



**Looking for Landlords in Ashview Heights,
University Center & Vine City Neighborhoods
(University Choice Neighborhoods)**

**2018
Notice of Funding Availability
(NOFA)**

April 24, 2018

Application



Atlanta Housing HomeFlex Rental Application

Applicant Information			
Date of Application:			
Name:			
Address:		City:	State:
Zip:	Email:		Phone:
Proposed Rental Opportunity			
Name, Address, and Age of Property: (Atlanta Housing is only accepting applications for properties within the Choice Neighborhood Boundaries. Please see attached map.)			
If you propose bundling multiple properties to create a portfolio within the Choice Neighborhood Boundaries, please include additional names, address, and age of other properties.			
Specify if the property(s) serve a specific demographic for residents (elderly, homeless, families, etc.):			How many total units?
Number of Units by Bedroom Size and Square footage for each type of unit:			When will the units be available? (Must be available by _____ to qualify for this application)
Identify the building safety and security measures in place or planned (e.g., lighting, fencing and security systems):			Current occupancy % of the property(s):
List of building amenities (e.g., washer/dryer, utilities, common areas, etc.):	What neighborhood amenities are available nearby? (e.g., transportation, education, retail health, etc.)	Was the property constructed with Low Income Housing Tax Credits? If so when is the end of the compliance period?	

Ownership of Rental Opportunity

Please provide a comprehensive description all legal owner entities for the property(s).

Site Management Plan

**Experience in management of subsidized housing units is strongly recommended. The owner/property manager will have to complete the site-based administration of the project-based voucher to include income determination, rent calculation, criminal screening and waitlist management.*

Please provide the name of the management company(s) currently managing the property(s):

Provide name address and for other properties where the management company is providing property management services.

Is there a Condominium or Neighborhood Association? If so, please describe and provide copies of any binding agreements.

Uniform Federal Accessibility Standards (UFAS)

**The property(s) is required to meet UFAS standards in order to qualify for HomeFlex; including 5% of the units, all interior/exterior common areas, and all means of building egress. A link to current UFAS requirements can be found here: <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/background/ufas?highlight=WyJ1ZmFzIl0>*

Based on the current UFAS requirements, is your property(s) certified as compliant? If not, please provide the anticipated date of compliance.

Is parking available on the site(s)? If so, are there any parking spaces designated for mobility challenged residents?

Financial Feasibility

Please provide a 10 year proforma for the property(s) which identifies the proposed rent(s) by unit size (in terms of bedroom count). Applicants may provide a 1-year revenue and operating expenses detail in lieu of the proforma. If a 1-year detail is provided, AHA will use it as a basis to form a 10 year forecast.

Please provide market comps in support of your rent request.

Are any utilities provided at the property(s)? If so, please list:

Do you currently receive any local/state/federal funding or rental assistance? If so please identify.

Disclosures		
List of current properties you own:	Have you ever experienced a foreclosure or bankruptcy? If yes, please explain.	Do you have any current liens or judgements against any other properties? If yes, please explain.

References		
Name:	Address:	Phone:

I authorize the verification of all information provided on this form as to my credit and employment, and I have received a copy of this application.	
Signature of applicant:	Date:
Signature of co-applicant:	Date:



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Program Overview

Part 1 – Who We Are and What We Can Offer You.

1.1 Background

We are the Housing Authority of the City of Atlanta, Georgia (Atlanta Housing or AH). We are looking for landlords to help us add affordable housing to the area within the University Choice Neighborhood (UCN) boundaries. UCN includes the former University Homes, Ashview Heights, the Atlanta University Center and Vine City.

