

# COUNTY OF SAN BERNARDINO

## NEIGHBORHOOD STABILIZATION PROGRAM 3 (NSP3)

### SUBSTANTIAL AMENDMENT #1

### TO THE 2010-11 ACTION PLAN & 2010-15 FIVE YEAR CONSOLIDATED PLAN

January 10, 2012

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## 1. NSP3 Grantee Information

NSP3 Program Administrator Contact Information	
Name (Last, First)	Fuentes, Dena
Email Address	Dena.Fuentes@rda.sbcounty.gov
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## 2. Areas of Greatest Need

### Map Submission

The map generated at the HUD NSP3 Mapping Tool for Preparing Action Plan website is included as Attachment 1.

### Data Sources Used to Determine Areas of Greatest Need

#### Describe the data sources used to determine the areas of greatest need.

Response:

The County of San Bernardino utilized a number of resources/tools to determine the area(s) of greatest need and impact. The primary tool utilized was the NSP mapping tool located at <http://www.huduser.org/nsp/nsp3.html>.

In addition to this tool the County has also contacted the following real estate professionals to discuss market conditions and available inventory:

- San Bernardino County Housing Authority – Ron Ruhl, Project Manager
- Hendricks & Partners – Brian Anderson, Real Estate Specialist
- Marcus & Millichap – Reza Ghaffari, First Vice President Investments
- Accurate Realty Services, LLC – Ysrael Rangel, Certified Appraiser
- San Bernardino County Economic Update Report – San Bernardino County Economic Development Agency
- National Community Stabilization Trust – Adam Eliason, President Civic Stone

### Determination of Areas of Greatest Need and Applicable Tiers

#### Describe how the areas of greatest need were established and whether a tiered approach is being utilized to determine the distribution of funding.

Response:

The County of San Bernardino is the largest county in the United States with over 20,000 square miles of territory. The most populous areas in the County are within the southwestern region commonly referred to as the Inland Empire. Technically this region represents a significant portion of the Riverside-San Bernardino-Ontario Metropolitan Statistical Area (MSA).

This region is one of the greatest impacted areas in the country and County staff have been tracking foreclosures and notices of default since early 2008. In particular the cities of Rialto, Fontana, Ontario,

Victorville and Hesperia have been the hardest hit cities in the County of San Bernardino based in large part to the amount of new construction within these cities over the past 10-15 years. While the foreclosure numbers are high in all these areas, each of these respective cities received a previous NSP allocation and operated their own targeted programs. The County of San Bernardino has targeted the unincorporated areas of the County, which receive limited funding but still produce large numbers of foreclosed properties.

The County of San Bernardino has continued to compile and update foreclosure data countywide and has utilized this data to help select target areas with the greatest need. The data is available on the County's website at <http://www.sbcountyadvantage.com/Housing-Development-Division.aspx>. While the County reviewed all available data, the focus of the data was on the predicted 18-month foreclosure rate, high-cost subprime loan rate and total severity score. From these numbers the County determined that four areas best met the criteria. Adelanto, Barstow, Bloomington and parts of Fontana were the areas of greatest need with regards to percentage of foreclosed homes, percentage and cost of subprime loans and the areas likely to face a significant rise in foreclosures. Due to its location (approx. 35 miles) from two County redevelopment areas, the City of Adelanto is not eligible for additional redevelopment housing set-aside funding, which limits the County's ability to layer funding and better leverage the NSP3 funds. The County has already awarded \$12,900,000 in NSP1 funding for 329 affordable family units in the City of Barstow, which has helped address the needs within that city. Through work with local realtors and the National Community Stabilization Trust, the County was unable to identify any substantial foreclosed or vacant inventory within the City of Colton, which proposes major issues when attempting to meet NSP expenditure deadlines. The unincorporated county areas of Bloomington and Fontana have a great need for affordable family, senior and multi-generational housing. In addition to affordable housing, Bloomington needs infrastructure to service new development and attract future development to this part of the County. Bloomington contains a number of vacant and underutilized sites, which are ideal for new development of affordable housing. The County of San Bernardino selected Bloomington since additional funding from redevelopment housing set-aside funds can be layered in order to develop neighborhoods of focused investment. The new construction Bloomington site (see Section 7, Activity 1 below) was also selected because it contains all the nearby amenities needed for Low Income Housing Tax Credits (schools, library, bus stop, park, etc.) and is also eligible for redevelopment housing set-aside funding.

