



BALTIMORE CITY  
DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT

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# Community Land Trust - Homeownership Notice of Funding Availability

**DRAFT**



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## **1. SCHEDULE**

NOFA Guidelines & Application Available 6/30/2023

Pre-Proposal Conference 7/12/2023

Submission of Written Questions 7/14/2023

Answers to Written Questions Posted on DHCD's website 7/24/2023

Submission is on a rolling basis

Notification of awards will be 90 days from submission of application.

## **2. INTRODUCTION**

Through this Notice of Funding Availability (the NOFA), The Baltimore City Department of Housing & Community Development (DHCD) is making up to \$4.0 million available from its Affordable Housing Trust Fund to support homeownership projects sponsored by Community Land Trusts (CLTs). Applicants who do not receive funding for a project through this NOFA can apply for another NOFA provided that their proposed project meets eligibility and submission criteria. Applicants awarded funds through this NOFA can still apply for funding for the same project or a different project in future NOFAs provided that their proposed project meets eligibility and submission criteria.

Qualified applicants can request up to \$1,000,000.00 per project. Qualified applicants who work in more than one community can submit more than one project for funding and will not be penalized, however projects will need to be ranked in priority order. DHCD reserves the right to ensure that projects funded include geographic representation and support a range of eligible organizations.

DHCD is seeking impactful projects that will leverage additional investment and can demonstrate that local residents and stakeholders are leading and managing revitalization efforts. Applicants must be able to show that they: meet all State and established national standards associated with community land trusts as further described in this NOFA; have the capacity to undertake and complete projects in no more than two (2) years from executing a Funding Agreement, including site control; have committed sources of funding; and have established infrastructure to support residents and manage the financing and post-purchase stewardship associated with land trust properties. Projects supported through this NOFA should also support DHCD's community development goals outlined in its Framework for Community Development, which can be found at: <https://dhcd.baltimorecity.gov/m/community-development-framework>, to meet the demand for affordable housing, and to integrate land trust homes as part of broader mixed-income housing strategies.

The Affordable Housing Trust Fund was established to support the housing needs of the City's low and very-low income households. Article I, Section 14 of the City's Charter establishes the Trust Fund and requires that all funds be spent on housing and housing-related activities for households earning 50% percent or less of the Area Median Income (the "AMI") as defined by the Department of Housing and Urban Development (HUD), and that at least half of available funds be spent on households earning 30% percent or less of the AMI. Additional information about the Trust Fund can be found at:

<https://dhcd.baltimorecity.gov/nd/affordable-housing-trust-fund>. The 2022 Area Median Income limits can be found at:

<https://www.hudexchange.info/programs/home/home-income-limits>.

### ***Affordable Housing Strategies***

Through this NOFA we are looking for proposals that are based on homeownership. These proposed developments could be the following:

Acquisition & Rehab – This housing strategy would have the Community Land Trust and/or development partner acquire homes or acquire vacant land and rehab them for sale to a eligible first-time homebuyer.

Buyers Choice/Buyer-Initiated – This housing strategy allows eligible buyers to identify and purchase housing that is for sale in the program's target area. Funding is allocated to assist the buyer purchasing the property by lowering the amount of first mortgage required.

Innovation – We understand that the two above strategies may not fit your community. We welcome innovated housing strategies and highly encourage a conversation with Affordable Housing Trust Fund staff before you submit. This process will help to talk through the innovated strategies and to highlight any concerns the strategies might bring.

To be considered for an award of funds applicants are required to meet Threshold Requirements and must receive a minimum score of 120 out of a possible 155 points.

Applications will be scored and ranked based on project feasibility, community engagement, and achieving equity with additional opportunities to qualify for up to 30 bonus points.

Applications will be reviewed and scored by the AHTF Staff Recommendations for awards will be provided to the Housing Commissioner for the final decision. Further information and guidance regarding eligible applicants, application requirements and scoring is included in these guidelines. Prospective applicants are encouraged to read this document thoroughly, attend the Pre-Proposal conference, and submit follow-up questions.

### **3. ELIGIBLE APPLICANTS**

This NOFA is limited to Community Land Trusts. The Department defines Community Land Trusts as entities that provide affordable housing to low-income and moderate-income families through an affordable housing land trust agreement; and are organized or managed by a nonprofit organization exempt from taxation under § 501(c)(2), (3), or (4) of the United States Internal Revenue Code. CLT applicants that do not have 501(c), (2), (3) or (4) status must demonstrate that they are a legally organized business entity that is managed by a nonprofit. The application must include an affirmative statement that explains how the entity is managed and or organized by a nonprofit and that they are in compliance with the requirements of Section 14 of the Annotated Code of Maryland Real Property Article. Eligible applicants should be able to demonstrate the following:

- Registration as an Affordable Housing Land Trust with the Maryland Department of Assessments and Taxation and compliance with the State's Affordable Housing Land Trust Laws found in Section 14 of the Annotated Code of the Maryland Real Property Article.
- By-Laws that, at a minimum, establish terms for the board of directors, officers, stewardship, conflicts of interest, ownership, open membership criteria, resale limitations and dissolution.
- A tri-partite board of directors comprised of one-third community members, one-third land trust residents (when available), and one-third local stakeholders and experts – or an equivalent structure that balances community control with additional expertise. Please provide an org chart that has a board of directors and how many total seats.
- Established Stewardship Standards that include an administrative manual, electronic information tracking and management system for program data, sales and loan closings, maintenance and repair funds, and resale value.
- Sample Warranty Deed or comparable
- Ground Lease to protect affordability based on the National CLT 2011 Ground Lease
- Applicants with three (3) active existing construction/subsidy awards for projects from the Affordable Housing Trust are not eligible.

Note: Pending documentation and submission confirmation for acceptable legal structures will be allowed for consideration in this fund application. All applications are required to have an acceptable legal structure before a commitment of funds can occur for an award-winning project.

Eligible applicants are encouraged to partner with experienced developers and other partners to successfully complete their projects. Multiple land trusts can submit a collaborative or joint application for the same project. Teams should have the experience, financial, and technical capacity to produce and support units as perpetually affordable housing. In the event funds are awarded, DHCD will require an executed Memorandum of Understanding or Partnership Agreement between all partners prior to executing a funding agreement with the City.

### ***Affordable Pricing Methodology***

In this funding source the land will be owned and maintained by the Land Trust and a shared equity model will exist between the purchaser and the non-profit organization land trust. As the value of the property grows so will the equity of both parties. The affordability through the resale formula will keep the unit affordable over time. Applicants will be required to explain their affordable pricing methodology and submit an example of how the pricing and resale formula will keep the unit affordable over time.

## **4. FUNDING LIMITS**

Eligible applicants can request a maximum of \$1,000,000 per project. Applicants that consistently work in more than one neighborhood/community can submit more than one project for funding and will not be penalized, however DHCD reserves the right to ensure that funded projects include geographic representation and support a broad range of eligible organizations. Such applicants will also need to demonstrate the organizational capacity to implement projects. Applicants that request funds for multiple projects in the same community will be required to demonstrate how these projects support a community plan or other strategic revitalization initiative, along with market data supporting the need for perpetual affordability.

Additionally:

- Funds are limited to households earning 50% or less of Area Median Income (AMI), adjusted for family size.
- Funds can be used to fund up to 50% of a project's Total Development Cost (TDC) for units that are restricted to persons with incomes at or below 50% of AMI, or up to 66% of a project's Total Development Cost (TDC) for units that are restricted to persons with incomes at or below 30% of AMI adjusted for family size.
- The maximum per unit request will be \$75,000 for housing units restricted to persons with incomes at or below 50% of AMI adjusted for family size and \$125,000 per unit for housing units that are restricted to persons with incomes at or below 30% of AMI.

- Up to 25% of a total award can be used for predevelopment and/or acquisition cost. In addition, up to 20% of the award can be used for operating costs directly related to the project’s implementation. Predevelopment cost include the following:
  - Market feasibility
  - Architect/engineer
  - Environmental cost
  - Soft cost
  - Acquisition
  - Permits
  - Survey
  - Legal fees
  - Property consultant

## 5. ELIGIBLE USES OF FUNDS

Funds can be requested to support operating, predevelopment and construction costs, provided that the request does not exceed the maximum limits stated in this NOFA. Eligible uses of funds include:

|  | Acquisition Rehab & Innovation strategies | Buyers Choice/Buyer Initiated |
|--|---|-------------------------------|
| Acquisition and stabilization of non-City owned properties   | X   | N/A                           |
| Architectural and Engineering  | X   | N/A                           |
| Environmental assessment and testing   | X   | N/A                           |
| Market and Financial Feasibility Analysis  | X   | X                             |
| Construction   | X   | N/A                           |
| Carrying Costs   | X   | N/A                           |
| Financing and Lender Fees  | X   | N/A                           |
| Legal Fees associated with closing, financing, and drafting CLT-required documents necessary for the development | X   | X                             |
| Consultant Fees directly associated with the implementation of the project                                       | X   | X                             |
| Customary Landscaping  | X   | N/A                           |
| Project management staff   | X   | X                             |
| Infrastructure and utilities   | X   | N/A                           |
| Single-family, Condos, and Co-operative (Co-op) building projects  | X   | N/A                           |
| Direct Subsidy   | N/A                                       | X                             |

## **6. INELIGIBLE USES OF FUNDS**

Funds cannot be used for the following:

- Acquisition of City-Owned properties
- Rental property projects
- Temporary and shelter housing
- Staff that are not directly related to predevelopment, construction, or maintenance of the project
- General organizational operating costs such as rent, utilities, or operating supplies
- Relocation
- Repayment of existing loans or any other liens
- Community gardens or urban agriculture uses
- Projects that support specific religious or other affiliations
- Commercial or economic development
- Costs associated with the preparation of this NOFA submission

## **7. HOW TO APPLY**

Only electronic submissions will be accepted. Applicants must submit one (1) complete electronic copy of their application, using the Application Checklist as the Table of Contents, including all attachments and Threshold Requirements in a PDF format, and one (1) copy of their development budget as an Excel Spreadsheet.

Applications will be accepted on a rolling basis starting on 06/30/2023 to: Neighborly application portal. Submissions that are incomplete, denied or does not meet threshold will not be allowed to resubmit until 60 days after notice is provided.

## **8. PRE-PROPOSAL CONFERENCE & ADDITIONAL QUESTIONS**

DHCD will hold a pre-proposal conference on 7/12/2023 from 5PM- 6:30PM EST. The meeting can be accessed using the link below or the call-in number provided below:

[bit.ly/CLTPreproposalConference](https://bit.ly/CLTPreproposalConference)

Meeting ID: 287 942 572 691

Passcode: meGXD7

Download Teams | Join on the web

Or call in (audio only)

+1 667-228-6519, 581741282# United States, Baltimore

Phone Conference ID: 581 741 282#

The purpose of the pre-proposal conference is to review the NOFA, application requirements, evaluation and award process, and to answer questions. Not all questions may be able to be answered at the preproposal conference. All questions and responses from the preproposal conference will be posted on DHCD's website at:

<https://dhcd.baltimorecity.gov/nd/affordable-housing-trust-fund> according to the schedule.

Additional questions regarding the NOFA can be submitted in writing through email to: [DHCD.AHTFNOFA@baltimorecity.gov](mailto:DHCD.AHTFNOFA@baltimorecity.gov). This pre-proposal conference will be recorded and will be posted on the DHCD's website for the time period of when the NOFA is open. Please be advised that DHCD is unable to respond to questions that are not submitted electronically. Responses will not be provided by phone, US Mail, or to individual email addresses.

## **9. APPLICATION, SCORING AND BONUS POINTS**

The application consists of four (4) parts: threshold requirements, financial review, scored criteria, and signed certifications and authorizations.

Following the submission deadline, DHCD staff will provide a summary of all submissions that includes the following: applicant name, proposed project, location and units, project's total development cost, and amount of Trust Funds requested. This summary will be posted on DHCD's website at: <https://dhcd.baltimorecity.gov/nd/affordable-housing-trust-fund>.

### ***Threshold Review***

Threshold review includes organizational, financial and compliance-related information and is used to determine whether an application is eligible for review. Applicants must include all items on the Threshold Checklist or their application will be considered incomplete and will be ineligible for review. DHCD will notify applicants electronically and in writing whether their application meets the Threshold Review requirements and will post an updated summary on its website. DHCD reserves the right to accept alternative forms of compliance on an individual basis.

### ***Authorizations and Certifications***

All applications must include the following:

- Authorization to Submit signed by a member of the lead applicant within 30 days of date of submittal who is authorized to negotiate with the City and to sign a Funding Agreement
- Completed application form that includes
  - ☐ Summary request and project information
  - ☐ Number of units supported with these funds
  - ☐ Ownership structure of the units

- IRS Determination Letter
- Certification of Compliance
- Owned Property Disclosure
- Commitment to Comply
- Local Hire Certification
- Organizational Documents
- Corporate Resolution/Board of Directors approval (nonprofit applicants)
- By-Laws (nonprofit applicants)
- Evidence of Good Standing with the State of Maryland for all parties
- List of Board of Directors, titles, and affiliations (nonprofit applicants)
- Organizational chart indicating board of directors and total seats, roles and responsibilities of all partners
- Copy of Ground Lease or Deed Restriction and Stewardship Standards
- Sample Warranty Deed or comparable
- Maryland “Good Standing” Organizational Documentation
- Memorandum of understanding between land trust and developer
- Existing awardees of AHTF will need to submit a progress report by address that includes timelines and any concerns that the project is not going to be completed within the grant timeline of any current awards
- Financial Documents & Site documents
- Commitment Letters, a Letter of Intent or comparable for all sources
- Copy of the most recent 990 Tax Return (nonprofit applicants)
- Most recent Audited Financial Statement for applicants with annual budgets of \$500,000 or more
- Most recent Financial Statement as prepared by a certified accounting firm for applicants with annual budgets that are more than \$200,000 and less than \$500,000
- Most recent annual budget for applicants with annual budgets that are less than \$200,000. In the event funds are awarded, the applicant will be required to provide a Reviewed Financial Statement.
- Estimated for rehab & Budget Template
- Site plans (New projects and remodels)

### ***Local Hiring Plan***

Applications requesting funds for fifteen (15) or more units under the homeownership strategy Acquisition Rehab and or Innovation strategies must include a Local Hiring Plan detailing how residents who live in the community where the proposed project is being built will have access to jobs and how individuals with barriers to employment will be recruited, provided training, and supported so that they can be successful. Applicants seeking hiring-related bonus points should document how they will meet work hours related to construction and new hires from apprenticeship.