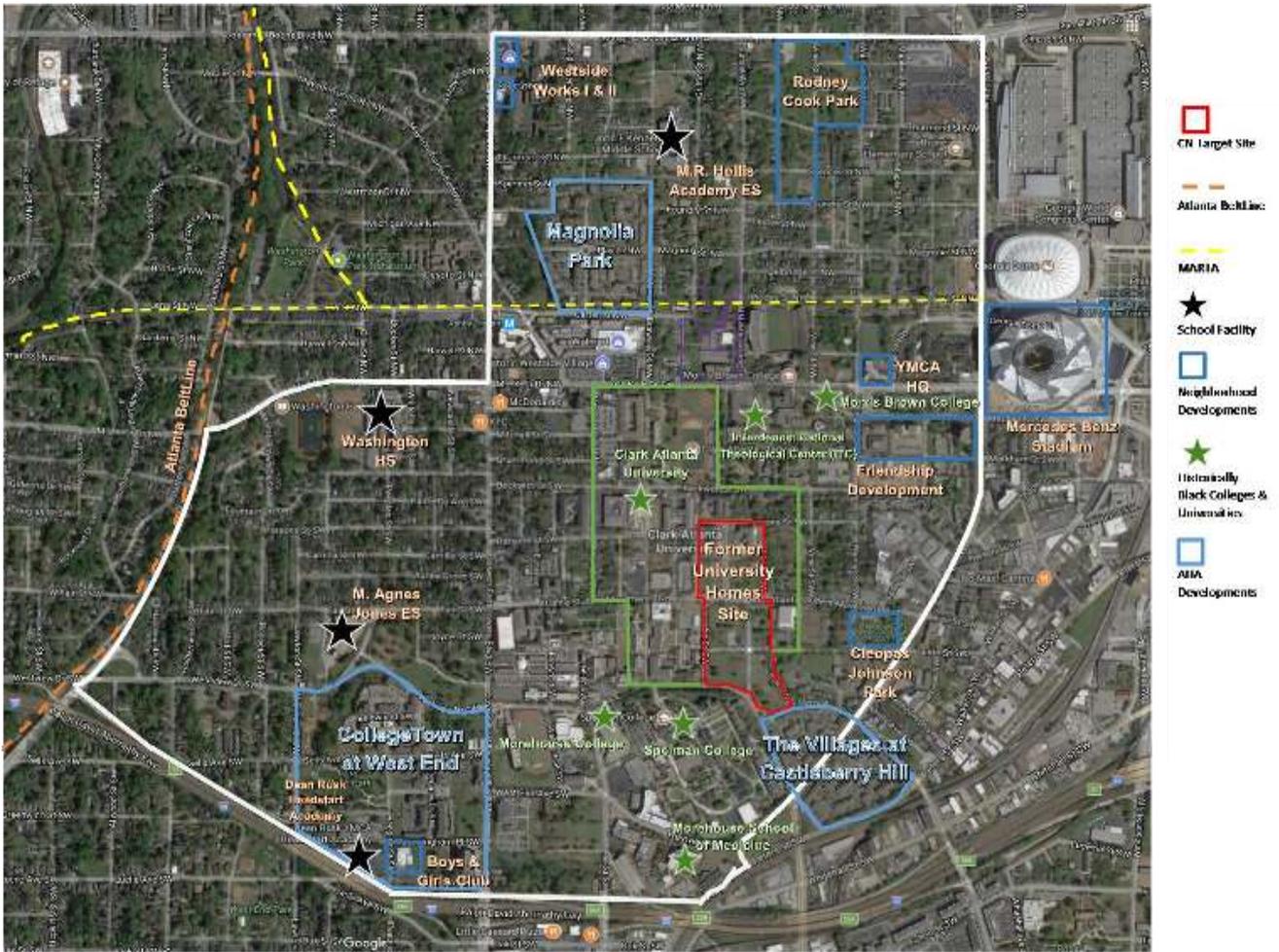
Atlanta Housing is willing to consider offering interested private landlords rental subsidies through its HomeFlex program which provides housing assistance to families. Landlords participating in HomeFlex have a contractually guaranteed source of reliable income and Atlanta Housing assistance regarding routine landlord/tenant issues. HomeFlex requirements are set forth in a HomeFlex Agreement between Atlanta Housing and landlords. Atlanta Housing's Real Estate Group provides a rent subsidy, financial management, oversight and monitoring activities with respect to HomeFlex units in each HomeFlex rental community.

