



**SHELTER AND TRANSITIONAL HOUSING FACILITIES GRANT PROGRAM
PROGRAM GUIDEBOOK**

Maryland Department of Housing and Community Development
Division of Development Finance
Multifamily Housing Programs
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Lanham, Maryland 20706
301-429-7712 or 1-800-543-4505
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Governor

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Lt. Governor

JACOB R. DAY
Secretary

OWEN McEVOY
Deputy Secretary



The Maryland Department of Housing and Community Development pledges to foster the letter and spirit of the law for achieving equal housing opportunity in Maryland.

Introduction

The Shelter and Transitional Housing Facilities Grant Program (the “Program”) is administered by the Multifamily Housing Programs (the “MHP”), a unit of the Division of Development Finance, more commonly referred to as the Community Development Administration (the “CDA”), of the Maryland Department of Housing and Community Development (the “Department”).

Program Purpose

The purpose of the Program is to provide capital financing for emergency shelters and transitional housing facilities that provide housing and support services to households to prevent homelessness and assist households to be able to live independently. A “Harm Reduction” approach is strongly considered for supportive services. The Program provides grant funds to nonprofit organizations and local governments for new construction, acquisition, and rehabilitation of housing and for the purchase of capital equipment.

State Policies and Requirements

We would like to thank our partner at the Department of General Services for providing the Department of Housing and Community Development with guidance on the State Policies and Requirements, and the Eligible and Ineligible Project Expenditures for the Shelter and Transitional Housing Facilities Grant Program.

Minority Business Requirements

Minority Business Enterprises (MBEs) are available to provide all kinds of goods and services related to your grant project. The State’s goal is to achieve at least 29% certified MBE participation in its own contracting (State Finance and Procurement Article, §§ 14-301–14-308, Annotated Code of Maryland).

We urge you to solicit and hire certified MBEs for all your contracts, especially those funded by State grants. You may obtain a list of Maryland-certified MBEs from the Maryland Department of Transportation, Office of Minority Business Enterprises. Also, you may contact the Governor’s Office on Minority Affairs for more information about MBE participation on your project.

Resident Business

State grants not only benefit the grant recipient but can also serve as an economic engine. We encourage you to solicit and hire Maryland resident businesses to design and construct your grant project. A resident business is a business that has a Maryland address, is registered to do business in the State, employs Maryland residents, and regularly conducts business within Maryland.

LEED Buildings

The State encourages the use of green building technologies to construct and renovate buildings and other capital projects (State Finance and Procurement Article, §§ 3-602, 3-602.1, Annotated Code of Maryland).

Maryland Historical Trust Requirements

The Maryland Historical Trust determines whether your project will have significant adverse effects on historic properties and will help you develop measures to avoid, mitigate, or reduce significant adverse effects (State Finance and Procurement Article, §§5 A-325, Annotated Code of Maryland). You must contact the Trust early enough to allow adequate time to resolve any historic-preservation concerns

before you begin your project. The Trust must finish your consultation before the State will disburse funds to you. Funds will not be released until the Trust has issued a letter stating that its review of your project is complete and that it does not object to the release of funds.

Roofs

If you spend grant funds on roofing projects, you must comply with the same State roofing policy that we use for State buildings. Any roof purchased with State funds must have at least a 20-year, no-dollar-limit warranty. In the case of new construction, the proper roofing system is to be determined based on a 60-year life cycle cost analysis. In the case of roof replacement projects, analysis of the proper roofing system must consider all relevant factors, including span dimension, structural condition, foundation design and capacity, roof top equipment, costs, and so forth.

Religious Purposes Prohibited

You may not use any project funds (State or matching) to further sectarian religious instruction or in connection with sectarian religious buildings or programs. If your bond bill includes language prohibiting expenditures for religious purposes, you must sign the Affidavit Not to Use Funds for Religious Purposes.

Forest Conservation

The Forest Conservation Program applies to construction activities on land greater than 40,000 square feet (Natural Resources Article, §§ 5-1601–5-1613, Annotated Code of Maryland).

