



OFFICE OF COMMUNITY DEVELOPMENT

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Steven M. Neuhaus
County Executive

January 29, 2021

Dear Urban County Consortium Member:

We are pleased to announce the start of the FY-2022 Community Development Block Grant (CDBG) Municipal Grant Application process. The application will only be transmitted via email and is also available on the Community Development website at <https://www.orangecountygov.com/192/Community-Development>. Please feel free to share the information with any other interested party.

Enclosed with this letter is the FY-2022 CDBG Program Year Calendar. Please take a few moments to review all important deadline dates as several key dates have been changed. Any municipality that submits an application for funding must hold a public hearing to inform citizens of the opportunity to apply for federal funding, review its community development needs, and obtain citizen input, particularly from people with low to moderate income, on which activities should be included in funding proposal and application, and authorize the Municipal Official to submit an application. All municipal applications are to be submitted to the Office of Community Development (OCD) no later than 4:00 PM, Friday, June 25, 2021.

NOTE: We no longer are requiring hard copies of the application – please submit electronically only.

At least one representative from the Applicant/Municipality must attend a **MANDATORY VIRTUAL Application Workshop on Thursday, March 18, 2021 from 9:30 a.m. to 12 noon via Zoom**. There can be no exceptions to the application deadline or attendance at the meeting. We suggest that the Municipal Official, Primary Contact, Project Manager and Engineer (if applicable) attend. To register and be sent the Zoom Invite, e-mail a list of Attendees with their Contact Information to awalag@orangecountygov.com, by Friday, **March 12, 2021**.

Thank you for your continued interest in this important program and we look forward to assisting you with your FY-2022 municipal application. If you have any questions, please do not hesitate to contact Alaina Walag, Assistant Director of Community Development at (845) 615-3817 or awalag@orangecountygov.com.

Sincerely,

Nicole Andersen

Nicole Andersen
Director of Community Development



ORANGE COUNTY OFFICE OF COMMUNITY DEVELOPMENT FY-2022 PROGRAM YEAR CALENDAR

January 29, 2021	FY-2022 CDBG Application E-Mailed to Supervisors/Mayors and posted on OCD website FY-2022 HOME Application E-Mailed to Contact List and posted on OCD website
February 4, 2021	Send FY-2022 Action Plan Public Hearing #1 public notice to newspaper, post on website, and email to community stakeholders
February 11, 2021	Public Notice for Public Hearing #1 published 14 days before Public Hearing
February 25, 2021 at 3:30pm	Public Hearing #1 for the FY-2022 Action Plan via Zoom Meeting ID 829 0954 2884
March 18, 2021 (Thursday) 9:30 am-12 noon	CDBG Application Workshop via Zoom Meeting- Call or email OCD to register **MANDATORY for Applicants**
March 22, 2021 at 10:30am	HOME Application Workshop via Zoom Meeting- Call or email OCD to register
April 2021	Receive Notice from HUD of final 2021 CDBG, HOME and ESG Entitlement
June 25, 2021 (Friday)	CDBG and HOME Applications Due to OCD Office by 4:00 p.m.
July 15 and 22, 2021 July 21, 2020	CDBG Advisory Committee Site Visits (Tentative) HOME Advisory Committee Site Visits (Tentative, if necessary)
July 27, 2021 at 9:30am July 29, 2021 at 9:30am	HOME Advisory Committee Ranking Meeting CDBG Advisory Committee Ranking Meeting
August 2021	County Executive Review of CDBG and HOME Advisory Committee Recommendations
September 10, 2021	Send PY 2022 Action Plan public notice to newspaper, post on website, and email to community stakeholders
September 17, 2021	Public Notice of Display Period and Public Hearing #2 published 14 days before Public Display
September 20, 2021	Submit Legislative Request for Resolution from Legislature to Submit FY-2022 Action Plan to HUD
October 1-31, 2021	30-Day Public Display and Comment Period for 2022 DRAFT Action Plan
October 22, 2021	OCD presents 2022 Action Plan to Education & Economic Development Statutory Committee for Legislature Approval
October 25, 2021	Public Hearing #2 at the Orange County Office of Community Development, 40 Matthews Street, Suite 307A, Goshen, NY at 3:30 p.m. Public Comment on all Proposed Activities in FY-2022 Action Plan
November 4, 2021	Legislative Approval to Submit FY-2022 Action Plan to HUD
November 15, 2021	Deadline to submit FY-2022 Action Plan to HUD
December 2021	FY-2022 CDBG Anticipated Award letters mailed to Municipalities FY-2022 HOME Anticipated Award letters mailed to Awardees
January 1, 2022	Begin FY-2022 Program Year – HUD Approves FY-2022 Action Plan

These dates are tentative and are subject to change. Notice of actual hearing dates, proposed and final plan adoption, and related public comment periods will be published in the Times Herald Record and on the OCD website:

<https://www.orangecountygov.com/192/Community-Development>

Project Term Completion Date

Once all conditions of award are met (see Successful Applicant Requirements below) and a contract is executed with the County, **the project must be completed within 12 months from the Notice to Proceed date.** OCD will monitor the progress of project work and will recapture awarded funds if significant progress is not made.

Eligible Applicants and Project Benefit Area

CDBG funds are available through the Orange County Urban County Consortium for all municipalities in Orange County which have elected to be a member of the consortium. The following municipalities have elected not to participate in the County's program and therefore projects that primarily serve these communities generally are not eligible: City of Newburgh, City of Middletown, City of Port Jervis, Town of Palm Tree, and Village of Kiryas Joel. Eligible Municipalities may also apply on behalf of a Non-Profit Subrecipient.

Application Requirements

- The CDBG application requires an approval by the governing body (municipal or non-profit) and must be signed by the Supervisor, Mayor, Village Manager, or an authorized representative of the non-profit applicant. Applications **must be discussed at a public meeting with time for public comments.** **Submit notice of meeting and minutes showing the action and provide a copy of the resolution. A sample is included for use.**
- Renovation or construction of buildings used for the general conduct of government (Town or Village Halls or Office buildings or garages) is **NOT** an eligible activity, **except for handicap accessibility** in compliance with current ADA code requirements.
- **Current Cost Estimate** prepared by an individual knowledgeable in the preparation of such estimates, using federal construction requirements, including, but not limited to, Federal wage rates **MUST** be included with application.
- **Incomplete applications will NOT be considered for funding.** Be sure to complete all sections of the application and provide all requested documentation.
- **DUNS Number:** § 200.32 Data Universal Numbering System (DUNS) number. DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify entities. A non-Federal entity is required to have a DUNS number in order to apply for, receive, and report on a Federal award. A DUNS number may be obtained from D&B by telephone (currently 866–705–5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
- **Registration on www.sam.gov** is required by HUD for all entities in order to receive CDBG funding. Proof of registration along with CAGE code is required at the time of application. ***Register as soon as possible.
- **Fair Housing Resolution** - Orange County takes fair housing responsibilities very seriously. All participating municipalities must **annually** adopt the attached draft municipal resolution that reinforces the municipality's commitment to federal and state fair housing regulations and post the Fair Housing Notice (note attached) on the website.