1.2 Purpose

Atlanta Housing anticipates receiving applications from landlords of individual properties suitable to house families of 3 – 5 persons with a minimum of 8 units ready to lease. AH will also consider Landlords who can bundle several units in proposed clusters within the UCN boundaries.

- A. Landlords who can provide residential units through existing housing or repurposing of other existing buildings located in the UCN Boundaries, and are qualified and interested in receiving HomeFlex for their rental units, may submit an application at any time. If an application is approved and provided funding through HomeFlex, then AH will execute a Commitment Letter for an initial term of anywhere from five (5) to Twenty (20) years with options for possible extensions. If Atlanta Housing provides capital assistance for rehabilitation work at the property, Atlanta Housing will require a restrictive covenant on the property for a term of 30-40 years. AH also anticipates notifying Landlords within 30 days of AH's receipt if application if is not awarded HomeFlex with specific rationale for why award was not made. AH reserves the right to cancel or discontinue its application process for HomeFlex for existing housing units within the UCN Boundary at any time throughout the duration of this NOFA if determined to be in the best interest of AH to do so.

1.3 MAP



1.3 NOFA Schedule of Events

The following Schedule of Events represents AH's estimate of the timetable that will be followed in connection with this NOFA:

Steps	TIMEFRAME
NOFA Posted on AH's website	4/12/18
Information Session	April 26 from 1:00pm to 2:00pm E.D.T. 230 John Wesley Dobbs Avenue, NE, Atlanta, Georgia 30303-2421

Steps	TIMEFRAME
<p>Submission Period for Application</p>	<p>Applications may be submitted at any time.</p>
<p>Board Approval and Notification to Applicant</p>	<p>Applications must receive an acceptable evaluation from an Atlanta Housing Evaluation Committee in order to be submitted to AH's Board of Commissioners for approval granting AH authorization to enter into a HomeFlex Agreement with the applicant.</p>
<p>Execution of the HomeFlex Agreement</p>	<p>AH will enter into a HomeFlex Agreement when: all required compliance requirements have been met and submitted to and approved by AH.</p> <p>Provided the application meets all requirements of this NOFA, and Atlanta Housing approves the application and the AH Board of Commissioners authorizes the award, AH will enter into a HomeFlex Agreement for an initial term from five (5) to ten (10) years with option to extend. Extensions would be exercised at Atlanta Housing's sole discretion.</p>

PART 2 – What We Need From You

2.1 Rental Requirements

Unlike a tenant-based voucher, which may transfer with the resident, HomeFlex remains with the HomeFlex rental community and is available only to households residing in a HomeFlex-assisted unit. In addition, HomeFlex allows the Landlord to create and implement its own resident selection process; unlike the tenant-based voucher program which allows participants to search for a qualified home once they have

been selected from AH's Housing Choice Voucher waiting list for unit occupancy. The Landlord must establish a written resident selection process that complies with HUD requirements and is reviewed and approved by Atlanta Housing.

A. Site-Based Administration

The Landlord or their property management agent will be responsible for all aspects of the site-based administration and management of the HomeFlex program. Landlords or their professional management agent will manage the property, prepare financials and provide site based administration of the HomeFlex voucher, pursuant to a management agreement (which will be prepared by the Landlord and approved by AH) and will be responsible for the administration and management of the rental community and compliance with the terms of the HomeFlex Agreement. On administration and management activities may include but not be limited to taking tenant applications, evaluating and selecting residents, leasing, maintenance of units and common areas, managing a site-based waiting list, financial management, rent calculations and various reporting requirements to HUD and Atlanta Housing. Atlanta Housing provides technical assistance and training in the preceding areas.