### ***City Prevailing Wage Rates***

The City's Prevailing Wage Law requires that for construction contracts in excess of \$5,000.00 meet the standards set forth in the City Code, Article 5, Subtitle 25, Section 25-2. Awarded applicants must comply with city requirements.

<https://bit.ly/BaltimorePrevailingWageRates>

### ***Green Building and Sustainability Requirements***

Applicants are required to comply with the City's Green Building Law, which can be found at: <https://dhcd.baltimorecity.gov/ce/green-building-std> . If required, applicants must complete the City's Green Building Statement of Compliance when applying for Building permits. A site Plan as described in the Project Feasibility question of the Application demonstrating that no operating parks are being displaced.

### ***Maximum Funding Requests***

Applications that exceed the maximum funding requests as described in Section 4 of these Guidelines and/or Applicants with three (3) active existing construction/subsidy awards for projects from the Affordable Housing Trust will not be considered eligible for review or an award of funds until the applicant has only two (2) active existing construction/subsidy awards.

### ***Scoring Criteria***

Applications that meet all Threshold criteria will be scored and evaluated according to the following: project feasibility; community engagement and participation; and achieving equity. Scored criteria is intended to ensure that awards are made to proposals that meet the Trust Fund's requirements and have a demonstrated impact on reducing the housing burden for the City's low and very-low income requirements households, can leverage other sources of funds, can meet City, State, and private lenders' underwriting criteria standards, and can be completed within a reasonable timeframe.

## **Project Feasibility (70 maximum points)**

| <b>Project Feasibility (70 maximum points)</b>   | <b>Acquisition Rehab &amp; Innovation strategies</b> | <b>Points</b> | <b>Buyers Choice/ Buyer-Initiated</b> | <b>Points</b> |
|--|--|---------------|---------------------------------------|---------------|
| Project can be completed within 2 years of executing a funding agreement with DHCD (20 points) | X  | 20            | X                                     | 20            |
| Experienced Development Team (10 points)   | X  | 10            | N/A                                   | N/A           |
| Project ability to leverage additional funds (5 points)  | X  | 5             | N/A                                   | N/A           |
| Feasibility of Development Budget (10 points)  | X  | 10            | N/A                                   | N/A           |
| Buyers Choice/Buyer-Initiated Program Design   | N/A  | N/A           | X                                     | 25            |
| Affordable Pricing Methodology and resale formula (10 points)                                  | X  | 10            | X                                     | 10            |
| Site Plan (10 points)  | X  | 10            | X                                     | 10            |
| Experience selling and managing community land trust properties (5 points)                     | X  | 5             | X                                     | 5             |
| <b>Total Points</b>  |  | <b>70</b>     |                                       | <b>70</b>     |

This section enables DHCD to determine whether projects are ready to proceed and that the applicant has the experience, staff, and consultants in place to ensure a successful outcome. The requested information helps applicants demonstrate that projects are ready to proceed and can be completed within 24 months of executing a Funding Agreement with DHCD.

Applicants are asked to demonstrate that their projects are financially feasible, that the applicant has the capability of leveraging additional public and/or private funds, and that they have the capability of creating and managing a development team with sufficient experience to undertake and complete the proposed project. Submissions should also include resumes and/or qualification statements of the applicant and all principal members of the development team. As part of demonstrating a project's feasibility, applicants are required to submit a development budget, list of all funding sources and uses needed to complete the proposed project, and the status of the funds (e.g. committed/approved, pending, not yet requested). Applicants must submit letters of interest or letters of commitment from all participating funding sources.

Applicants are reminded that construction budgets should include a line item for builder's profit, overhead, and construction management and that administration and reimbursable costs for architecture and engineering should be included as a separate line item. Construction costs should reflect prevailing wage rates for all anticipated employees. Submissions should also include a marketing and sales pro-forma. Applicants should explain their affordable pricing methodology and submit an example of how the pricing and resale formula will keep the unit affordable over time.

Applicants should include a site plan (can be conceptual), showing the proposed location of the project, amenities, and sustainability features if requesting as a bonus point. The site plan should indicate current parks and green spaces.