### 3. Definitions and Descriptions

#### Definitions

Term	Definition
Blighted Structure	The County will rely upon California Health and Safety Code Sections 33030 and 33031 <a href="http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&amp;group=33001-34000&amp;file=33030-33039">http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&amp;group=33001-34000&amp;file=33030-33039</a> and the County of San Bernardino Code 6, sections 63.0603, 63.0604 and 63.0605 <a href="http://www.sbcounty.gov/landuseservices/DevCode/Default.asp">http://www.sbcounty.gov/landuseservices/DevCode/Default.asp</a> will qualify as a blighted structure. The County of San Bernardino defines a "substandard conditions/property and unsafe building/structure" in order to determine "blight." A "blighted structure" will include, but is not limited to, the following:

	<ul style="list-style-type: none"> <li>• A building in which it is unsafe or unhealthy for persons to live – for instance, if there are serious building code violations; if the structure is severely dilapidated or deteriorated; or if the building suffers from serious neglect;</li> <li>• A building which suffers from substandard, defective design or construction given the current development standards;</li> <li>• A building that has hazardous waste within;</li> <li>• A building which is vacant and abandoned;</li> <li>• A building in need of extensive rehabilitation;</li> <li>• A building susceptible to collapse from seismic hazards; and,</li> <li>• A building in such a state as to cause serious public safety concerns.</li> </ul>
Affordable Rents	<p>The County will ensure that 100% of NSP funds be used to benefit individuals and households with incomes below 120% of the area median income (AMI). The County is using the maximum rent limits allowed for affordable units in accordance with Section 92.252 of HUD’s HOME Program Regulations for households at or below 80% of the AMI. The HUD fair market rent limits will be used for households with incomes between 81% and 120% of AMI. In addition, at least 25% of the NSP funds will be used to benefit individuals and households with incomes below 50% of the AMI.</p>

**Descriptions**

<b>Term</b>	<b>Definition</b>
Long-Term Affordability	<p>The County will enter into long term NSP Regulatory Agreements, and Deed Covenants will be recorded against the property to ensure long-term affordability (minimum term of 15 years, expected term of 20 years or more).</p>
Housing Rehabilitation Standards	<p>Applicable Housing Rehabilitation Standards</p> <p>At a minimum, NSP grantees must use the County of San Bernardino Department of Community Development and Housing, Single-Family Housing Rehabilitation Standards and Specifications. Available at <a href="http://www.sbcountyadvantage.com/Housing-Development-Division.aspx">http://www.sbcountyadvantage.com/Housing-Development-Division.aspx</a>. If a NSP grantee chooses to use local rehabilitation standards, it must ensure that the local standard is more stringent than the Guidelines for Single-Family Residential Construction in San Bernardino County rehabilitation standards.</p> <ul style="list-style-type: none"> <li>• All gut rehabilitation or new construction (i.e., general replacement of the interior of a building that may or may not include changes to structural elements such as flooring systems, columns or load bearing interior or exterior walls) of residential buildings up to three stories must be designed to meet the standard of Energy Star Qualified New Homes.</li> <li>• All gut rehabilitation or new construction of mid- or high-rise multi-family housing must be designed to meet American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90. 1-2004, Appendix G plus 20 percent (which is the Energy Star standard for multi-family buildings piloted by the Environmental Protection Agency and the Department of Energy).</li> </ul>