Landlord shall lease the HomeFlex Units to eligible households and maintain and operate the HomeFlex Units in compliance with the Landlords' management plan and all applicable requirements of applicable policies contained within Atlanta Housing's Amended and Restated Statement of Corporate Policies, HUD regulations, an Administrative Plan, AH Inspection Standards and the HomeFlex Agreement (collectively, the preceding requirements are referred to as the "Applicable HomeFlex Requirements"). Atlanta Housing will provide technical assistance and help Landlords and their private management agents incorporate lessons learned and best practices from many years of administering these form of agreements.

Atlanta Housing expects that the Landlords or their property managers will provide the HomeFlex administration responsibilities as stated above. Atlanta Housing will provide guidance, monitoring, training and assistance. If it is in Atlanta Housing's best interests, Atlanta Housing reserves the right to deviate from its stated preference and may consider providing HomeFlex administration for sites rather than have Landlord or their management agent perform these duties.

B. HomeFlex vs. Tenant-Based Vouchers

AH's Housing Choice Policies generally provide that tenant-based vouchers and AH's HomeFlex program will be operated as two separate programs. Notwithstanding that policy, AH will consider the award of HomeFlex to qualified applicants with properties that include residential units currently assisted with Housing Choice tenant-based vouchers. Landlords or Developers of properties that receive HomeFlex from AH, qualify for and receive low-income housing tax credits, may not deny admission to qualified tenants assisted with Housing Choice vouchers.

2.3 Non-Discrimination and Other Federal Requirements

Landlord or Developer will comply with the following requirements, as applicable:

- A. **Environmental review requirements**, as found in 24 CFR parts 50 and 58, and the related federal laws and authorities, apply to all HUD-funded activities, including the Project Based Voucher (PBV) Program (24 CFR 983) for existing, new construction and substantial rehabilitation projects receiving PBV subsidy. As a result, all awards of PBV subsidy are conditional on the completion of an environmental review in accordance with 24 CFR § 983.58 prior to the execution of a Housing Assistance Payments (HAP) contract known as the AH HomeFlex Assistance Agreement (HomeFlex Agreement). AH will not enter into a HomeFlex Agreement with an awardee until one of the following occurs:
- The responsible entity has completed the environmental review procedures required by 24 CFR part 58 and HUD has approved the environmental certification and request for release of funds; or
 - The responsible entity has determined that the project to be assisted is exempt under 24 CFR § 58.34 or is categorically excluded and not subject to compliance with environmental laws under 24 CFR § 58.35(b); or
 - HUD has performed an environmental review under 24 CFR part 50 and has notified the PHA in writing of environmental approval of the site.

Because of this requirement, awardees may not take any action prohibited under 24 CFR § 983.58(d) (acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct real property or commit or expend program or local funds for PBV activities) until the environmental process is completed.

In addition, until the completion of the environmental review process, additional funds (federal, private, or other) cannot be committed or expended and no work (including property acquisition) can be undertaken on the project until the responsible entity completes the environmental review and has received a Release of Federal Funds (ROFF) from HUD. If you decide to start construction or take any of these choice-limiting actions prior to the completion of the environmental review process, you risk losing your HomeFlex award as AH cannot provide federal funds to a project until the environmental review has been completed and approved by HUD. Lastly, if there are any environmental findings, awardees are required to carry out mitigating measures required by the responsible entity in order to enter into a HomeFlex Agreement.

- B. The Fair Housing Act, 42 U.S.C. 3601-19, and regulations issued thereunder, 24 CFR Part 100; Executive Order 11063 (Equal Opportunity in Housing) and regulations issued thereunder, 24 CFR Part 107; and the fair housing poster regulations, 24 CFR Part 110, and advertising guidelines, 24 CFR Part 109;
- B. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, and regulations issued thereunder relating to non-discrimination in housing, 24 CFR Part 1;
- C. Age Discrimination Act of 1975, 42 U.S.C. 6101-07, and regulations issued thereunder, 24 CFR Part 146; and
- D. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, and regulations issued thereunder, 24 CFR Part 8, including the Uniform Federal Accessibility Standards, 24 CFR Part 40, App. A; Title II of the Americans with Disabilities Act, 42 U.S.C. 12101 et seq., and regulations issued thereunder, 28 CFR Parts 35 and 36; the Architectural Barriers Act of 1968, 42 U.S.C. 4151-4157; and Section 109 of the Housing Community Development Act of 1974 (Section 109), 42 U.S.C. 5301 et seq., and