Debarred Business Requirement

The Board of Public Works will not permit a grant recipient to spend State funds on an individual or firm that is suspended or debarred from entering into contracts with the State (State Finance and Procurement Article, §§ 16-101–16-312, Annotated Code of Maryland). You must check the debarment list for all prospective contractors. The list of debarred and suspended contractors is available on the Board of Public Works web page at <http://bpw.maryland.gov/Pages/debarments.aspx>.

Program Requirements

For the purpose of this guide, the words sponsor, and applicant are interchangeable. To qualify as an eligible project for capital assistance, the project shall meet the following requirements:

1) Occupancy Requirements:

- a) Residents must be homeless households and individuals.
- b) Homeless is defined as a household without permanent housing and lacking the resources to obtain permanent housing, and in imminent danger of homelessness.

2) Target Population:

- a) Applicants must identify the homeless target population they expect to serve (for example, families, women and children, single males, victims of domestic violence).
- b) Sponsors are expected to continue to serve the designated population(s) throughout the funding term- 15 years.

3) Supportive Services:

- a) The supportive services provided should be specifically oriented to meeting the needs of the homeless target population. Applicants will be asked to provide a complete description of the services they intend to offer to the proposed target population. While the Department will evaluate proposed services as part of the review process, no services may be funded through the Program.
- b) Any services offered to residents must be clearly defined and service providers must be identified. The Department will enlist the assistance of the Maryland Department of Human Resources' (DHR) Office of Transitional Services by requesting their review of the adequacy and sufficiency of the proposed supportive services program or the Department of Health (DH) Office of Health Care Quality.
- c) Applicants must submit copies of commitment letters, agreements or other documents satisfactory to the Department identifying the sources of funding for the services to be provided. A plan outlining funding sources for services and operating expenses during the term of the project will be required at the time of application. The Department will take into consideration applicant's experience in operating facilities for the homeless and its previous success in providing services, as well as its ability to secure funding for services in the past.

4) Eligible Sponsors:

- a) Nonprofit organizations with a 501(c)(3) tax-exempt status and local governments are eligible to receive capital assistance through the Program (COMAR 05.05.09.04).
- b) Nonprofit organizations that receive an allocation of Low-Income Housing Tax Credits for a project and that form a limited partnership or limited liability corporation to own the project for the purpose of selling the Tax Credits will be eligible provided the nonprofit organization is the sole managing general partner and is responsible for the management of the project.

5) Eligible Projects:

- a) Eligible projects include apartments, condominiums, townhouses, single family detached homes, single room occupancy facilities and group or shared housing which provide housing for homeless households and support services.

- b) A project may include uses other than housing for the homeless, such as traditional rental housing or nonresidential uses; however, Program funds will only be provided to the extent allowed for those units identified as transitional housing units and the necessary space and facilities required to operate the program- assisted units.

- c) Projects involving new construction or substantial rehabilitation are subject to a thorough review of all construction-related items by the Department's Construction Management staff.

New Construction - Priority Funding Areas (Smart Growth)

All projects involving any new construction must be located in a Priority Funding Area (PFA). PFAs include:

1. All incorporated municipalities, including Baltimore City, with some exceptions related to water, sewer and density for areas annexed after January 1, 1997;
2. All areas between the Baltimore beltway and the Baltimore City limits and the Washington, DC beltway and the Washington, DC boundary;
3. All areas designated as Sustainable Communities, as defined by the Maryland Annotated Code, Housing and Community Development Article, Section 6-201(I) (see Section 4.2.3); • Federal and State enterprise zones;
4. All areas designated by county governments as PFAs, including rural villages designated in county comprehensive plans as of July 1, 1998; and
5. Certified heritage areas within locally designated growth areas.