In the event funds are requested for personnel and/or consultants, applicants are required to submit a personnel budget as well as a list of all consultants, their role, hourly rate, and total estimated fee.

### ***Buyers Choice/Buyer-Initiated Program Design***

Applicants are asked to demonstrate that their Buyers Choice/Buyer-Initiated program has a full design. A full design includes the following components:

- **Property Purchase Requirements**-- 1) Eligible/ineligible home types 2) Location 3) Environmental Compliance 4) Minimum property standards 5) Inspection requirements
- **Eligibility Requirements** – 1) Citizen or Residency requirement 2) Limited debt requirement 3) buyer down payment and saving requirement 4) Housing counseling requirements 5) Pre-approval requirement 6) Real Estate Agent representation 7) ground lease requirement
- **Complaints and Appeals**
- **Legal requirements** – 1) Legal narrative & flow chart on steps of closing transaction along with description of legal documents used

### ***Site Control***

As part of demonstrating a project's feasibility, applicants are required to show that they have site control at the time of submission and title within 12 months of executing a Funding Agreement with DHCD. For the purposes of this NOFA, site control can include: documentation that the applicant currently has title as evidenced by the Maryland Department of Assessment and Taxation, an executed contract of sale, an option to-purchase agreement, an approved Land Disposition or Development Agreement or approved Vacants to Value application for City-owned properties, written documentation that a case has been filed for Receivership or Tax Sale Foreclosure, or other documentation determined to be sufficient by DHCD. This requirement can be waived at the Housing Commissioner's discretion.

If applicant is proposing buyers' choice/buyers initiated demonstrating a project's feasibility, applicants are required to show that there are enough homes on the market that fit their pricing model and that they have enough eligible and mortgage ready buyers ready to purchase those homes with the subsidy provided.

### ***Entitlements and Development Review***

Applicants must be able to demonstrate that their project meets all applicable Zoning and Development requirements. If variances or other approvals are required, applicants must complete the schedule in the application showing when approvals will be obtained. Applicants must also provide documentation that they have held a pre-development meeting with the Department of Planning. Meetings can be scheduled by contacting Eric Tiso at:

[eric.tiso@baltimorecity.gov](mailto:eric.tiso@baltimorecity.gov).

Community Engagement & Participation (40 maximum points)

Community Engagement & Participation Categories Points Project is consistent with community or neighborhood revitalization plans or strategies (15 points)

Project demonstrates input from a board range of stakeholders (10 points)

Project supports one or more goals of DHCD's Community Framework (5 points)

Project documents ability to provide capacity building opportunities for local stakeholders (10 points)

DHCD is committed to ensuring that development projects are consistent with and can leverage local revitalization plans, supports goals stated in the City's Framework for Community Development, provides multiple opportunities for a range of stakeholders to provide input, regardless of their support, along with evidence and a schedule for community ownership and control.

**Achieving Equity (15 maximum points)** DHCD is committed to promoting access and equity in Baltimore City. The Department envisions use of Trust Fund resources to reduce the financial, social and economic disparities that have affected many of the City's neighborhoods and residents over the past several decades. Applicants are encouraged to recognize systemic barriers that historically underserved communities have faced over the years. To that end, applications are being scored based on location, supporting blight elimination (demolition and/or rehab), providing priority to returning residents and projects supporting and building residents' ability to create equity and build wealth.

**Applicants are encouraged to refer to the DHCD Equity Statement** Building Achieving Equity (5 points) – Points will be awarded for proposals that will take into consideration the principles outlined in the agency’s equity statement related to minimizing displacement and supporting previously disenfranchised communities in ways that create equity and build wealth. Opportunities for Returning Residents (5 points) – Points will be awarded to projects that can provide a range of strategies to ensure current residents will benefit from the proposed investments. Supports Blight Elimination (5 points) – Points will be awarded to projects that eliminate blight and/or other dangerous or unsafe hazards in the neighborhood in which the project will be located. Buyers Choice/Buyer-Initiated non-displacement policy (5 points) – Points will be awarded for proposals deploying Buyers Choice/Buyer-Initiated Program that demonstrate that they have a policy that will not allow renters to be displaced from their program.

### ***Bonus Points (30 maximum points)***

Scoring criteria identifies priorities for deploying and spending funds, however, applicants can also apply for bonus points by supporting Baltimore City businesses, utilizing apprenticeships, and agreeing to enhance local hiring and monitoring criteria. Bonus points may increase an applicant’s total score so that they are eligible to be considered for an award of funds or can help increase an application’s ranking within the overall scoring.