regulations issued thereunder, 24 CFR 570.601 and 570.602.¹

- E. The Davis-Bacon Act requires the payment of prevailing wage rates (as determined by the Department of Labor) to laborers and mechanics on federally-assisted construction projects in excess of \$2,000. Also, pursuant to 24 CFR § 983.154, the Landlord's or Developer's contractors and subcontractors must pay Davis-Bacon wages to laborers and mechanics employed in the development or rehabilitation of the housing (**with nine or more contract units**) using HomeFlex.

The following relates to the wage determinations for rehabilitation work that is necessary to bring the property in compliance with Atlanta Housing physical and accessibility standards:

1. **Residential - Less than four (4) stories**

Pursuant to Title 29 CFR Parts 1.5 and 1.6(b), a Residential wage determination is issued for this construction project. Residential wages apply to new and substantial rehabilitation of single-family homes and apartment buildings of **less than four (4)** stories. Accordingly, the wages of laborers and mechanics will be monitored for compliance with labor standards.

2. **Building - More than four (4) stories**

Pursuant to Title 29 CFR 1.5 and 1.6(b), a Building wage determination is issued for this construction project. Building wages apply to new and substantial rehabilitation of structures of **more than four (4)** stories, typically warehouses, machinery and equipment storages facilities etc. Accordingly, the wages of laborers and mechanics will be monitored for compliance with labor standards.

As referenced above, the construction type for this NOFA is either **Residential** or **Building**. No other construction categories apply. Davis-Bacon wage decisions may be accessed via the following link: <http://www.access.gpo.gov/davisbacon/ga.html>

- F. Section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u, and its implementing regulations at 24 CFR Part 135.

2.4 Initial Rents

The Applicant may propose initial rents for the Development (the "Initial Rents"). The initial rents shall not exceed the applicable market rate levels as substantiated by a market analysis prepared by an unrelated third-party appraiser or market analyst engaged and paid by the Applicant for that purpose and submitted by Applicant to AH. A market analysis engaged by the Applicant is not required with the application. AH reserves the right to or a market analysis over a larger area that may cover an Applicant's proposed site once an Application advances from a Preliminary Determination. AH, following its review and analysis of such market analysis (and any independent data that AH considers relevant to such determination), will confirm that the Initial Rents for the Development do not exceed the applicable market rate levels.

¹ Existing multi-family properties first occupied after March 13, 1991 are required to meet the accessibility requirements of the Fair Housing Act. The Fair Housing Act requirements are not identical to UFAS and require only basic accessibility. However, Existing Housing Units receiving HomeFlex subsidy are covered by Section 504, and therefore, are expected to comply with UFAS. The number of units subject to the Section 504 requirement will be 5% of the total number of HomeFlex Units (or one HomeFlex Unit if there are less than twenty HomeFlex Units in the existing multi-family property). AH may require or make arrangements for Landlords to obtain an architect's certification that the property complies with UFAS.

2.5 Rent Adjustments Requests

During the Term of the HomeFlex Agreement but not earlier than 90 days prior to the beginning of the second full Development Fiscal Year after the execution of a HomeFlex agreement, the Landlord may request, in writing, that AH adjust the Rents (“Rent Adjustment Request”). The Landlord may only submit a Rent Adjustment Request once during each Development Fiscal Year, and such Rent Adjustment Request must be presented to AH no later than 90 days prior to the first day of the Development Fiscal Year for which the Landlord would like the rent adjustment to be effective (the “Submission Deadline”). Atlanta Housing will review the request in accordance with the AH rent adjustment policy. Atlanta Housing may, at its sole election, consider any Rent Adjustment Request that is submitted after the Submission Deadline; provided however, the effective date of any such delayed Rent Adjustment Request shall be determined by Atlanta Housing, in its sole discretion, and in any event, AH, following its review and analysis, shall have no obligation to consider or approve such Rent Adjustment Request. Under no circumstances shall any Rent Adjustment result in Rent increase in excess of applicable market rate levels.