All applications for projects involving any new construction must include a letter from the local government that certifies the project is located in a PFA. Information regarding PFAs may also be found at the link below: <http://planning.maryland.gov/pages/ourproducts/pfamap.aspx>

6) Eligible Project Activities:

- a) Program funds may be used for:
 - i) The cost of acquiring land and buildings;
 - ii) Necessary studies, surveys, plans, specifications, appraisals, compaction tests, test borings, construction cost estimates and environmental impact reports;
 - iii) Site preparation;
 - iv) Cost of labor and materials, including reasonable overhead and profit, for construction, rehabilitation, and installation of improvements as set forth in approved proposals or plans and specifications;
 - v) Acquisition of necessary machinery, equipment, and furnishings installed at the project, including HVAC systems and other equipment normally supplied to households residing in transitional housing; and
 - vi) Fees and premiums normally incurred in real estate development including indemnity and surety bonds, hazard and liability insurance during construction, and other costs and fees acceptable to the Department.

7) Eligible Project Expenditures:

- a) Real Property Acquisition Acquiring land interests (freehold, fee, or leasehold) and real property improvements.

8) Architectural/Engineering Services:

- a) Preliminary design; project design; preparing plans/specifications and related contract documents; preparing site plans, floor plans, specifications for architectural, structural, site improvements, civil, mechanical and electrical work, and related contract documents.
- b) Construction phase basic engineering; inspection; testing services.
- c) Post-construction phase start-up services.

9) Construction

- a) Work necessary to produce a complete and usable improvement to real property. Examples of construction projects are: erecting, installing, or assembling a new structure; installing, extending, or replacing utility systems; installing fixed equipment that becomes part of the structure; and developing and improving the site. All roofing projects must comply with the State's roofing policy.
- b) Construction projects are categorized:
 - i) Addition/Expansion/Extension: Increasing an existing structure's overall external dimension.
 - ii) Alteration: Modifying or adapting the interior arrangement and other physical characteristics of an existing structure so that it may be better used for its present functions.
 - iii) Conversion: Modifying or adapting the interior arrangement and other physical characteristics of an existing structure so that it may be better used for new functions. Note: Adjusting exterior space is categorized as addition/expansion/extension and is not normally deemed a conversion.

10) Relocation:

Moving an existing structure from one site to another including moving utility lines. Relocation of roads, pavements or similar facilities is excluded. Relocating two or more existing structures resulting in a single structure is deemed a single project.

Note: When a structure is relocated but the structure consists primarily of new components, the project is categorized as a replacement rather than a relocation.

11) Renovation:

Restoring and modernizing a structure or its systems, including building code compliance work, so that the structure may be effectively used for its present functions.

Note: Renovation is needed to counter deterioration and obsolescence due to age, deferred maintenance, original faulty construction, or damage from natural disasters. Renovation differs

from alteration primarily because alteration significantly modifies interior space arrangements, while renovation does not.

12) Replacement:

Completely reconstructing a structure, or a mechanical or utility system, which, because of age, unsafe conditions, obsolescence, or other causes, cannot be economically repaired or renovated and cannot be used for its intended function.

Note: Reconstructing minor components of a mechanical or utility system is categorized as maintenance and is not normally included as a replacement. Replacement will be allowed as an eligible expenditure only if maintenance or renovation cannot resolve the problem.

13) Restoration:

Work required to bring a structure, to the maximum extent possible, to its former state. Ordinarily, restoration is authorized only for historic properties.

14) Site Development and Improvements:

Includes grading; installing drainage facilities; constructing new roads, walks, parking areas, retaining walls, recreational areas, and fences; standard and essential landscaping; outdoor lighting.

15) Utilities:

Includes installing, extending or replacing items such as sewer, water and electrical service systems; power plant facilities; heating, ventilating and air conditioning; elevators; fire escapes, sprinklers and fire alarms; and telephone communications and associated control systems.

16) Equipment and Furnishings:

Some equipment and furnishings are eligible expenditures while others are ineligible. Initial equipment and furnishings are eligible expenditures if they:

- i) Have a life expectancy of at least 15 years, with normal maintenance
- ii) Are unlikely to become technically obsolete for 15 years
- iii) Are of durable construction
- iv) Are heavy enough to prevent easy removal (chairs, however, may be eligible expenditures even if they do not meet this requirement)
- v) Are not intended to replace adequate items already on hand [replacement equipment is not eligible for funding]
- vi) Are necessary to accommodate the functions for which the structure is intended AND
- vii) Are not elaborate or extravagant. Review is guided by the reasonableness of the cost, the items' durability, and the items' appropriateness.