- Supports & Grows Local Businesses (4 points) – Applicants are required to demonstrate how their project will support businesses located in Baltimore City. Responses should specify local vendors who will be used, how efforts will be tracked and monitored and any documentation evidencing agreements to utilize local residents. Examples could include marketing of units and promotional materials that explain the program or project.
- Takes Advantage of Apprenticeships and Training programs (4 points) – Applicants are required to provide a plan for utilizing training and apprenticeship programs and to include a letter of intent from the provider. As a condition for receiving funds, applicants will be required to provide an executed Memorandum of Understandings or comparable agreement with the provider.
- Collaboration Across Multiple Neighborhoods (2 points) – Applicants are required to provide documentation demonstrating how their project impacts multiple neighborhoods, how this helps to achieve economies of scale, and how multiple stakeholders are working collaboratively to achieve outcomes.
- Very Low-Income Majority Projects (10 points)- Applicants who designate projects with more than 50% of the units proposed in their application service people at or below 30% of AMI will receive these additional points to incentivize the development of housing solutions for citizens at and below 30% AMI.

- Local Hiring Criteria-Select One Option Only (up to 10 points) – Applicants are required to sign and include a Local Hiring Certification with their submission that must be approved by DHCD or its designee. Project awardees must agree to periodic reporting to and monitoring by DHCD or its designee. Project awardees must take all reasonable and necessary steps to achieve plan outcomes. Failure to achieve plan outcomes may disqualify the awardees from future funding rounds or result in other default. Applicants are required to provide a strategy detailing how they will achieve the selected goals.
  - ☐ 70 percent of hours related to construction are provided by City residents, and 51 percent of new hires are from apprenticeship programs (10 points).
  - ☐ 50 percent of work hours related to construction are provided by City residents, and 35 percent of new hires are from apprenticeship programs (7 points).
  - ☐ 30 percent of work hours related to construction are provided by City residents, and 20 percent of new hires are from apprenticeship programs (3 points).
- Environmental Sustainability (3 points). Points will be awarded to projects that include a significant plan for environmental sustainability such as deconstruction and debris materials recovery, construction techniques that will reduce impervious surfaces or the carbon footprint, passive housing, urban agriculture, composting or other sustainability initiatives. Site plans should indicate the location of planned programs.
- Developer Fee deferral (10 points). Bonus points will be awarded to projects that defer 10% or more of the development fee.
- Buyers Choice/Buyer-Initiated Marketing Plan (10 points). Points will be awarded to projects that have a complete marketing plan for their program that includes: 1) Media planning 2) Pricing 3) Advertising 4) Research & 5) Distribution.

| Bonus Points  | Acquisition Rehab & Innovation strategies | Points   | Buyers Choice/ Buyer-Initiated | Points |
|---|---|----------|--------------------------------|--------|
| Supports & Grows Local Businesses (4 points)                        | X   | 4        | X                              | 4      |
| Takes Advantage of Apprenticeships and Training programs (4 points) | X   | 4        | N/A                            | N/A    |
| Collaboration Across Multiple Neighborhoods                         | X   | 2        | X                              | 2      |
| Very Low-Income Majority Projects (10 points)                       | X   | 10       | X                              | 10     |
| Local Hiring Criteria-Select One Option Only (up to 10 points)      | X   | Up to 10 | N/A                            | N/A    |
| Environmental Sustainability (3 points)                             | X   | 3        | N/A                            | N/A    |
| Developer Fee deferral (10 points)                                  | X   | 10       | X                              | 10     |
| Buyers Choice/Buyer-Initiated Marketing Plan (10 points)            | N/A                                       | N/A      | X                              | 10     |

**Overall points that will be scored through this NOFA**

| Project Feasibility (70 maximum points)  | Acquisition Rehab & Innovation strategies | Points | Buyers Choice/ Buyer-Initiated | Points |
|--|---|--------|--------------------------------|--------|
| Project can be completed within 2 years of executing a funding agreement with DHCD (20 points) | X   | 20     | X                              | 20     |
| Experienced Development Team (10 points)   | X   | 10     | N/A                            | N/A    |
| Project ability to leverage additional funds (5 points)  | X   | 5      | N/A                            | N/A    |
| Feasibility of Development Budget (10 points)  | X   | 10     | N/A                            | N/A    |
| Buyers Choice/Buyer-Initiated Program Design   | N/A                                       | N/A    | X                              | 25     |
| Affordable Pricing Methodology and resale formula (10 points)                                  | X   | 10     | X                              | 10     |
| Site Plan (10 points)  | X   | 10     | X                              | 10     |
| Experience selling and managing community land trust properties (5 points)                     | X   | 5      | X                              | 5      |
| Total Points Project Feasibility   |   | 70     |                                | 70     |