	<ul style="list-style-type: none"> <li>• Other rehabilitation must meet these standards to the extent applicable to the rehabilitation work undertaken, e.g., replace older obsolete products and appliances (such as windows, doors, lighting, hot water heaters, furnaces, boilers, air conditioning units, refrigerators, clothes washers and dishwashers) with Energy Star-46 labeled products.</li> <li>• Water efficient toilets, showers, and faucets, such as those with the Water Sense label, must be installed.</li> <li>• Where relevant, the housing should be improved to mitigate the impact of disasters (e.g., earthquake, hurricane, flooding, and fires).</li> <li>• When applicable and/or cost feasible, the County of San Bernardino requires the NSP grantees to adopt the energy efficient and environmentally-friendly green elements as part of NSP3 program design. Attachment C to the NSP3 Notices describes in more detail how energy efficient and environmentally-friendly green elements can be incorporated and additional tools on incorporating green rehabilitation standards can be found on the NSP Resources Exchange at <a href="http://www.hud.gov/nspta">www.hud.gov/nspta</a> and <a href="http://www.federalregister.gov/articles/2010/10/19/2010-26292/notice-of-formula-allocations-and-program-requirements-for-neighborhood-stabilization-program#h-84">http://www.federalregister.gov/articles/2010/10/19/2010-26292/notice-of-formula-allocations-and-program-requirements-for-neighborhood-stabilization-program#h-84</a>.</li> </ul>
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#### 4. Low-Income Targeting

##### Low-Income Set-Aside Amount

**Identify the estimated amount of funds appropriated or otherwise made available under the NSP3 to be used to provide housing for individuals or families whose incomes do not exceed 50 percent of area median income.**

Response:

Total low-income set-aside **percentage** (must be no less than 25 percent): 25.00%

Total funds set aside for low-income individuals = \$2,609,545.25

##### Meeting Low-Income Target

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

Response:

For new construction of a multi-family affordable development, multi-family acquisition and rehabilitation and single family acquisition utilizing NSP3 funding, the County of San Bernardino will restrict a minimum of 25% of the total units (i.e., a minimum of 20-units) for individuals or families with an income level at or below 50% of AMI. The County will record Affordability Covenants against the property to insure the property maintains the low-income level restriction over a given affordability period.

#### 5. Acquisition and Relocation

##### Demolition or Conversion of LMI Units

Does the grantee intend to demolish or convert any low- and moderate-income dwelling units (i.e., ≤ 80% of area median income)?

Yes

If yes, fill in the table below.

Question	Number of Units
The number of low- and moderate-income dwelling units—i.e., ≤ 80% of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities.	4
The number of NSP affordable housing units made available to low-, moderate-, and middle-income households—i.e., ≤ 120% of area median income—reasonably expected to be produced by activity and income level as provided for in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion).	200
The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income.	50

## 6. Public Comment

### Citizen Participation Plan

<b>Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment or abbreviated plan.</b>
Response: In accordance with the abbreviated plan, the County posted the Substantial Amendment online at <a href="http://www.sbcountyadvantage.com">www.sbcountyadvantage.com</a> on January 10, 2012 for a 15-day public comment period (see attached Appendix A: Public Comment).

### Summary of Public Comments Received.

The summary of public comments received is included as an attachment (see Appendix A: Public Comment).

## 7. NSP Information by Activity

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

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

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

Activity Number 1	
<b>Activity Name</b>	Bloomington Affordable Multi-Family, New Construction
<b>Uses</b>	Select all that apply: <input type="checkbox"/> Eligible Use A: Financing Mechanisms <input type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation <input type="checkbox"/> Eligible Use C: Land Banking <input type="checkbox"/> Eligible Use D: Demolition <input checked="" type="checkbox"/> Eligible Use E: Redevelopment