Note: In the case of conversion or expansion, only equipment and furnishings needed to support a new function are eligible for funding. In the case of alteration, relocation or renovation, equipment and furnishings will not normally be eligible for funding. Because these projects are related to existing functions, it is expected that existing equipment can be used.

17) Ineligible Activities

- a) Program funds may not be used to:
 - i) Refinance existing debt on projects;
 - ii) Finance the costs of any portion of a building or undertaking that does not provide housing for the homeless and the necessary space and facilities required to operate the project;
 - iii) Financial transaction costs associated with the offering and syndicated sale;
 - iv) Replace furnishings such as beds, furniture, and floor covering and non-capital items in existing facilities providing housing for the homeless; and,
 - v) Provide operating assistance.

18) Ineligible Project Expenditures

The State will not disburse grant funds for ineligible expenses. This section describes expenditures ineligible for grant funding. This list is not exhaustive. The State will determine eligibility on a case-by-case basis. Consult with the Department before committing to any costs.

- 1) Feasibility studies or program development needed before authorizing funds (e.g., master plans)
- 2) Existing debt, interest (e.g., mortgage, rent, loans)
- 3) Fund-raising activities
- 4) Salaries or wages paid to employees for project work
- 5) Administrative or legal costs
- 6) Maintenance

Maintenance is ineligible because it does not have a useful life expectancy of 15 years.

Maintenance is the recurring periodic (daily, weekly, monthly, annual) or scheduled upkeep required to maintain or fix a structure or a system, or its components, so that it may continue to be appropriately and effectively used for its intended purpose during its life expectancy. Maintenance includes overhauling, reprocessing, and replacing parts or materials that have deteriorated through

normal wear and tear. Maintenance includes work undertaken to prevent damage that otherwise would be more costly to restore.

- a) Maintenance includes upkeep necessary to meet prescribed standards and codes. Maintenance does not include major changes necessary to cover new accreditation standards.
- b) Maintenance does not include constructing new maintenance sheds or buildings. Maintenance does not include extending or expanding utilities.
 - (i) Following are examples of ineligible maintenance projects:
 1. Painting, decorating, caulking, repainting, or treating masonry and other surfaces
 2. Repairing wall or floor tiles, shingles or siding, and roofs
 3. Sealing asphalt surfaces, ditching, replacing gutters and curbs, patching road surfaces
 4. Repairing sprinklers and alarm systems
 5. Repairing an elevator or escalator
 6. Repairing plumbing, sanitary facilities, or the heating, ventilating and air conditioning system
 7. Repairing lighting-and-electrical-systems components.

19) Non-Capital Furnishings & Equipment

- a) Office machines and equipment. Examples: typewriters; computers, printers, and other computer peripherals, including software; calculators; fax machines; copying machines.
- b) Household furnishings. Examples: mattresses, pillows, rugs, mats, pads, curtains, draperies, pictures, statuary, interior-design items susceptible to the influence of style and frequent turnover, and other similar furnishings.
- c) Small household furniture, appliances and accessories. Examples: coat-trees, folding chairs and tables, canisters, wastebaskets, trash cans and receptacles, paper roll dispensers, ironing boards, magazine racks, foot stools, dishes, pans, cutlery, glasses, desk sets, ladders, washing machines, dryers, refrigerators, ovens, stoves, fryers, griddles, hot plates, warmers, including hot food loaders, scales, pegboards, lamps, grills, toasters, irons, clocks, vacuum cleaners, scrubbers and floor polishers, bulletin boards, easels, planter boxes, movable chalk boards, towel racks not fixed, other similar furniture, equipment and accessories.
- d) Small equipment, machinery, and appliances. Examples: power tools, electric fans, movable air conditioning units, paint sprayers and paint mixers, welding machines, movie and slide projectors, portable screens, film splicers, slide viewers, audiovisual aids, CD and DVD players, video cassette recorders, record players, television sets, radios, stereo systems, portable paging systems, and other similar machinery and appliances.
- e) Major medical equipment and medical instruments – Examples: ophthalmoscopes, cystoscopes, otoscopes, oxygen tents, porta-lifts, bath lifts, cardiac arrest units, autoclaves, blood volume machines, serological baths, cryostat microtome units, ultra-violet lamps, resuscitators, inhalators, suction devices, refraction machines, eye charts, EEG and EKG machines, X-ray equipment, CT scan and MRI equipment, anesthesia units, obstetrical apparatus, whirlpool baths, and other similar equipment.