PART 3 – Application Process



3.1 How To Submit Your Application.

- A. Applications can be submitted at any time until Atlanta Housing, at its sole discretion, determines that it's needs for affordable housing in the University Choice Neighborhood have been met.
- B. Applicants should submit **one (1) paper (or hard) copy** of their applications to:

Atlanta Housing
Qiana Ayana
Atlanta Housing Authority Acquisition Services Analyst
230 John Wesley Dobbs Avenue, N.E.
Atlanta, Georgia 30303

OR

- C. Applicants may submit one (1) electronic (soft) copy of their applications via email to:

Qiana.Ayana@atlantahousing.org

- D. All proposals transmitted by mail or electronically delivered contain the same information.
- E. A property may only be submitted a total of 3 times as a combination of proposed clusters or once by itself.
- F. AH reserves the right to:
 - Accept or reject any or all applications, discontinue this NOFA process and re-advertise this NOFA without obligation or liability to any Applicant;
 - Award multiple HomeFlex contracts;

3.2 Preliminary Determinations

- A. Applications will be evaluated by an Atlanta Housing Panel who will apply the evaluation factors in Part 4.
- B. Applicants may receive a preliminary determination that invites the Landlord to negotiate terms and begins the evaluation of the property for UFAS compliance.
- C. Applicants may be notified that a preliminary determination has concluded that the proposed property is not suitable for Atlanta Housing's HomeFlex program.

3.3 Uniform Federal Accessibility Standards (UFAS) Compliance

- A. The U.S. Access Board is a federal agency that promotes equality for people with disabilities via the development of accessibility guidelines and standards.
- B. UFAS Standards present uniform standards for the design, construction and alteration of buildings so that physically handicapped persons will have ready access to and use of them in accordance with federal law. UFAS standards are the agreement on standards previously used by four agencies (General Services Administration, the departments of Housing and Urban Development and Defense and the United States Postal Service)
- C. Landlords should contract with a consultant themselves for a UFAS Inspection and tender the results to Atlanta Housing. The property must be certified by a qualified professional consultant prior to Atlanta Housing executing a HomeFlex agreement. Atlanta Housing may consider arranging for and pay for inspections if it is in the best interests of Atlanta Housing.
- D. Units tendered for HomeFlex subsidy may be certified as UFAS compliant. Atlanta Housing may consider offering financial or direct rehabilitation assistance upon request if it is in the best interest of Atlanta Housing. If Atlanta Housing provides funding for the rehabilitation work, then separate terms will be developed to include a Declaration of Restrictive Covenants for a number of years. AHA Capital funds may be made available in the form of a low-interest loan, for the purposes of making capital improvements at the property. Applicants may request funding after being notified of an award of HomeFlex.

- E. A link to current UFAS requirements can be found here: <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/background/ufas?highlight=WyJ1ZmFzII0>

3.4 Terms

- A. HomeFlex contracts are usually for a period of 5-20 years.
- B. If Atlanta Housing provides financial assistance for rehabilitation work at the property, Atlanta Housing will require a restrictive covenant on the property for a term of 30-40 years.
- C. Under the HomeFlex program Atlanta Housing and Landlords agree to reserve a number of housing units for eligible program participants.
- D. Atlanta Housing and Landlords agree to subsidize eligible units, to keep rents affordable, to collect and report information to the U.S. Department of Housing and Urban Development (HUD) as required, to provide regular maintenance and to create and keep updated any site based waiting lists of eligible and interested prospective tenants.