<b>CDBG Activity or Activities</b>	24 CFR 570.201 (a) Acquisition, (b) Disposition, (c) Public Facilities and Improvements, (i) Relocation
<b>National Objective</b>	Benefiting low-, moderate- and middle-income persons, as defined in the NSP Notice. More specifically, the project will benefit low- and moderate-income (51%-120%) occupants, but will also benefit some very low-income occupants (50% and below area median income).
<b>Activity Description</b>	<p>The County of San Bernardino is proposing a new-construction multi-family development utilizing NSP3 funds under Eligible Use E (Redevelopment) and CDBG eligible activities (a) acquisition, (b) disposition, (c) public facilities and improvements and (i) relocation. The County is currently working on the redevelopment of a corridor located along the Interstate 10 freeway consisting of scattered single family housing, commercial/retail businesses and vacant underutilized lots. Since there is currently a limited supply of affordable rental housing in this area, the development of approximately 150 income restricted units will provide a much needed supply of affordable housing for this community. The County will record a minimum 20-year affordability covenant on the development to insure rents remain affordable. Under Eligible Use E, the County would purchase approximately 15 acres of existing vacant land, for the development of an estimated 150-unit newly constructed multi-family affordable housing development. The County will also use NSP3 funding for the development and connection of water and sewer facilities to this new development. The County will look at a number of options to layer additional funding for this project, including the possibility of 9% or 4% Low Income Housing Tax Credits as well as San Bernardino County redevelopment housing set-aside and tax exempt bond funds. The County will select an affordable housing development partner to complete/assist with the acquisition, construction and operation of this new development. The County will require the selected affordable housing developer to facilitate public meetings and community focus groups to help determine which services and amenities are most needed and will benefit tenants. The developer will also be required to advertise and seek local workforce resources through the local San Bernardino County Workforce Development Department.</p> <p><b>Project Highlights</b></p> <ul style="list-style-type: none"> <li>• Estimated 150-unit affordable multi-family housing development</li> <li>• Minimum 40 units reserved for individuals/families with income levels at or below 50% AMI, remaining units reserved for families with income levels at or below 120% AMI</li> <li>• Integrated public facilities (library, community center)</li> <li>• Consistent with the County of San Bernardino’s Redevelopment Plan</li> <li>• Strongest opportunity to leverage NSP3 funds with Tax Credit Equity and/or additional local funding sources</li> <li>• New construction will meet 2010 California Green Standards available at <a href="http://www.documents.dgs.ca.gov/bsc/Title_24/documents/2010/Part%2011/2010_CA_Green_Bldg.pdf">http://www.documents.dgs.ca.gov/bsc/Title_24/documents/2010/Part%2011/2010_CA_Green_Bldg.pdf</a></li> </ul>



<b>Location Description</b>	Approximately 15 acres located on the Northwest corner of Valley Boulevard and Locust Avenue, Bloomington, CA 92316	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$6,200,363
	Tax Credit Equity, RDA funding, additional funding sources	\$23,535,680
	Permanent Financing	\$4,616,457
<b>Total Budget for Activity</b>	<b>\$34,352,500</b>	
<b>Performance Measures</b>	The County of San Bernardino has set a performance measure of 80 affordable family units developed within a central target area. All 80 units will have affordability covenants recorded against the property that will maintain the affordability of these units for a minimum of twenty years.	
<b>Projected Start Date</b>	5/15/2011	
<b>Projected End Date</b>	5/1/2015	
<b>Responsible Organization</b>	<b>Name</b>	County of San Bernardino Community Development and Housing
	<b>Location</b>	385 North Arrowhead Avenue, 3 <sup>rd</sup> Floor San Bernardino, CA 92415-0121
	<b>Administrator Contact Info</b>	Debbie Kamrani <a href="mailto:dkamrani@rda.sbcounty.gov">dkamrani@rda.sbcounty.gov</a> (909) 388-0907

<b>Activity Number 2</b>	
<b>Activity Name</b>	Fontana Affordable Multi-Family, New Construction
<b>Uses</b>	Select all that apply: <input type="checkbox"/> Eligible Use A: Financing Mechanisms <input type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation <input type="checkbox"/> Eligible Use C: Land Banking <input type="checkbox"/> Eligible Use D: Demolition <input checked="" type="checkbox"/> Eligible Use E: Redevelopment
<b>CDBG Activity or Activities</b>	24 CFR 570.201 (a) Acquisition, (b) Disposition, (c) Public Facilities and Improvements, (i) Relocation
<b>National Objective</b>	Benefiting low-, moderate- and middle-income persons, as defined in the NSP Notice. More specifically, the project will benefit low- and moderate-income (51%-120%) occupants, but will also benefit some very low-income occupants (50% and below area median income).
<b>Activity Description</b>	The County of San Bernardino is proposing a new-construction multi-family development utilizing NSP3 funds under Eligible Use E (Redevelopment) and CDBG eligible activities (a) acquisition, (b) disposition, (c) public facilities and improvements and (i) relocation. The County is currently working on the redevelopment of unincorporated areas located within San Bernardino County utilizing underdeveloped lots and foreclosed properties. Since there is currently a limited supply of affordable rental housing in this area, the development of approximately 56 income restricted units will provide a much needed supply of affordable housing for this community. The County will

