



Community Housing Development Organization CERTIFICATION APPLICATION

A Community Housing Development Organization (CHDO) is a private, non-profit, community-based service organization that has obtained staff with the capacity to develop affordable housing in the community it serves.

The following application details the requirements that non-profit corporations must satisfy to be certified as a CHDO by the Housing Department (HD). A set of current Certification Policies are also enclosed as **Attachment D** and detail additional requirements HD will use in reviewing your application submission.

Please fully complete the application and supply all requested documentation. An incomplete application package will significantly delay the consideration of your application.

We are here to help if you have any questions in completing the application. Please do not hesitate to contact Dawn Perkins at Dawn.perkins@austintexas.gov for assistance.

We look forward to receiving your application!

Submit Original Certification Application Package Via Email to by 9/25/2024.

Dawn.perkins@austintexas.gov

APPLICANT INFORMATION REQUIRED:

Name of Applicant Organization		
Address		
City	State	Postal Code
Contact Person	Position with Organization	
Telephone Number	Email Address	
Fax Number	Federal Tax I.D. Number	

STATEMENT OF CERTIFICATION

I hereby certify that all statements I have provided in this application and in the attachments herein are true; that I am authorized to sign this application, and to make these statements, on behalf of the applicant organization; and that the organization understands that misrepresentation of any facts which lead to the improper allocation and expenditure of public funds may result in legal action against the organization for retrieval of any such funds and appropriate penalties.

Signed:

Signature	Date
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Name: (typed or printed)

Title: (Executive Director)

Name of Organization

(Submit this application to the City of Austin)

I. LEGAL STATUS

1. **ORGANIZED:** To receive certification, your organization must be organized under state or local laws and must provide evidence of your legal status. Which of the following have you supplied?

- Charter
 Articles of Incorporation along with confirmation from the Secretary of State.

Provided in Exhibit # _____ (please specify Exhibit #)

2. **PURPOSE OF ORGANIZATION:** An organization must have among its purposes the provision of 'decent housing that is affordable to low and moderate-income persons'. Which of the following have you included that demonstrate compliance with this requirement?

- Charter
 By-laws signed by the board Secretary
 Articles of Incorporation

Provided in Exhibit # _____ (please specify Exhibit #)

3. **NO INDIVIDUAL BENEFIT:** No part of your organization's net earnings can inure to the benefit of any member, founder, contributor or individual. Which of the following have you included that demonstrate compliance with this requirement?

- Charter
 By-laws signed by the board Secretary
 Articles of Incorporation

Provided in Exhibit # _____ (please specify Exhibit #)

4. **SERVICE AREA:** To receive certification an organization must have a clearly defined geographic service area. The service area can be an area larger than a single neighborhood but must be an area smaller than an entire state. If you will be serving a special population the geographic boundaries and your service area must also be defined. Which of the following have you included to demonstrate that your organization has a clearly defined geographic service area?

- Charter
 By-laws signed by the board Secretary
 Articles of Incorporation

Provided in Exhibit # _____ (please specify Exhibit #)

5. **TAX EXEMPT RULING:** Your organization must have a tax-exempt ruling from the Internal Revenue Service (IRS), under section 501 (c) (3), 501 (c) (4) or a Section 905 of the Internal Revenue Code of 1986. Which of the following have you provided to indicate receipt of such a ruling?

- A 501 (c) (3) Certificate Letter from the IRS
 A 501 (c) (4) Certificate Letter from the IRS
 A group exemption letter, that is dated 1986 or later, from the IRS that includes the agency seeking certification as a CHDO (acceptable for Section 905 organizations only)

Provided in Exhibit # _____ (please specify Exhibit #)

II. ORGANIZATIONAL STRUCTURE

6. **BOARD COMPOSITION:** To be certified a CHDO, an organization must structure the board of directors to consist of **at least** one-third representatives of the low-income community and no more than one-third representatives of the public sector. These provisions and examples are as follows:

- a) An applicant organization must always ensure that **at least** one-third of its governing board consists of representatives of the low-income community. There are three ways to meet this requirement: 1) Individuals can be residents of a low-income neighborhood in the organization's service area (but do not necessarily have to earn a low income themselves), 2) they can be low-income residents of the community, or 3) they can be appointed representatives to the board from a low-income neighborhood association. Which of the following documents have you provided that demonstrate that the one-third requirement will be maintained?