| <b>Community Engagement &amp; Participation (40 maximum points)</b>  | <b>Acquisition Rehab &amp; Innovation strategies</b> | <b>Points</b> | <b>Buyers Choice/ Buyer-Initiated</b> | <b>Points</b> |
|--|--|---------------|---------------------------------------|---------------|
| Community Engagement & Participation Categories Points Project is consistent with community or neighborhood revitalization plans or strategies (15 points) | X  | 15            | X                                     | 15            |
| Project demonstrates input from a board range of stakeholders (10 points)  | X  | 10            | X                                     | 10            |
| Project supports one or more goals of DHCD's Community Framework (5 points)  | X  | 5             | X                                     | 5             |
| Project documents ability to provide capacity building opportunities for local stakeholders (10 points)  | X  | 10            | X                                     | 10            |
| <b>Total Points Community Engagement &amp; Participation</b>   |  | <b>40</b>     |                                       | <b>40</b>     |

| <b>Achieving Equity (15 maximum points)</b>           | <b>Acquisition Rehab &amp; Innovation strategies</b> | <b>Points</b> | <b>Buyers Choice/ Buyer-Initiated</b> | <b>Points</b> |
|---|--|---------------|---------------------------------------|---------------|
| Building Achieving Equity (5 points)                  | X  | 5             | X                                     | 5             |
| Opportunities for Returning Residents (5 points)      | X  | 5             | X                                     | 5             |
| Supports Blight Elimination                           | X  | 5             | N/A                                   | N/A           |
| Buyers Choice/Buyer-Initiated non-displacement policy | N/A  | N/A           | X                                     | 5             |
| <b>Total Points Achieving Equity</b>                  |  | <b>15</b>     |                                       | <b>15</b>     |
| <b>Total Base Application Points</b>                  |  | <b>125</b>    |                                       | <b>125</b>    |

| Bonus Points  | Acquisition Rehab & Innovation strategies | Points   | Buyers Choice/ Buyer-Initiated | Points |
|---|---|----------|--------------------------------|--------|
| Supports & Grows Local Businesses (4 points)                        | X   | 4        | X                              | 4      |
| Takes Advantage of Apprenticeships and Training programs (4 points) | X   | 4        | N/A                            | N/A    |
| Collaboration Across Multiple Neighborhoods                         | X   | 2        | X                              | 2      |
| Very Low-Income Majority Projects (10 points)                       | X   | 10       | X                              | 10     |
| Local Hiring Criteria-Select One Option Only (up to 10 points)      | X   | Up to 10 | N/A                            | N/A    |
| Environmental Sustainability (3 points)                             | X   | 3        | N/A                            | N/A    |
| Developer Fee deferral (10 points)                                  | X   | 10       | X                              | 10     |
| Buyers Choice/Buyer-Initiated Marketing Plan (10 points)            | N/A                                       | N/A      | X                              | 10     |
| Possible Bonus points allowed                                       |   | 30       |                                | 30     |

## 10. REVIEWING AND AWARDING FUNDS

Applications will be reviewed by an interagency review panel. Applications that meet threshold criteria will be reviewed, scored and ranked by the review panel who, at their discretion, can submit written requests for additional information, meet with the applicant and/or their team members, or tour the proposed projects. As part of the review, and based on the total requests received, the Panel has the ability to recommend that applications receive less funds than were requested.

During the review process, questions regarding announcements shall be directed in writing to [DHCD.AHTFNOFA@baltimorecity.gov](mailto:DHCD.AHTFNOFA@baltimorecity.gov). Applicants are prohibited from contacting specific members of the review panel or members of the Commission; those who do will have their applications disqualified for review.

The Review Panel will provide their recommendations to DHCD's Deputy Commissioner for Development who will review and make final recommendations to the Housing Commissioner. The Housing Commissioner, at her discretion, has the ability to determine final awards.

All awardees will be notified by phone and in writing whether their submission will receive an award of funds. Applicants who did not receive an award of funds can submit a written request for a 30-minute debriefing. During the debriefing, DHCD will review the submission and panel's recommendations. Following written notification, DHCD will post a final list of applications reviewed, scores, ranking, and amount of Trust Funds awarded.

## **11. UNDERWRITING AND AVAILABILITY OF FUNDS**

Following written notification of an award, DHCD staff will schedule an initial meeting with the awardee to review the schedule and how funds will be made available. During this meeting, staff will review the agency's underwriting requirements and will work with the awardee to develop a schedule that includes appraisals, market feasibility studies, environmental assessments and other information. As part of its requirements to make funds available, DHCD takes a security interest in the project. The terms of the security interest will be included as part of the funding discussion. Awardees will be required to provide DHCD with a copy of market studies completed for other lenders. In the event other lenders do not require a formal market study, the awardee will be required to provide a market analysis demonstrating the housing needs of low-income households who will be served by the project. The study must include proposed vacancies, rents and sales prices, how households earning 50% percent of the Area Median Income will benefit and demonstrate how the proposed market study area will benefit from perpetual affordability. Both the market study or analysis must have been completed no more than 12 months prior to executing a Funding Agreement. All preapproval and commitment letters must be and in-hand before DHCD issues funds, letters will provide all of the terms and conditions under which Trust Funds will be made available. Awardees are advised that no funds shall be made available until such time the Board of Estimates has approved a Funding Agreement. Funds will be available based on a reimbursement basis; no upfront funds will be made available. Awardees should acquire a line of credit to help with cash flow of the project.