	<p>record a minimum 20-year affordability covenant on the development to insure rents remain affordable. Under Eligible Use E, the County would purchase approximately 4 acres of existing vacant land, for the development of an estimated 56-unit newly constructed multi-family affordable housing development. The County will also use NSP3 funding for the development and connection of sewer facilities to this new development. The County will look at a number of options to layer additional funding for this project, including the possibility of 9% or 4% Low Income Housing Tax Credits as well as San Bernardino County redevelopment housing set-aside and tax exempt bond proceeds. The County will select an affordable housing development partner to complete/assist with the acquisition, construction and operation of this new development. The County will require the selected affordable housing developer to facilitate public meetings and community focus groups to help determine which services and amenities are most needed and will benefit tenants. The developer will also be required to advertise and seek local workforce resources through the local San Bernardino County Workforce Development Department.</p> <p><b>Project Highlights</b></p> <ul style="list-style-type: none"> <li>• Estimated 56-unit affordable multi-family housing development</li> <li>• Minimum 10 units reserved for individuals/families with income levels at or below 50% AMI, remaining units reserved for families with income levels at or below 120% AMI</li> <li>• Consistent with the County of San Bernardino’s Redevelopment Plan</li> <li>• Strongest opportunity to leverage NSP3 funds with Tax Credit Equity and/or additional local funding sources</li> <li>• New construction will meet 2010 California Green Standards available at <a href="http://www.documents.dgs.ca.gov/bsc/Title_24/documents/2010/Part%2011/2010_CA_Green_Bldg.pdf">http://www.documents.dgs.ca.gov/bsc/Title_24/documents/2010/Part%2011/2010_CA_Green_Bldg.pdf</a></li> </ul>	
<b>Location Description</b>	Approximately 4 acres located on the Southwest corner of Foothill Boulevard and Almeria Avenue, Fontana, CA 92335	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	\$2,974,000
	Tax Credit Equity and/or RDA funds	\$10,509,019
	Permanent Financing	\$2,071,302
<b>Total Budget for Activity</b>	<b>\$15,554,321</b>	
<b>Performance Measures</b>	The County of San Bernardino has set a performance measure of 56 affordable family units developed within a central target area. All 56 units will have affordability covenants recorded against the property that will maintain the affordability of these units for a minimum of twenty years.	
<b>Projected Start Date</b>	5/15/2011	
<b>Projected End Date</b>	5/1/2015	
<b>Responsible Organization</b>	<b>Name</b>	County of San Bernardino Community Development And Housing
	<b>Location</b>	385 North Arrowhead Ave. 3 <sup>rd</sup> Floor San Bernardino, CA 92415-0043

