the project site. These facilities must be evaluated to calculate the extent of hazard by contamination. Evidence that the site is in compliance with state environmental regulations, that the tanks are not leaking, or that the tanks have been closed, etc., should be obtained. HUD's field contamination checklist can be used to document site contamination.
- **Soil Testing:** In accordance with Jasper County's lead ordinance, soil testing for the presence of lead and cadmium is required prior to issuance if building permit and prior to rebuilding in areas that are identified as known contamination areas. The Expedited Debris Removal Area is a known contamination area. Test results must not exceed the action level set by the EPA. If test results indicate action is needed, the site must be remediated.

Environmental Justice (Executive Order 12898)

If other environmental concerns arise from this assessment, it will be reviewed to ensure that these concerns are not occurring at a disproportionate rate to a certain population within Jasper County.

Explosive and Flammable Operations (24 CFR 51C)

- **Comparison of site to State's MSDIS above ground tank database:** A comparison of known Explosive and Flammable operations will be conducted for each specific site using the City's GIS database which is based on the State's MSDIS database for above ground tanks.
- **Site Visit (Covered in Field Contamination Checklist):** A site visit will also occur to verify that no other tanks are found near the site.

Floodplain Management (24 CFR 55, Executive Order 11988)

A special exception to this rule shall be where a determination can be made through a Standard Flood Hazard Determination Form (SFHDF) O.M.B. No. 1660-0040 for an existing structure for which JHAP assistance is sought, is not located in a Special Flood Hazard Zone containing the letters "A" or "V." However, the City of

Joplin will strongly recommend that the participant consider the purchase of flood insurance to protect their property in the event future flooding event in the neighborhood. At its discretion, the City of Joplin may require an additional Elevation Certificate prepared by a licensed Missouri land surveyor to verify that the top of the bottom floor (including basement, crawlspace, or enclosure floor) is two feet (2') above the base flood elevation. All new homes requiring a Tier II environmental review prior to the commencement of construction activities, shall be constructed and elevated in accordance with the City of Joplin Floodplain regulations.

"Floodplain" means the Special Flood Hazard Area identified on the flood maps published for the National Flood Insurance Program (NFIP) by the Federal Emergency Management Agency (FEMA). A FEMA FIRMette map must be used when determining whether a project is located within a floodplain. Homes not yet under construction located within a floodplain are disqualified from participating in the Program regardless if flood insurance coverage exists.

Floodplain zones are as follows*:*

Zone	Definition
A	Areas of 100 year flood: base flood elevations and flood hazard factors not determined.
AO	Areas of 100 year shallow flooding where depths are between one and three feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100 year shallow flooding where depths are between one and three feet; base flood elevations are shown, but no flood hazard factors are determined.
AE	An area inundated by 1% annual chance flooding, for which base flood elevations have been determined.
AR	An area inundated by flooding, for which base flood elevations or average depths have been determined. This is an area that was previously, and will again, be protected from the 1% annual chance flood by a Federal flood protection system whose restoration is Federally funded and underway.
A99	Areas of 100 year flood to be protected by flood protection system under construction; base flood elevation and flood hazard factors not determined.
D	Areas of undetermined, but possible flood hazards.
X	Areas of 600 year flood; areas of 100 year flood with average depths of less than one foot or with drainage areas less than 1 square mile; and areas protected by levees from 100 year flood.
X	Areas determined to be outside 500 year flood plain.

Therefore, if a property is located within Zone A, AO, AH, A1-30, or A99, the property would not be considered an eligible property. For all other properties, or in areas that have not been mapped, the

GRANTEE-ADMINISTRATOR must obtain prior approval for the property from City. 1.4.5 Historic Preservation (36 CFR 800)

The City has received a concurrence opinion from both the Missouri SHPO and the Osage Nation's THPO that any redevelopment activity within the Expedited Debris Removal (EDR), with the exception of the Alcott School, that "no historic properties will be affected". The EDR represents a significant area of this project site and these determinations will be used for specific properties that fall within the EDR boundaries.

In a letter dated June 25, 2013, the Osage Nation Historic Preservation Office stated the project most likely will not adversely affect properties of sacred or cultural significance to the Osage Nation.

A section 106 form will be submitted in the Tier II to the Missouri Department of Natural Resources State Historic Preservation Office (SHPO) for their review of homes not yet under construction that are outside the EDR but are inside the Tornado Affected.

Noise Analysis

All substantial noise sources will be evaluated according to each specific site proposed for this project. HUD's DNL calculator will be used to ensure that the noise levels are in compliance with 24 CFR Part 58. The following summarizes the City's criteria and procedures for noise compliance: Projects in areas where the noise level is below 65 DNL are acceptable. Projects between 65-75 DNL can only constructed if noise levels can be reduced 5 and 10 decibels, and any outdoor spaces connected to the project are mitigated. For projects greater than 75 Day-Night Average Sound Level (DNL) or greater, the Applicant cannot be assisted with HUD funds.

Water Quality (Sole Source Aquifers) 40 CFR 149

Confirmation of whether properties receive water service from Missouri American Water will be verified through site visits and/or confirmation from the City of Joplin. Any properties that are found to contain a private drinking well will be evaluated to determine whether the well is necessary for development of the property. If the well is not necessary, proper plugging procedures according to DNR's Wellhead Protection Section "Plugging Your Abandoned Well" will be followed.

Wetland Protection (Executive Order 11990)

Specific sites will be compared to GIS data in addition to the US Fish and Wildlife Service's National Wetlands Inventory map. No homeownership assistance will be provided to properties located inside wetlands. For properties that impact potential wetlands or may have an indirect impact on wetlands, staff will seek consultation through the 8-step process.

Waste Water

Confirmation of whether properties receive sewer or have septic service will be verified through site visits and/or confirmation from the City of Joplin. If septic tanks are present and no longer needed, DNRs methods for abandoning a septic system will be required.

Upon Completion of the Environmental Review

Once the GRANTEE-ADMINISTRATOR has completed the *Site Specific Review (Tier II)*, the next step is to submit the environmental review record to the City. This process assists the City in conducting the required environmental review it must complete in conformance with the certifications the City has made to HUD pursuant to Part 58.

The City is ultimately responsible for the overall environmental review. In determining its approval or disapproval, the City may consider the validity of environmental review documentation, public comments or objections, and/or written findings from other Federal agencies which question the environmental quality of the project.

Also, The City must deny the release of any CDBG-DR funds if it is discovered that CDBG-DR or local funds were committed to the project, or where a choice limiting action occurred, prior to receiving an approval of site specific review.

Exhibit E.3 Property Approval Letter

CITY OF JOPLIN MISSOURI

Planning &Community Development

602 S. Main Street

Joplin, Missouri 64801

(417)624-0820

Fax (417)625-4620

10 May 2016

Applicant Name
Applicant
Address

Subject: Property Approval

Dear Applicant Name:

The City of Joplin has reviewed your request for the property located at Applicant Address. This property was reviewed and approved on July 9, 2014.

Please contact Joplin Homeowner Assistance Program Office as soon as possible to set up a time to sign the J-HAP Assistance Agreement. This document will outline the requirements for you to proceed with this program. If you have any questions, please contact the J-HAP Office at 417-850-2249.

Sincerely,

Larry R. Eller

Larry R. Eller
CDBG Project Manager