Note: Exception may be made for major medical equipment and medical instruments that exceed \$20,000 if the useful life expectancy exceeds 15 years. Consult with the Department.

- f) Professional, scientific and controlling instruments. Examples: photographic and optical equipment such as spectrophotometers, colorimeters, catheterization trays, fluoroscopes, microscopes, oscilloscopes, balance scales, recorders, lenses and binoculars.

Note: Exception may be made for professional, scientific and controlling instruments that exceed \$20,000 if the useful life expectancy exceeds 15 years. Consult with the Department.

- g) Glass and glass products, flat, blown or pressed. Examples: distilling apparatus, beakers, vials, test tubes, slides, basins, lamps, chinaware, dishes, mirrors, glass-top tables, and other similar products.
- h) Game equipment. Examples: bowling games, shuffleboards, billiard tables and equipment, ping-pong tables, and game tables.
- i) Vehicular and motorized equipment. Examples: automobiles, trucks, boats, cleaning trucks, food trucks, heated or refrigerated tray trucks, dumpsters, fork lifts, farming equipment, trailers or carts, wheelchairs, wheeled carts for maintenance use, and other similar equipment.
- j) Supplies and materials. Examples: blankets, sheets, pillowcases, table linens, janitorial supplies, laboratory supplies, medical products, candle holders, books, flags and bunting, audio or visual tapes or discs, small hand tools, tool boxes, office supplies and other similar supplies and materials.

Funding Terms and Conditions

- A. All funds offered under the Program are grants. The actual terms will be specified in the grant agreement.
- B. Sponsors must sign, upon approval of the project, a financing and regulatory agreement acknowledging that all the housing units financed with the capital assistance will be occupied by homeless households for not less than 15 years.
- C. In general, the total capital assistance to a project may not exceed 50 percent (50%) of the total development costs of the project.

Repayment Terms and Conditions

- A. Repayment of capital assistance may not be required unless the project ceases to be owned by a sponsor or operated in accordance with the requirements of the Program and the terms and conditions of the capital assistance documents.
- B. Before the payment of any capital assistance, the sponsor must record notice, in the form prescribed by the Department, in the land records of the jurisdiction in which the project is located, of the Department's right to repayment. The sponsor must provide evidence of such recordation to the Department.

Threshold Requirements

- A. Applicants are expected to meet all the following threshold requirements before an application will be accepted for review.

- (1) The sponsor is a nonprofit organization or local government entity;

Non-profit is a tax-exempt entity under Section 501(c)(3) of the Internal Revenue Code and independent of any for-profit entity.

- (2) The total capital assistance requested does not exceed the Program limits;
- (3) Funds requested are for eligible uses; and
- (4) The sponsor provides evidence of site control.

Acceptable evidence of site control includes deeds, contracts of sale, leases, purchase options, land disposition agreements and other similar agreements from a local government, or other evidence at the Department's discretion.

Acceptance of Applications

Applications are accepted any time of the year, and are processed on a first-come, first-served basis, pursuant to Program funding availability and the project's readiness to proceed.

To determine the project's readiness to proceed, the "Anticipated Development Schedule" must reflect the project's readiness to use the Program's funding within twelve (12) to eighteen (18) months of the grant application.