3.5 Commitment Letter

Atlanta Housing will request Atlanta Housing Board approval once Atlanta Housing and the Landlord agree to the terms for the HomeFlex agreement and restrictive covenants as necessary. Once Atlanta Housing receives Board approval Atlanta Housing will issue a Commitment Letter to the Landlord. The Commitment Letter will identify the period of time by which the Landlord must ensure the property meets all AH and HUD physical and accessibility requirements and all due diligence documents are complete and submitted. Once this is complete Atlanta Housing will execute the HomeFlex Agreement with the Landlord and begin paying HomeFlex subsidy.

PART 4 – PROPOSAL EVALUATION

4.1 Evaluation Factors and Award

The proposal evaluation process is designed to award HomeFlex contract(s), the Applicant presenting the best value as evaluated by a panel considering the individual Factors for Evaluation and the overall value of a proposed HomeFlex contract from their combined value to Atlanta Housing and its program participants.

Landlords must provide all information outlined in the Evaluation Factors to be considered responsive.

Applications will also be evaluated based on the feasibility of the Landlord's answer to the Evaluation factors as well as the costs and proposed management structures for offering eligible housing and administration of HomeFlex units.

Proposals will be evaluated based on the following Evaluation Factors:

Factors for Evaluation	
1	Applicant Information
2	Proposed Rental Opportunity
3	Ownership of Rental Opportunity
4	Site Management Plan
5	Uniform Federal Accessibility Standards (UFAS)
6	Financial Feasibility
7	References

The establishment, application and interpretation of the above Evaluation Factors shall be solely within the discretion of AH.

4.2 Evaluation and Award Process

An Evaluation Committee shall be established to evaluate applications based on the Evaluation Factors set forth above. Proposals will be evaluated on an individual basis.

A technical advisor with the required expertise may provide information and advise the Evaluation Committee on technical matters.

The evaluated or relative weight of the Evaluation Factors will be recorded for each Application. The absolute weights of each factor as applied to the evaluation of real property cannot be determined absent their application to a unique real estate opportunity. The Factors for Evaluation will take into account important program and property characteristics, as well as the experience level and qualifications of the combined Landlord/Management Team/Service Provider team. The selection or non-selection of an Application based on the Evaluation Factors, shall be within AH's sole discretion. The Evaluation Committee reserves the right to visit proposed sites, verify information submitted in the HomeFlex Rental Application and contact Applicants to clarify information provided. AH may conduct formal interviews of certain Applicants who are determined to be qualified based upon evaluation of the Application.

Applicants will be advised, in writing, of any ineligible submissions.

Atlanta Housing reserves the right at any time during the evaluation process to reconsider any Application submitted and to meet with any Applicant to gather additional information.

Atlanta Housing reserves the right to reject an award to Applicants during contract negotiations if: (1) Applicant and Atlanta Housing cannot agree to mutual terms for the contract, or (2) Applicant causes delay that, in AH's discretion, causes a hardship to Atlanta Housing.

An Application receiving an acceptable evaluation from the Evaluation Committee will be submitted to AH's Board of Commissioners for approval, subject to the availability of funding. If approved, Atlanta Housing will send the Applicant a Commitment Letter stating that the Applicant must bring the property to the required standards and execute the HomeFlex Agreement within a specified timeframe from the date of notification. If the Applicant fails to execute the HomeFlex Agreement within specified timeframe, the Commitment Letter will expire without further notice from Atlanta Housing unless Applicant requests an

extension, in writing. AH, in its discretion, may or may not grant such extension based on the reasons supporting the request.

- A. Provided the Application meets all requirements of this NOFA, funding is available for the proposed units and AH has approved the award of funds, AH will enter into a HomeFlex Agreement for an initial term of anywhere from five (5) to twenty (20) years with options for possible extensions, provided the Landlord remains in compliance with the HomeFlex Agreement, as determined by Atlanta Housing. If Atlanta Housing provides financial assistance for rehabilitation work at the property (to be determined at the time a preliminary HomeFlex commitment is extended), Atlanta Housing will require a restrictive covenant on the property for a term of 30-40 years.**