Project Selection Process and Scoring of Applications

The County's CDBG Program is funded by the Federal government. Federal laws, regulations and guidance supersede County policies and procedures in any case where they conflict.

Applications are reviewed for completion. Applications that lack required items or contain technical errors will be notified by email and given ten (10) calendar days to correct the error. Failure to submit the missing items by the deadline will result in ineligibility.

Members of the CDBG Advisory Committee are appointed by County Executive to review applications and make project and funding allocation recommendations. Applicants might be asked to give a tour of the project or a presentation to the Committee as part of the process. Committee recommendations are published in draft form and public comment is invited prior to a public hearing. The County Executive makes the final project award selections for submission in the form of a One-Year Action Plan, which HUD must approve before final award Agreements are executed. Projected timelines for these activities are in the Community Development

Annual Calendar; however, the exact dates are subject to change. CDBG funding payments to grant recipients will be negotiated and detailed in the final award Agreements and the new program year begins January 1, 2022.

In selecting projects for funding this year, Orange County will consider the following factors:

- Attendance of applicant representative at CDBG Application Mandatory Workshop
- Submission of application by due date
- Completeness of application including a detailed project description and all required attachments
- Is a **current** Fair Housing Resolution included in the application and posted on the municipal webpage?
- Demonstration that the activity is a CDBG eligible activity
- Demonstration of the project's ability to meet a national objective in assisting individuals with low and moderate incomes
- Projects that are eligible based on current census data (not ADA or survey) will be prioritized
- How is the project creative and/or innovative?
- Does the project include collaboration, shared services and/or a cooperative effort with another entity or across departments within a municipality?
- Is the project consistent with the Orange County 2020-2024 Community Development Consolidated Plan which states the County's overall priority for the investment of CDBG funds is to increase self-sufficiency and economic opportunity for lower income residents and individuals with special needs so that they can achieve a reasonable standard of living?
- How does the project support the following goals of the Con Plan?:
 - To provide decent housing by preserving the affordable housing stock, increasing the availability of affordable housing, reducing discriminatory barriers, increasing the supply of supportive housing for those with special needs, and transitioning homeless persons and families into housing.
 - To improve the quality of life and living environments for people with low- to moderate incomes through community reinvestment and improvements to public facilities and infrastructure.
 - To generate economic opportunities by supporting sustainable development activities that promote long-term community viability and the empowerment of people with low to moderate incomes to achieve self-sufficiency.
- Amount of Community Development dollars per low to moderate income beneficiary
- Reasonableness of Costs and a budget that reflects fiscal prudence and a readiness to proceed - Is there a logical justification for all expenses in the budget? Is there an explanation for each budget line that clearly supports the applicant's need for financial resources to achieve project outcomes? Does the proposal describe how the grant recipient will monitor expenditures during the life of the project to ensure that the project stays on schedule and within budget?
- Sound administrative infrastructure and capacity, including demonstration of project planning, administrative structures, turnover in staff, weaknesses identified in prior onsite or offsite reviews, and audit or financial statement findings in management letters
- Project can be completed within a reasonable time frame of one year
- **Past performance on prior CDBG funded projects - Consideration may be given to how timely an applicant completed previous projects, including its reporting requirements; how successful it was in outreach, especially to minority- and woman-owned businesses; the ongoing upkeep and maintenance of the funded project; and its cooperation in inspections, monitoring, and other activities**
- **Municipalities that have not received CDBG funding within recent years will be given 1st priority**
- **Municipalities that do not have an open project from Years 2017-2019 will be given 2nd priority**
- **Municipalities with open projects from Funding Years 2017-2019 will be given 3rd priority**
- **The County reserves the right to include other scoring factors as deemed necessary such as is the facility/infrastructure/services essential during COVID or another pandemic or disaster.**

Successful Applicant Requirements

Successful applicants are advised NOT to begin work until a project contract with the County of Orange has been fully executed and written notice to proceed from the Office of Community Development has been issued. Proceeding without advance OCD approval will jeopardize grant reimbursement. ***Certain conditions of award must be met to the satisfaction of OCD before any choice limiting actions are undertaken by the applicant/grantee including environmental and historic preservation reviews (including archeological review) and documentation of all necessary approvals to undertake the project.***

Project costs are eligible for CDBG funds only if the specified work meets HUD and Orange County Office of Community Development standards and the expenditures are made in compliance with federal, state and county requirements. Failure to comply with these requirements could jeopardize full eligibility for payment of project costs. Requirements include:

- **NEW REQUIREMENT:** In accordance with the Federal Funding Accountability and Transparency Act (FFATA), any funds awarded in excess of 25,000 trigger the requirement to report in the FFATA Subaward Reporting System (FSRS), evidence of registration must be submitted ahead of the written agreement execution if your project is awarded. <https://www.fsr.gov/>
- Pursuant to Article 15A of the Executive Law, Minority and Women-owned Business Enterprises/Equal Employment Opportunity, grant recipients will be required to solicit MWBEs before commencing work and to document efforts involving MWBEs during the project term. The Orange County Office of Community Development has a goal of 15% each for MWBE Firms (30%) total. This is not a requirement, but contractors must show that efforts were made to solicit MWBE Firms. Contractors who respond to bids and have MWBE subconsultants or are an MWBE firm themselves will be given preference during the award process. A list of current MWBE Firms can be found on the Empire State Development (NYS ESD) Website:
<https://ny.newnycontracts.com/FrontEnd/SearchCertifiedDirectory.asp?XID=6812&TN=ny>
- **Contracts awarded in the amount of \$100,000 or more are subject to requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3).** The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low- income persons, particularly persons who are recipients of HUD assistance for housing.
- A list of local Section 3 Business Concern can be found on the HUD Website:
<https://portalapps.hud.gov/Sec3BusReq/BRegistry/SearchBusiness>
 - **NEW REQUIREMENT:** It is required that the Notice of Invitation for Bids for Section 3 covered contracts is sent directly to all qualified Section 3 Business Concerns in the area. Documentation that the invitation was sent to these businesses directly is required to be submitted to the Office of Community Development after the bid opening is conducted. (PDF of an Email Transmission is sufficient for documentation.)
 - If a Section 3 Business Concern is not the Prime Contractor or Subcontractor on the awarded bid, the awarded contractor must employ 25% of their workforce on the CDBG funded project as Section 3 Persons (low-income persons).
 - A copy of the Orange County Office of Community Development's Section 3 Policy can be found on our website at: <https://www.orangecountygov.com/207/Plans-Reports>
 - Bidders failing to meet the benchmarks must demonstrate compliance with the Section 3 requirements in 24 CFR Part 75 by certifying that they have followed the prioritization efforts identified in 24 CFR Part 19.
 - Indicate whether Section 3 Business Concerns were solicited for each type of work the bidder expects to subcontract for and for all materials which the bidder expects to procure and, if not, the reason(s) why no such solicitation was made;
 - Indicate the reason why a Section 3 Business Concern has not been committed to for a type of subcontract work or materials in any area where a quote was received from a Section 3 Business Concern, and;
 - In any case where no quotations are received nor commitments made to a Section 3 Business Concern, indicate on Contract/Solicitation and Commitment Statement that no

quotes were received, and if there is another reason for no commitments being made, the reason for the lack of commitments.

- If the bidder fails to submit such evidence, the bid submission shall be considered nonresponsive and the bid rejected.
- Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money and must also adhere to CDBG procurement guidance. If you need technical assistance to better understand the procurement process, please refer to 2 CFR part 200: <https://www.law.cornell.edu/cfr/text/2/200.320>
- All projects on property eligible or listed on the National or State Registers of Historic Places must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done in conformance with the Secretary of the Interior Standards. These types of projects will be submitted to the State Historic Preservation Office (SHPO) and work will need to be completed in adherence with any recommendations received. This consultation is conducted by the Office of Community Development as part of our Environmental Review Compliance under 24 CFR Part 58.
- Projects involving “new” ground disturbance (trenching, grading, demolition, new construction, etc.), may be subject to an archeological investigation if recommended by SHPO. In addition, new ground disturbance triggers the need for compliance with Section 7 of the Endangered Species Act and Consultation with the United States Fish and Wildlife Service (USFWS) and/or the NYS Department of Environmental Conservation (DEC). Any consultation needed is the responsibility of the Office of Community Development and will be conducted during the Environmental Review. All recommendations from Consultations must be adhered to when the project is implemented.
- Any permits required from agencies such as the NYS Department of Transportation (DOT), NYS Department of Environmental Conservation (DEC) or the US Army Corps of Engineers (USACE) must be filed before construction begins. Our Office strongly suggests starting permit applications as soon as possible in this process as permitting can lead to project delays which will affect the ability for the project to be completed in the required 12-month timeframe.
- No “choice limiting actions” such as acquisition, demolition, disposition, rehabilitation, repair, new construction, site preparation, and leasing or any other activities that commit to future activities can be undertaken before the Office of Community Development has completed its Environmental Review responsibilities under 24 CFR Part 58. The municipality and engineer will get written notification to proceed when the Environmental Review is complete.
- The Office of Community Development must accept/approve plans and specifications, bid documents, competitive bidding procedures, and Force Account Labor Utilization Plans.
- Federal wage rates (Davis-Bacon Act) apply to all CDBG funded construction or renovation projects unless force account labor is being used. Confidential Labor interviews will be conducted to ensure the correct wages are paid to laborers.
- State Bid Lists cannot be used for procurement unless a specific project “Mini-Bid” is completed and the Office of Community Development has reviewed the bid and approved the process for procurement.
- Office of Community Development staff will conduct periodic inspections, including a final inspection of the project, and may conduct post completion inspections as warranted to ensure the public benefit is maintained as part of our project monitoring requirements

Thank you for considering the submission of an application to the Orange County Community Development Block Grant Program. We look forward to working with you to ensure a successful year of grant applications. Please do not hesitate to contact our office with any questions concerning the enclosed grant application:

Orange County Office of Community Development
40 Matthews Street, Suite 307A, Goshen, NY 10924
Telephone: 845-615-3820 - e-mail: CommDev@orangecountygov.com
<https://www.orangecountygov.com/192/Community-Development>

FY-2022 Orange County CDBG Application Required Checklist

The following documentation is required. Applications lacking these attachments (or an acceptable explanation) are considered incomplete, and may cause the application to be deemed ineligible, or adversely affect the rating points. To check a box, Double click on each box and click "checked"