New Construction - Priority Funding Areas (Smart Growth)

All projects involving any new construction must be located in a Priority Funding Area (PFA). PFAs include:

- All incorporated municipalities, including Baltimore City, with some exceptions related to water, sewer and density for areas annexed after January 1, 1997;
- All areas between the Baltimore beltway and the Baltimore City limits and the Washington, DC beltway and the Washington, DC boundary;
- All areas designated as Sustainable Communities, as defined by the Maryland Annotated Code, Housing and Community Development Article, Section 6-201(I) (see Section 4.2.3);
- Federal and State enterprise zones;
- All areas designated by county governments as PFAs, including rural villages designated in county comprehensive plans as of July 1, 1998; and
- Certified heritage areas within locally designated growth areas.

All applications for projects involving any new construction must include a letter from the local government that certifies the project is located in a PFA. Information regarding PFAs may also be found at the link below: <http://planning.maryland.gov/pages/ourproducts/pfamap.aspx>

Processing Time

The Department will process all applications in accordance with the criteria established for the Program. The length of the underwriting phase will depend upon the circumstances of each individual project.

Underwriting and Construction Review

After intent letters are issued, loan applications are underwritten, and detailed construction plans and documents are reviewed before the issuance of commitment letters. The review process is generally divided into two phases: viability and commitment reviews. In its discretion, The Department may permit the submission of a combined viability and commitment package (fast track). Specific milestone dates for completing these reviews and issuing commitment letters are discussed at kick-off meetings and set in conformance with the Department's submission kit loan process. Detailed guidance is provided to sponsors throughout this process to assist the Development Team in the preparation of construction plans and underwriting documentation. The architectural requirements for each stage of this review are those defined in the American Institute of Architect's (AIA) publication The Architect's Handbook of Professional Practice. Additionally, other underwriting requirements will be detailed and made clear to all parties early in the process. Projects in the advanced stages of pre-development will be able to proceed at much quicker paces. In any event, the Department and sponsors should make every attempt to complete all review requirements within the timeframes outlined in reservation letters and during kick-off meetings.

Viability Review

During this phase of the review process, sponsors submit updated application forms along with more detailed construction and underwriting documentation, all as specified in the viability submission kit supplied at kick-off meetings. The Department's staff reviews the material and issues viability reports to sponsors. Viability reports include the Department's underwriting pro-forma and a term sheet showing any changes in anticipated loan terms and conditions based on findings made during the viability review.

Commitment Review

At this stage of review, sponsors submit final application forms and complete construction and underwriting documentation. After the Department's staff has reviewed the materials, a commitment

report, including a final underwriting pro-forma and updated term sheet, are prepared. The commitment report is sent to sponsors and the term sheet to the Department's attorney. Based on the findings in the commitment report, a draft commitment letter is prepared and sent to the sponsor. The Department's goal is to complete any adjustments to the draft commitment letter within fifteen (15) calendar days of issuing the commitment report and to issue the commitment letter not later than seventy (70) calendar days after the sponsor submits the commitment review package. Once all adjustments are made, the Department's attorney finalizes the commitment letter and begins preparing loan documents

Information and Assistance

For additional information, contact:

Shelter and Transitional Housing Grant Program Coordinator
Rental Lending Programs
Maryland Department of Housing and Community Development
7800 Harkins Rd
Lanham, Maryland 20706
301-429-7712 or 800-543-4505
Email: dhcd.rentalhousing@maryland.gov

Other State Partners Contact Information

Contracts -Prevailing Wage Law

Prevailing Wage Division of Labor and Industry
Dept of Labor, Licensing & Regulation
1100 North Eutaw Street 6th Floor, Room 607
Baltimore, MD 21201
410.767.2342

Debarred and Suspended Contractors

www.bpw.state.md.us

Forest Conservation

Department of Natural Resources
State Forest Conservation Program
E-1 Tawes State Office Building
Annapolis, MD 21401
410.260.8511

Minority Business Enterprise Directory

Department of Transportation
7201 Corporate Center Drive Hanover, MD 21076
410.865.1269
www.mdot.state.md.us/MBE_Program/directory

Historic Preservation

Office of Preservation Services
Maryland Historical Trust Department of Planning
100 Community Place Crownsville, MD 21032
410.697.9541

Furniture and Equipment

Maryland Correctional Enterprises
7275 Waterloo Road Jessup, MD 20794
410.540.5400