	<b>Administrator Contact Info</b>	Debbie Kamrani <a href="mailto:dkamrani@rda.sbcounty.gov">dkamrani@rda.sbcounty.gov</a> (909) 388-0907
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<b>Activity Number 3</b>		
<b>Activity Name</b>	Homebuyer Assistance to Purchasers of Foreclosed Homes	
<b>Use</b>	Select all that apply:	
	<input checked="" type="checkbox"/> Eligible Use A: Financing Mechanisms	
	<input type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation	
	<input type="checkbox"/> Eligible Use C: Land Banking	
	<input type="checkbox"/> Eligible Use D: Demolition	
<input type="checkbox"/> Eligible Use E: Redevelopment		
<b>CDBG Activity or Activities</b>	24 CFR 570.201 (a) Acquisition	
<b>National Objective</b>	Benefiting low, moderate and middle income persons, as defined in the NSP Notice. More specifically the project will benefit low and moderate income (51%-120%) occupants, but will also benefit some very low-income occupants (50% and below area median income).	
<b>Activity Description</b>	The purpose of the NSP3 Homebuyer Assistance Program is to enable low-, moderate- and middle-income households to purchase foreclosed single family homes. Falling housing prices, which accompany the current wave of foreclosures, offer the opportunity to help lower income households to purchase homes previously out of reach. Under this program, the County would provide an affordability gap silent second mortgage to assist in the acquisition, designed to meet the FHA 203(b) first mortgage loan requirement, or similar conventional fixed rate financing, for the borrower contribution under the new modernization rules, and/or affordability gap financing to borrowers who can qualify for an FHA or conventional long term fixed rate mortgage. The gap financing amount would be the difference between the first mortgage amount and the acquisition cost of the foreclosed home. Loans of up to \$50,000 would be made with a lien recorded to ensure the property is not sold, refinanced or rented during the affordability period. Loans under \$15,000 will be forgiven after 5 years provided the purchaser stays in the home as their primary residence. Loans \$15,000 - \$50,000 will be forgiven beginning year 11 at a rate of 1/10th per year with total forgiveness after year 20 provided the borrower continues to occupy the home. The program would be geographically focused on the County's areas of greatest need.	
<b>Location Description</b>	Western portion of the City of Fontana	
<b>Budget</b>	<b>Source of Funding</b>	<b>Dollar Amount</b>
	NSP3	<b>\$220,000</b>
	(Other funding source)	\$0
	(Other funding source)	\$0
<b>Total Budget for Activity</b>	\$220,000	
<b>Performance Measures</b>	The County of San Bernardino has set a performance measure of 10 Homebuyer Assistance Loans within a central target area. All 10 units will have affordability covenants recorded against the property that will maintain the affordability of these units for a minimum of twenty years.	

<b>Projected Start Date</b>	05/15/2012	
<b>Projected End Date</b>	05/01/2014	
<b>Responsible Organization</b>	<b>Name</b>	County of San Bernardino Community Development and Housing
	<b>Location</b>	385 North Arrowhead Ave. 3 <sup>rd</sup> Floor San Bernardino, CA 92415-0121
	<b>Administrator Contact Info</b>	Debbie Kamrani <a href="mailto:dkamrani@rda.sbcounty.gov">dkamrani@rda.sbcounty.gov</a> (909) 388-0907

## 8. Certifications

### Certifications for State and Entitlement Communities

(1) **Affirmatively furthering fair housing.** The jurisdiction certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The applicant certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan.

(3) **Anti-lobbying.** The jurisdiction must submit a certification with regard to compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

(4) **Authority of jurisdiction.** The jurisdiction certifies that the consolidated plan or abbreviated plan, as applicable, is authorized under state and local law (as applicable) and that the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(5) **Consistency with plan.** The jurisdiction certifies that the housing activities to be undertaken with NSP funds are consistent with its consolidated plan or abbreviated plan, as applicable.

(6) **Acquisition and relocation.** The jurisdiction certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the notice for the NSP program published by HUD.

(7) **Section 3.** The jurisdiction certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Citizen participation.** The jurisdiction certifies that it is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.

(9) **Following a plan.** The jurisdiction certifies it is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD. [Only States and entitlement jurisdictions use this certification.]

(10) **Use of funds.** The jurisdiction certifies that it will comply with the Dodd-Frank Wall Street Reform and Consumer Protection Act and Title XII of Division A of the American Recovery and Reinvestment Act of 2009 by spending 50 percent of its grant funds within 2 years, and spending 100 percent within 3 years, of receipt of the grant.