<input type="checkbox"/>	Incomplete applications will not be accepted. Prepare the FY 2022 CDBG application in a clear, comprehensive and concise manner. Answer ALL questions completely.
<input type="checkbox"/>	Submit One (1) single sided application with original signatures via email (preferred - as a scan of the original signed application), mail or in person to the Office of Community Development, 40 Matthews Street, Suite 307A, Goshen, NY 10924 by Friday, June 25, 2021 by 4 p.m. Please, no staples, binders, hole punches, or presentation folders.
<input type="checkbox"/>	E-mail One (1) PDF electronic copy of the original complete Application to awalag@orangecountygov.com . In addition, submit the narrative as a Word Document.
<input type="checkbox"/>	Provide an <u>area map</u> noting the project location and boundaries of the service area that will directly benefit from the project. Use census maps and/or info from the Office of Community Development website: (https://www.orangecountygov.com/192/Community-Development) Note street names/ landmarks for ease of identification. Applicants should submit a color printout of the site/service area map and email the map as a PDF or JPG.
<input type="checkbox"/>	Letters of Commitment and/or written agreements from funding sources and with partners
<input type="checkbox"/>	Provide current Architect and/or Engineer's cost estimates , as applicable. All applications proposing construction activities MUST include a current cost estimate prepared by an individual knowledgeable in the preparation of such estimates, using federal construction requirements, including Federal Davis-Bacon wage rates.
<input type="checkbox"/>	Photographs as JPGs of project site and surrounding area documenting current conditions. Include photos of any structures more than 50 years old within or immediately adjacent to the project area. Provide views to these features from the project site, as well as views of the project site from them.
<input type="checkbox"/>	Public Participation: Resolutions of governing body authorizing Application and Fair Housing Resolution (must contain the language referenced in Exhibits "E" and "F") and evidence of presentation at public hearing (Public hearing notice with date of publication, minutes, and resolution approving submission of the application).
<input type="checkbox"/>	Environmental Reports & Maps: Phase I or Phase II Environmental Assessments, any prior SHPO Review consultations, Floodplain Map and Topographic Map, if readily available. These can be submitted after project approval and may or may not be a requirement, but are helpful for us in conducting our Environmental Review Compliance. You will be contacted if a specific study is required for your project once the Environmental Review is completed
<input type="checkbox"/>	For Slum & Blight Projects only- Slum and Blight Study less than 10 years old with Building Conditions Survey and Resolution adopted by governing body. YOU MUST NOTIFY US WELL IN ADVANCE TO APPROVE YOUR STUDY PRIOR TO APPLYING UNDER THE SLUM AND BLIGHT NATIONAL OBJECTIVE.
	<i>IF MUNICIPALITY IS APPLYING ON BEHALF OF A NON-PROFIT ORGANIZATION:</i>
<input type="checkbox"/>	Resolution from Non-Profit Board of Directors authorizing grant application
<input type="checkbox"/>	Most recent 990 and Audit with Financial Statements
<input type="checkbox"/>	Copy of Non-Profit 501(c)(3) Certificate from IRS and Executed W-9 Form
<input type="checkbox"/>	List of Board of Directors with address and professional and volunteer affiliations
<input type="checkbox"/>	Organizational Budget, Program/Project Budget and Matching Funds Documentation
<input type="checkbox"/>	Articles of Incorporation/Bylaws
<input type="checkbox"/>	Organizational Chart with resumes of Project Manager and Key Staff assigned

APPLICANT INFORMATION AND PROJECT ABSTRACT FOR FISCAL YEAR 2022

1.	Project Name (must be different from prior submissions):		
2.	Eligible CDBG Activity (See Exhibit A):		
4.	Legal Name of Applicant (Municipality):		
4a.	Municipal Official (Name and Title):		
4b.	Principal Contact Person at Municipality (Name, Title and Email):		
4c.	Mailing Address:		
4d.	Phone #:	4e.	Fax #:
4f.	Federal Tax ID # (EIN):	4g.	DUNS #:
4h.	Attach www.SAM.gov Proof of Registration	4i.	CAGE Code:
5.	Is the Municipality applying on behalf of a Non-profit subrecipient? (Yes or No)		
	<i>Only fill out Question 6 if applying on behalf of Non-Profit Subrecipient:</i>		
6.	Legal Name of Non-Profit Subrecipient:		
6a.	Authorized Contact Person at Non-Profit Subrecipient (Name, Title and Email):		
6b.	Mailing Address:	6c.	Phone #: Fax #:
13.	CDBG funds requested: \$		
14.	Funds committed from other sources: \$		
15.	Total project cost (Line 13 + Line 14): \$		
16.	Location of proposed project: (For purposes of GIS mapping, please provide a specific, US Post Office recognized address in or near the project site – i.e.: 132 Main St. Please do not provide a range or intersection. Also include the Tax Parcel ID Number(s) associated with the project location)		

Certification by the Authorized Representative of the Municipality and Non-Profit Subrecipient (as applicable)

By signing below, under penalty of perjury, you certify that you are authorized on behalf of the applicant and its governing body to submit this application. You further certify that all of the information contained in this Application and in all statements, data and supporting documents which have been made or furnished for the purpose of receiving assistance for the project described in this application, are true, correct and complete to the best of your knowledge and belief. You acknowledge that offering a written instrument knowing that the written instrument contains a false statement or false information, with the intent to defraud the State or any political subdivision, public authority or public benefit corporation of the State, with the knowledge or belief that it will be filed with or recorded by the State or any political subdivision, public authority or public benefit corporation of the State, constitutes a crime under New York State Law. You further certify that the information given herein is true and correct in all respects for the Municipality/Non-Profit Subrecipient applying for funding, presently and for the past five years:

- the Municipality/Non-Profit Subrecipient is not a party to any litigation or any litigation is not pending or anticipated that could have an adverse material effect on the Municipality/Non-Profit Subrecipient's financial condition;
- the Municipality/Non-Profit Subrecipient does not have any contingent liabilities that could have a material effect on its solvency;
- the Municipality/Non-Profit Subrecipient, its affiliates or any member of its management or any other concern with which such members of management have been officers or directors, have never been involved in bankruptcy, creditor's rights, or receivership proceedings or sought protection from creditors;
- the Municipality/Non-Profit Subrecipient is not delinquent on any of its state, federal or local tax obligations;
- No principal, officer of the Municipality/Non-Profit Subrecipient, owner or majority stockholder of any firm or corporation, or member of the management has been charged or convicted of a misdemeanor or felony, indicted, granted immunity, convicted of a crime or subject to a judgment, or the subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation for: (i) any business-related activity including, but not limited to, fraud, coercion, extortion, bribe or bribe receiving, giving or accepting unlawful gratuities, immigration or tax fraud, racketeering, mail fraud, wire fraud, price fixing or collusive bidding; or (ii) any crime, whether or not business related, where the underlying conduct relates to truthfulness, including but not limited to, the filing of false documents or false sworn statements, perjury or larceny;
- the Municipality/Non-Profit Subrecipient or any of the Municipality/Non-Profit Subrecipient's affiliates, principal owners or Officers has not received a violation of State Labor Law deemed "willful";
- the Municipality/Non-Profit Subrecipient or any of its affiliates has never been cited for a violation of State, Federal, or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution or other operating practices;
- there are not any outstanding judgments or liens pending against the Municipality/Non-Profit Subrecipient other than liens in the normal course of business;
- the Municipality/Non-Profit Subrecipient or any of its affiliates, principal owners or officers the Municipality/Non-Profit Subrecipient has not been the subject of any judgments, injunctions, or liens including, but not limited to, judgments based on taxes owed, fines and penalties assessed by any governmental agency, or elected official against the Municipality/Non-Profit Subrecipient;
- the Municipality/Non-Profit Subrecipient or any of its affiliates, principal owners or officers the Municipality/Non-Profit Subrecipient has not been investigated by any governmental agency, including, but not limited to, federal, state and local regulatory agencies;
- the Municipality/Non-Profit Subrecipient or any of its affiliates, principal owners or officers the Municipality/Non-Profit Subrecipient has not been debarred from entering into any government contract; been found non-responsible on any government contract; been declared in default ore terminated for cause on any government contract; been determined to be ineligible to bid or propose

on any contract; been suspended from bidding on any government contract; received an overall unsatisfactory performance rating from any government agency on any contract; agree to a voluntary exclusion from bidding or contracting on a government contract;

- the Municipality/Non-Profit Subrecipient or any of its affiliates, principal owners or officers the Municipality/Non-Profit Subrecipient has not failed to file any of the required forms with any government entity regulating the Municipality/Non-Profit Subrecipient.