### **MONITORING, COMPLIANCE AND REPORTING**

Awardees will be required to submit progress reports for projects under construction detailing the following:

- Percentages of the project that are complete
  - Reasons if the project is not on schedule
  - Percentages of MBE/WBE goals met
  - Local Hiring Plan update and percentages of local employees and apprenticeship
- Awardees are advised that failure to submit reports and information in a timely manner could result in a state of default, loss of funds, and disqualification from seeking funds in future NOFA's.

## **12. INSURANCE**

All awardees will be required to provide evidence of insurance prior to DHCD's issuing a letter of commitment. Insurance requirements will be provided on a project basis and often include the following:

- Directors and Officers Liability Insurance
- Commercial General Liability
- Errors and Omissions (Consultants)
- Blanket Crime Coverage
- Automobile Coverage
- Payment and Performance Bonds

## **13. INDEMNIFICATION**

All awardees, their employees, boards of directors, contractors and subcontractors will be required to indemnify and hold the City harmless from any claims, demands, lawsuits or other actions that may be brought against the project.

## **14. CONFLICTS OF INTEREST**

Awardees will be required to disclose any conflicts of interest with regard to the project that they their staff, consultants, boards of directors, contractors, or subcontractors may have. DHCD reserves the right as part of the application and award process to request additional information regarding conflicts of interest.

## **15. ADMINISTRATIVE RIGHTS**

Issue Date

The issue date of this Grant Application is 6/30/2023

Submission Deadline and Requirements The deadline for submitting all applications is 08/04/2023 4:00 PM EST. Applications must be submitted electronically to: DHCD. [AHTFNOFA@BALTIMORECITY.GOV](mailto:AHTFNOFA@BALTIMORECITY.GOV) LATE SUBMISSIONS WILL NOT BE ACCEPTED.

Obtaining the Application and Guidelines This NOFA will be made available free of charge electronically on DHCD's website at:

<https://dhcd.baltimorecity.gov/nd/affordable-housing-trust-fund>

Information Session DHCD will host a pre-proposal conference on 7/12/2023 from 5PM – 6:30PM EST. The meeting can be accessed using the link below or the call-in number provided below:

Meeting Link: <https://bit.ly/NOFAAdminRights>

Meeting ID: 287 942 572 691  
Passcode: meGXD7  
Download Teams | Join on the web  
Or call in (audio only)  
+1 667-228-6519,,581741282# United States, Baltimore  
Phone Conference ID: 581 741 282#

**Questions and Inquiries** Interested applicants can submit questions in writing only to: Dhcd. [AHTFNOFA@baltimorecity.gov](mailto:AHTFNOFA@baltimorecity.gov) no later than 5:00 pm EST on 7/24/2022. DHCD will make its best effort to post responses on its website no later than ten (10) business days following the deadline. DHCD reserves the right to decline questions that are project specific.

**Revisions and Addenda** If it becomes necessary to revise any part of this Application and or Guidelines, or to provide additional information necessary to adequately interpret the provisions and requirements, an addendum shall be posted on DHCD's website. Revisions and Addenda will not be provided on an individual basis, therefore, all interested applicants are encouraged to review the Affordable Housing Trust Fund NOFA page at: <https://dhcd.baltimorecity.gov/nd/affordable-housing-trust-fund>.

### **Award Amounts**

Final awards are determined by the Housing Commissioner. DHCD reserves the right to make an award of funds in an amount other than what is requested in the NOFA. All awards are subject to final underwriting by DHCD and approval of funding agreements by the City's Board of Estimates.

### **Incurring Expenses**

Neither the City of Baltimore nor DHCD will be responsible for and will not pay for any cost incurred by any applicant in preparing and submitting an application or requested supplemental information in response to this Application.

### **Compliance with Law**

By submitting an Application, organizations awarded funds agree that they will comply with all Federal, State, and City laws, rules, and regulations and ordinances applicable to its activities and obligations under this program.

### **Public Information Act Notice**

DHCD commits to handling all information regarding financial assets in strictest confidence. Applicants should give specific attention to identifying any portions of their application that they deem to be confidential, proprietary, or trade secrets and provide justification why such material should not be disclosed by DHCD under the Maryland Public Information Act SS 1-601 et seq. of the State Government Article, Annotated Code of Maryland upon request by the public.