(11) **The jurisdiction certifies:**

- a. that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income; and

- b. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

(12) **Excessive force.** The jurisdiction certifies that it has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
- b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

(13) **Compliance with anti-discrimination laws.** The jurisdiction certifies that the NSP grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(14) **Compliance with lead-based paint procedures.** The jurisdiction certifies that its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(15) **Compliance with laws.** The jurisdiction certifies that it will comply with applicable laws.

(16) **Vicinity hiring.** The jurisdiction certifies that it will, to the maximum extent feasible, provide for hiring of employees that reside in the vicinity of NSP3 funded projects or contract with small businesses that are owned and operated by persons residing in the vicinity of NSP3 projects.

(17) **Development of affordable rental housing.** The jurisdiction certifies that it will abide by the procedures described in its NSP3 Abbreviated Plan to create preferences for the development of affordable rental housing for properties assisted with NSP3 funds.

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

\_\_\_\_\_  
Date

## **APPENDICES**

Appendix A: Public Comment

Appendix B: Application for Federal Assistance Form SF 424

## **Appendix A: Public Comment**

### **Public Notice and Summary of Public Comment**

The following is a summary of comments and views of citizens received in writing and/or orally regarding the Neighborhood Stabilization Program 3 (NSP3) Substantial Amendment to the 2010-2011 Annual Action Plan. The amendment was posted at [www.sbcountadvantage.com](http://www.sbcountadvantage.com) on January 10, 2012.

On January 10, 2012, San Bernardino County Board of Supervisors meeting Board Agenda Item No. XX approved the Neighborhood Stabilization Program 3 (NSP3) Substantial Amendment to the 2010-2011 Annual Action Plan:



**Appendix B: Application for Federal Assistance Form SF 424**

**See attached.**

**APPLICATION FOR  
FEDERAL ASSISTANCE**

Version 7/03

		<b>2. DATE SUBMITTED</b> January 25, 2012	Applicant Identifier
<b>1. TYPE OF SUBMISSION:</b> Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction	Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier
		<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier
<b>5. APPLICANT INFORMATION</b>			
Legal Name: County of San Bernardino		<b>Organizational Unit:</b> Department: Community Development and Housing	
Organizational DUNS: 009241659		Division: Housing Division	
<b>Address:</b> Street: 385 North Arrowhead Avenue, Third Floor		<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b>	
City: San Bernardino		Prefix: Ms.	First Name: Debbie
County: San Bernardino		Middle Name	
State: California	Zip Code 92415-0043	Last Name Kamrani	
Country: US		Suffix:	
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 9 5 - 6 0 0 2 7 4 8		Email: dkamrani@rda.sbcounty.gov	
		Phone Number (give area code) 909-388-0907	Fax Number (give area code) 909-388-0858
<b>8. TYPE OF APPLICATION:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>		<b>7. TYPE OF APPLICANT:</b> (See back of form for Application Types) B. County Other (specify)	
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE (Name of Program): Labor Management Cooperation Program 1 4 - 2 1 8		<b>9. NAME OF FEDERAL AGENCY:</b>	
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Targeted portions of cities and unincorporated areas of San Bernardino County		<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> Neighborhood Stabilization Program 3 Assist in the redevelopment of abandoned and foreclosed homes and properties	
<b>13. PROPOSED PROJECT</b> Start Date: May 2011    Ending Date: May 2014		<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant 25,26,41,42,43    b. Project 25,26,41,42,43	
<b>15. ESTIMATED FUNDING:</b>		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>	
a. Federal	\$ 10,438,181 <sup>00</sup>	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON	
b. Applicant	\$ . <sup>00</sup>	DATE:	
c. State	\$ . <sup>00</sup>	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
d. Local	\$ . <sup>00</sup>	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
e. Other	\$ . <sup>00</sup>	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>	
f. Program Income	\$ . <sup>00</sup>	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No	
g. TOTAL	\$ . <sup>00</sup>		
<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>			
<b>a. Authorized Representative</b>			
Prefix Mrs.	First Name Josie	Middle Name	
Last Name Gonzales		Suffix	
b. Title Chair, Board of Supervisors		c. Telephone Number (give area code) 909-387-4565	
d. Signature of Authorized Representative		e. Date Signed	