*Note: If any of the statements above are not true, in addition to signing your name, also include an explanation, indicating which issue you are addressing.

If this grant application is awarded funding, the _____ (Municipality/Organization) agrees that:

- Successful applicants will be required to sign a contract with the County, which will state all the requirements to be placed on the applicant.
- CDBG funds will only be used toward eligible project costs.
- **The proposed project will be complete within 24 months from project award notification which will occur in December of 2021. The written agreement will be sent for execution in late Summer of 2022 and will expire on 12/31/2023. All documentation and final vouchers must be received before the contract ends. There will be no exceptions.**
- In the event that US HUD should determine that CDBG funds were improperly spent, and that money should be reimbursed to the U.S. Treasury, the Applicant will be responsible for this reimbursement.
- The Applicant is currently registered at <http://sam.gov> and the registration will be updated as necessary.
- Applicant must comply with 2 CFR Part 200.302 and agree to adhere to the accounting principles and procedures required therein, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred. Applicant must comply with 2 CFR Part 200.203 and maintain effective internal controls over the funds awarded herein. The program must be administered in conformance with 2 CFR Part 200, Subpart E, "Cost Principles." These principles shall be applied for all costs incurred whether charged on a direct or indirect basis.
- Financial records, support documentation, statistical records, and all other records pertinent to demonstrate compliance with CDBG regulations for all funding shall be retained for a period of five years following completion of project/activity. The records will be subject to review by the Orange County Office of Community Development and the United States Department of Housing and Urban Development (HUD).
- In accordance with 2 CFR Part 200, the federal government requires that Applicants expending \$750,000 or more in federal financial assistance in a fiscal year must secure an audit. Agencies spending \$750,000 or more must choose one of the following ways of meeting this requirement and state which method they choose: If the Applicant already conducts audits of all its funding sources including CDBG, the Applicant must submit a copy of its most recent audit, and may, at its discretion, include the CDBG portion of the audit cost in its CDBG project budget. OR If the Applicant already conducts audits of its other funding sources but has neither received nor included CDBG in the past, the scope of the audit would be modified to incorporate CDBG audit requirements. The associated cost of the augmentation could then be included in the CDBG project budget, accompanied by the auditor's written cost estimate.
- All procurement transactions regardless of whether negotiated or advertised and without regard to dollar value shall be conducted in a manner so as to provide maximum open free competition. Required bonding and bid guarantees will be in place prior to the execution of a contract to award the funds.
- Applicant will be required to provide annual reports stating the total number of people served, including their ethnic origin, and whether they are female heads of household. These figures are required to be reported by US HUD.
- Non-profit Applicants must have 501(c)(3) status for at least one full year and at least one (1) full

year of operating experience directly related to the proposed activity or have principal staff with such experience. Non-profits must also have a volunteer Board of Directors of not less than five (5) unrelated members which meet at least 4 times a year.

- The Applicant shall establish safeguards to prohibit employees from using their positions for a purpose that has the appearance of being motivated by a desire for private gain for themselves or others.
- The Applicant complies with Generally Accepted Accounting Principles and all expenditures must have adequate documentation prior to being paid.
- All materials submitted shall become public records retained by Orange County
- The Applicant has a personnel policy manual with an affirmative action plan and grievance procedure.
- No person, on the basis of race, color, national origin, sex, gender identity, familial status, religion, disability, age, veteran status, or any other characteristic protected under applicable federal, state, or local laws should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or part by CDBG funds. The Applicant agrees to furnish copies of applicable policies and procedures upon request.
- Employment made by or resulting from CDBG funding from Orange County shall not discriminate against any employee or applicant on the basis of disability, age, race, color, religion, sex, or national origin.
- Applicant will be required to obtain written proof of income of each person or household which you assist, unless the clients are abused children, battered spouses, elderly persons, handicapped persons, homeless persons, illiterate persons, or migrant farm workers.
- Applicant must have a written policy designed to ensure the facilities are free from the illegal use, possession, or distribution of drugs or alcohol.
- If any income is derived from the activities funded by CDBG, that income must be returned to Orange County as program income.
- None of the funds, materials, property, or services provided directly or indirectly under CDBG funding from Orange County shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office.
- The Applicant will comply with requests regarding liability insurance coverage, fidelity bond coverage for principal staff who handles the agency's accounts, and payment of payroll taxes and worker's compensation as required by Federal and State laws.
- If any project costs, regardless of their funding source, are incurred prior to the CDBG award date and the approval of the Request for Release of Funds by HUD, the entire project may be deemed ineligible for CDBG funds.
- Authorization to request funds: I acknowledge the statements above and certify the information contained in this application is true and correct. I further understand material omission or false information contained in this application constitutes grounds for disqualification.
- The Applicant hereby assures and certifies that it will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted project, if approved for funding. Also, the Applicant gives assurances and certifies with respect to the grant that if approved, the grant will be conducted and administered in compliance with:
 - Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 U.S.C. Section 2000 d et seq.);
 - Title VIII of the Civil Rights Act of 1968, as amended (Pub. L. 90-284; 42 U.S.C. Section 3601 et seq.);
 - Section 109 of the Housing and Community Development Act of 1974, as amended;
 - Section 3 of the Housing and Community Development Act of 1968, as amended;
 - Executive Order 11246, as amended by Executive Orders 11375 and 12086;
 - Executive Order 11063 as amended by Executive Order 12259;
 - The Age Discrimination Act of 1975, as amended;
 - Section 504 of the Rehabilitation Act of 1973, as amended;
 - The labor standards requirements as set forth in 24 CFR Section 570.605 and HUD implementing

regulations;

- Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;
- The flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973;
- All other applicable State and Local requirements.
- No member, officer, or employee of the Grantee, or its designees or agents, who exercises any functions or responsibilities with respect to the program during his/her tenure in office or for one year thereafter, shall have any interest, direct or indirect, in contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this grant, if approved;
- Applicant will comply with the provisions of the Hatch Act which limits political activities of employees (Chapter 15, Title 5, United States Code);
- Applicant will comply with the lead-based paint notification, inspection, testing, and abatement requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Poisoning Prevention Act (42 USC 4801 et seq.)

Applicant/Municipality Signature: _____ Date: _____

Authorized Representative Name and Title:

Non-Profit/Subrecipient Signature: _____ Date: _____

Authorized Representative Name and Title:

CDBG ELIGIBLE ACTIVITIES – SEE APPENDIX A FOR DETAILS

1. Place an X in **one** of the following boxes that describes your proposed activity.
To check a box, double click on the box and click “checked”

Public Facilities:

- | | |
|--|--|
| <input type="checkbox"/> Streets, curbs, sidewalks
<input type="checkbox"/> Storm and sanitary sewers
<input type="checkbox"/> Water lines
<input type="checkbox"/> Parks | <input type="checkbox"/> Community centers, senior centers
<input type="checkbox"/> Parking lots
<input type="checkbox"/> Fire Stations
<input type="checkbox"/> Other, specify _____ |
|--|--|

Public Services:

- | | |
|--|--|
| <input type="checkbox"/> Childcare
<input type="checkbox"/> Recreation programs
<input type="checkbox"/> Public safety services
<input type="checkbox"/> Services for senior citizens
<input type="checkbox"/> Addiction counseling
<input type="checkbox"/> Services for adults with severe disabilities | <input type="checkbox"/> Health care
<input type="checkbox"/> Education programs
<input type="checkbox"/> Fair housing activities
<input type="checkbox"/> Services for homeless people
<input type="checkbox"/> Energy conservation counseling and testing
<input type="checkbox"/> Other, specify _____ |
|--|--|

Other:

- | | |
|--|--|
| <input type="checkbox"/> Acquisition
<input type="checkbox"/> Demolition
<input type="checkbox"/> Housing Rehabilitation | <input type="checkbox"/> Homeownership assistance (down payment and closing costs) |
|--|--|

INELIGIBLE ACTIVITIES – Adapted from 24 CFR Part 570.207

- Funds spent on buildings for the general conduct of government, except for the removal of architectural barriers
- General government expenses
- Lobbying and Political activities
- Purchase of equipment is generally ineligible
- Furnishings and personal property are generally ineligible
- Impact fees associated with construction activities
- Maintenance and operating expenses without providing a service is ineligible
- May not be used to guarantee mortgage financing directly and grantees may not provide such guarantees directly; and
- CDBG funds may not be used to provide income payments. For purposes of the CDBG program, “income payments” means a series of subsistence-type grant payments made to an individual or [family](#) for items such as food, clothing, housing (rent or mortgage), or utilities, but excludes emergency grant payments made over a period of up to three consecutive months to the provider of such items or services on behalf of an individual or [family](#).

US HUD CDBG STATUTORY OBJECTIVE JUSTIFICATION *

SELECT HOW THE PROJECT MEETS A NATIONAL OBJECTIVE (CHOOSE #1 OR #2):

1. Activity benefitting People with Low to Moderate Income (Choose one of the options in A, B, or C)

A. **LMI Service Area Benefit** # People Served: _____

___ **Census Data** – (Please reference the **LMI Area map and data** provided on OCD webpage)

1. Service Area Census Tract/s and Block Group/s #: _____
2. Total # of low/mod income (LMI) persons residing in block groups within which the service area is located: _____
3. Total # of persons residing in block groups within which the service area is located: _____
4. Percentage of low/mod income (LMI) person residing in block groups within which the service area is located: _____%

****Note:** Public service activities CANNOT be qualified through the Area Benefit National Objective.

B. **LMC Limited Clientele** | # People Served: _____

If the proposed activity is a public service or facility and exclusively serves a specific group of people with at least 51% of whom are people with low- and moderate-incomes, indicate which of the three categories of limited clientele activities best describes the activity by checking the appropriate box.

___ **Presumed benefit** – Does the activity exclusively serve/benefit one or more of the populations listed below? Check all that apply (NOTE: Handicap Barrier Removal Projects should check Presumed Benefit/Severely Disabled Adults below).

- | | |
|---|--|
| <input type="checkbox"/> Abused children | <input type="checkbox"/> Battered spouses |
| <input type="checkbox"/> Elderly persons (over the age of 62) | <input type="checkbox"/> Adults meeting the US Census Bureau definition of severely disabled |
| <input type="checkbox"/> Homeless persons | <input type="checkbox"/> Illiterate adults (not ESL) |
| <input type="checkbox"/> Persons living with AIDS | <input type="checkbox"/> Migrant farm workers |

___ **Family size and income** – check this box if you intend to utilize household income surveys to document the size and annual income of each person receiving the benefit. Note: at least 51% of the program beneficiaries must be people whose family income does not exceed the limits summarized in **Exhibit C – National Objective Qualifiers**.

___ **Nature and location of activity** – check this box if the nature and location of the activity are such that it will be used predominantly by people with low to moderate-incomes. For example, a day care center designed to serve residents of a public housing development. Attach an explanation of how the activity meets this objective. Further documentation may be required to confirm eligibility.

C. **LMH Housing** | # Households Served: _____

___ **Housing** – check this box if you will use funds to benefit homeowners or renters with low and moderate income. Each unit must be occupied by a household with low-moderate income.

2. Activity which aids in the prevention or elimination of Slums or Blight

Buildings Rehabbed or Demolished: _____ or # of Public Facilities improved: _____

Slum/Blight Spot: Only Public Facility building rehabilitation or Demolition can be qualified as a spot blight activity.

Slum/Blight Area: Improvements to facilities in a designated Redevelopment area, Study must be less than 10 years old with Area Conditions Survey and Resolution adopted by municipal governing body is required.

CDBG PROJECT NARRATIVE

Complete the Application Narrative in a clear, comprehensive and concise manner. Answer ALL questions and include proper documentation to ensure fair consideration of your application. Write N/A for any questions that are Not Applicable to your project.

Project Description. Concisely describe the project, indicating the location, what will be planned, designed, acquired, and/or constructed, the issues/opportunities to be addressed, and expected outcomes and deliverables. Include how the project will benefit people with low to moderate income.

How will CDBG funds specifically be used? What work will be performed, including activities to be undertaken or the services to be provided? Quantify your anticipated accomplishments (e.g. 3,275' of storm sewer, 3,000 feet of sidewalk, etc.) as a result of implementing and completing this project. (Please do not include previous or future phase project portions. In addition, do not reference past CDBG projects as a comparison measure). Make sure your quantity values match the quantity values in your budget.

National Objective: Describe how you identified the area (for low mod area projects) or population (for Low mod clientele projects) that will benefit – how was the service area defined? What population will be served or what area will benefit? See previous page and Exhibit B for types of low-mod qualifiers (LMA or LMC, Spot blight or Area Blight).

Americans with Disabilities Act Standards and Accessibility: Section 504 of the Rehabilitation Act of 1973 provides in part that citizens with disabilities must have access to all federally-funded services, programs, and activities. Explain how your project will meet these requirements. Will the project be located in a facility that is accessible to people with disabilities? Consider the accessible features of the building where services will be provided, such as wheelchair ramps, accessible restrooms, etc. If no, please explain valid reasoning why the improvement will not be able to be made accessible.

Explain why you consider the program to be a local priority:

Expansion of Service- For Public Service Applicants only:

Has the Applicant previously received CDBG funds for the same or a similar project and to serve the same targeted special population? If yes, please explain.

Does the project represent an expansion of a project previously funded with CDBG? Document how CDBG funds will provide for the quantifiable increase in the level of services, or if not, why CDBG support is needed to maintain current levels of services provided. An expansion is considered to be either serving a larger number of people with low-income than were previously served; serving a broader geographic area than was previously served; or expansion of the number of staff dedicated to support a program.

Will the project be located in a CDBG-funded facility? If CDBG funds were ever involved in the original construction or in a substantial rehabilitation of the facility, answer yes.

Project Administration:

Please provide a list of the names/affiliations of representatives of the applicant who attended the Application Workshop.

Is a third party being used to complete this application such as consultant, engineer or attorney? Provide name and contact number and email address:

If you are a third party completing this application you must disclose your name, company and contact number and email address:

Describe the staff, volunteers, consultants, or board members who will be directly associated with this project/service and their responsibilities. Identify who has primary responsibility to ensure the timely procurement and completion of the project.

FOR PUBLIC SERVICES ONLY, provide an Organizational/Departmental chart, including employee names and titles, to characterize how this activity fits into the overall organizational structure.

PREVIOUS FUNDING: Please list all projects previously funded with CDBG funds since 2015. This is intended to capture a brief history of the applicant's experience managing CDBG-funded projects as well as to demonstrate to the reviewing CDBG Committee how well an applicant has performed on past CDBG-funded projects. Include the following for each project: (attach additional sheets as needed)

4-Digit CDBG IDIS # (if known):

Project Name:

Year of Project:

Amount of Award:

Completed on time?

Completed within budget?

Is the service still offered?

BUDGET NARRATIVE ATTACHMENT

- | | |
|-----------|--|
| 1. | Describe how the project will be funded and the plans to use other funds on this project. Only describe funds that have been secured including the source of funds, amounts, and how these funds will be used. Describe the use of donated goods and services with estimated value. |
| 2. | Explain your strategy for proceeding if the full amount of requested funding, required matching funds, and temporary financing are not secured as expected, or committed sources become unavailable. This explanation must address any proposed project phases, and both CDBG and non-CDBG sources of funds. |

3. Explain how the project costs are reasonable and how the approach to the project is more effective than other possible approaches and solutions to the need.

EXHIBIT “A” - CDBG BASIC ELIGIBLE ACTIVITIES

The following activities may be funded by the CDBG Program, so long as they meet one or more of the National Objectives as described in Exhibit B.

1. Acquisition of real property by purchase, long-term lease (15+ years), donation, or otherwise, of real property for any public purpose, subject to limitations.
2. Disposition of real property acquired with CDBG funds through a lease or donation, or otherwise; or its retention for public purposes.
3. Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements, except buildings for general conduct of government. Eligible facilities include those facilities that provide an eligible public service and are functional during regular business hours (M-F, 9-5) such as senior citizen centers, homeless shelters, nursing homes, domestic violence shelters, and residential or program sites for adults with severe disabilities.
4. Clearance, demolition, and removal of buildings and improvements, including movement of structures to other sites.
5. Provision of public services (including labor, supplies and materials) such as those concerned with child care, health care, education, job training, public safety, fair housing counseling, recreation, senior citizens, homeless persons, drug abuse counseling and treatment, and energy conservation counseling and testing. The services must meet each of the following criteria:
 - **A service must either be new or be a quantifiable increase in the level of a service above that which has been provided with state or local funds in the previous twelve calendar months;** and
 - The total amount obligated for public services with the Orange County Annual Action Plan shall not exceed 15 % of the annual grant, plus 15% of the program income received from the previous year.
6. Removal of material and architectural barriers, which restrict the mobility and accessibility of elderly or handicapped persons to publicly and/or privately-owned buildings, facilities, and improvements.
7. Rehabilitation of privately and/or publicly owned buildings and improvements for residential purposes.
8. Rehabilitation of publicly and/or privately owned commercial or industrial buildings, except that the rehabilitation of such buildings owned by a private for-profit business is limited to improvements to the exterior of the building and the correction of code violations.
9. Improvements to buildings to increase energy efficiency.
10. Rehabilitation, preservation, or restoration of historic properties.

EXHIBIT “B” - National Objective Qualifiers

In order to be considered as benefiting a person with low or moderate income, an activity must fall into one of the categories below.

1. **Area Benefit:** Orange County is an “exception level” community. Census areas with at least 44.69% of people with low to moderate incomes qualify for funding. The activity may also be available to all people in the area regardless of income.
2. **Limited Clientele:** To qualify under this subcategory, a limited clientele activity must fulfill one of the following tests.
 - Clientele must be one of the following groups:
 - Abused children
 - Elderly persons (over the age of 62)
 - Battered spouses
 - Homeless persons
 - Adults meeting the US Census Bureau’s definition of severely disabled
 - Illiterate adults
 - People living with AIDS
 - Migrant farm workers, or
 - At least 51% of the clientele must be low-moderate income persons; or
 - The activity must be of such a nature and in such a location that it may reasonably be concluded that the clientele will be people with low-moderate incomes; or
 - The activity must serve to remove material or architectural barriers to the mobility or accessibility of elderly persons or of adults with severe disabilities; or
3. **Housing:** The activity must result in housing that will be occupied by people with low-moderate incomes upon completion. The housing can be either owner- or renter occupied and can be either one family or multi-unit structures. Rental housing must be occupied at affordable rents.

Exhibit “C” FY 2020 Income Limits Summary

FY 2020 Income Limit Area	Median Family Income Explanation	FY 2020 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Poughkeepsie-Newburgh-Middletown, NY HUD Metro FMR Area	\$102,300	Very Low (50%) Income Limits (\$) Explanation	35,850	40,950	46,050	51,150	55,250	59,350	63,450	67,550
		Extremely Low Income Limits (\$)* Explanation	21,500	24,600	27,650	30,700	33,200	35,650	39,640	44,120
		Low (80%) Income Limits (\$) Explanation	54,950	62,800	70,650	78,500	84,800	91,100	97,350	103,650

Note: HUD updates income guidelines annually and the 2021 income limits are expected shortly. When income limits change, awardees will be notified. This income chart does not apply to area benefit activities.

EXHIBIT “D” – PROJECT TIMELINE

For construction projects, provide a timeline next to each item below if it applies. Indicate how long all phases of the project will take to complete. Timeline should be as detailed as possible, including time increments (i.e. Number of days, weeks etc.) **NOTE: If the project is funded, OCD must complete the environmental review process before construction can begin - a full set of plans and specifications will be required. Projects cannot be put out to bid prior to OCD receiving its line of credit from HUD. This typically happens between August and December. Projects should be completed by within 12 months from the Notice to Proceed Date from OCD. Project timeline accordingly.**

Grant Award from OCD: no later than December 31, 2022	
Engineering RFP completion:	
Conceptual Engineering/Design prepared:	
Plans, approvals, permits complete (detail each):	
Other funding sources confirmed:	
Environmental Review Completed and HUD release of funds:	
Time needed to obtain site control:	
Time needed to obtain other project financing:	
Final Engineering/Design Completed:	
Bid Specs Completed and sent to OCD for approval:	
Estimate date of bid opening:	
Pre-construction Meeting:	
Projected date for notice to proceed:	
Construction start:	
Construction Completion:	
Expected Completion Date:	

**EXHIBIT "F" - SAMPLE
GOVERNING BODY FAIR HOUSING RESOLUTION**

The _____ (name of municipality) supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of _____ (name of municipality) to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The _____ (name of municipality) further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Therefore, the Municipal Council of _____ (name of municipality) do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the _____ (name of municipality) will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the _____ (name of municipality) shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Approved this _____ day of _____ (month), _____ (year)

ATTEST:

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Telephone Number

Exhibit “G”

Fair Housing Information for The Website

Fair Housing – It’s The Right!

Fair housing refers to free and equal access to residential housing – i.e. housing choice. The federal Fair Housing Act makes it illegal to discriminate on the basis of a person’s race, familial status (presence of children under age 18), color, national origin, religion, disability (physical or mental), or sex. The New York State Human Rights Law protects all of the same characteristics as the federal Fair Housing Act but also makes it illegal to discriminate based on creed, age, sexual orientation, marital status, or military status.

Orange County complies with the federal Fair Housing Act and the New York State Human Rights Law. The County is committed to promoting fair housing choice for all people.

Fair Housing FAQ

What kind of housing is covered by the Fair Housing Act?

Most housing is covered by the Fair Housing Act. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a broker, and housing operated private clubs that limit occupancy to members.

In New York State, fair housing laws cover most housing, with three main exceptions:

One or two family owner-occupied buildings; Room rentals in housing for individuals of the same sex; and Room rentals in owner-occupied housing.

Illegal Actions

Fair housing laws apply to the sale or rental of housing and also to mortgage lending. They cover some very specific actions. Some typical examples include: Refusing to rent, sell, finance, insure, or negotiate for housing; Making housing unavailable; Setting different terms or conditions, or providing unequal services; Printing or circulating a discriminatory advertisement; Refusing to make or provide information for a loan, or imposing different terms or conditions for a loan; or Harassing, threatening, intimidating, or coercing anyone, including sexual harassment.

Those with Disabilities Are Protected

Under the fair housing laws, a landlord may not: Refuse to make reasonable modifications to a dwelling or common use area to accommodate a person’s disability; or Refuse to make reasonable accommodations in policies or services if necessary for the disabled person to use the housing. In addition, any multi-family housing built after 1991 must comply with accessibility requirements to ensure that public and common use areas and units are accessible for people with disabilities.

Fair Housing Links

Laws

New York Human Rights Law: <https://dhr.ny.gov/law>

Federal Fair Housing Act Link: <https://www.justice.gov/crt/fair-housing-act-2>

Who can I contact if I believe I've been discriminated against?

Complaints related to discrimination on the basis of race, color, religion, sex, national origin, disability, or familial status may also be filed directly with the U.S. Department of Housing and Urban Development (HUD).

What information do I need to provide to file a fair housing complaint?

If you suspect that you have been discriminated against with regard to housing, file a complaint as soon as possible because there are time limits on when a complaint can be filed with HUD after an alleged violation.

Try to include the following information, if possible, when filing a complaint:

- The name and address;
- The name and address of the person(s) or Company the complaint is against;
- The address or other identifying information of the housing or program the complaint is being filed against;
- A brief description of what happened that caused you to file the complaint; and
- The date(s) of the alleged discrimination.

How can I file a fair housing complaint?

Fair housing complaints can be filed with HUD by telephone, online, email and by mail.

Phone

1-800-669-9777

1-800-927-9275 for TTY users only

Online

English: <https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>

Spanish: https://portalapps.hud.gov/AdaptivePages/HUD_Spanish/Espanol/complaint/complaint-details.htm

Other languages:

https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint_filing_languages_other_english

If you have questions or believe you have been a victim of housing discrimination, you may also contact the Civil Rights Bureau of the New York State Attorney General's Office at 212-416-8250 or civil.rights@ag.ny.gov.

Repairing the Damage

If discrimination has taken place, the laws direct that steps may be taken to remedy the situation. This can include: Requiring changes in policies and practices; Making the housing or loan available; Assessing money damages and/or attorney fees; or Imposing civil fines and penalties.