- Charter
 By-laws signed by the board Secretary
 Articles of Incorporation

Provided in Exhibit # _____ (please specify Exhibit #)

- b) An organization's board of directors may consist of no more than one-third representatives of the public sector. Representatives of the public sector include: 1) *elected officials* such as council members, 2) *appointed public officials* such as planning or zoning commission, regulatory or advisory boards, 3) *public employees* which include employees of public agencies or departments of the City such as fire and police, and 4) any individual who is not necessarily a public official, but has been *appointed by a public official* to serve on the organization's Board of Directors. Which of the following have you provided that demonstrate that the one-third cap on public representation will be met?

- Charter
 By-laws signed by the board Secretary
 Articles of Incorporation

(Under the HOME Program, "community" is defined as one or several neighborhoods or the city at large)

To verify that your **current board** meets both the low-income requirement and the limits on public-sector representation above, please complete the worksheet included as **Attachment B** to this application. To complete the worksheet, you will need to know whether the board member resides in a 'low-income' neighborhood or whether the board member qualifies as a low-income resident. An individual residing in a household earning 80 percent of the area median family income or less meets the "low-income" designation. **Attachment E** provides the dollar amount of that income cap by family size. If you are uncertain as to whether the neighborhood your board member resides in can qualify as a 'low-income neighborhood,' please call Sherry Cardino at (512) 974-3153 for verification of the zip code in which the board member resides.

7. **LOW-INCOME INPUT:** To be certified a CHDO, an organization must provide a specific formal process for low-income program beneficiaries to advise the organization in all of its decisions regarding the design, location of sites, development and management of affordable housing projects. Specifically, a detailed plan for ensuring that input from low-income program beneficiaries will be solicited and integrated into the decision-making and project development processes of the organization. Which of the following has your organization provided, that detail the systems you will use to gather community involvement/input from those affected by your projects?

- By-laws signed by the board Secretary
 A Board Resolution, (written statement of operating procedures approved by the governing body).

Provided in Exhibit # _____ (please specify Exhibit #)

III. RELATIONSHIP WITH OTHER ENTITIES

RELIGIOUS ORGANIZATION SPONSORSHIP:

8. Is your nonprofit organization sponsored or created by a religious organization?

- Yes, (please continue with the following)
- No, (if no, skip to # 9)

A religious organization cannot qualify as a CHDO, but they may sponsor the creation of a wholly secular nonprofit. The developed housing must be used exclusively for secular purposes. It must also be ensured that housing will be made available to all persons, regardless of religious affiliation or belief. The religious organization can appoint an unlimited number of board members to the housing organization’s board, but the religious organization cannot control the housing organization. Which of the following has been provided to demonstrate that all of these provisions will be met in the operation of the organization?

- By-laws
- Charter
- Articles of Incorporation

Provided in Exhibit # _____ (please specify Exhibit #)

PUBLIC ENTITY SPONSORSHIP:

9. Was your organization chartered by a state or local government?

- Yes, (please continue with the following)
- No, (If no, skip to # 10)

The state or local government may not appoint more than one-third of the organization’s governing body, and the board members appointed by the state or local government may not, in turn, appoint the remaining two-thirds of the board members. Which of the following has been provided that demonstrate compliance with these requirements?

- By-laws signed by the board Secretary
- Charter
- Articles of Incorporation

Provided in Exhibit # _____ (please specify Exhibit #)

FOR-PROFIT RELATIONSHIPS:

10. Is the nonprofit organization being sponsored by or was it created by a for-profit entity?

- Yes, (please continue with the following, # 11-14)
- No, (If no, skip to # 15)

11. A CHDO cannot be controlled by, nor receive direction from individuals or entities seeking profit from the organization. Which of the following has been provided to address compliance with this requirement?

- By-laws signed by the board Secretary
- A Memorandum of Understanding (MOU)

Provided in Exhibit # _____ (please specify Exhibit #)

III. RELATIONSHIP WITH OTHER ENTITIES, Continued...

12. An organization may be sponsored or created by a for-profit entity, however; the for-profit entity's primary purpose may not include the development or management of housing. Please provide the following to evidence compliance:

The By-laws of the for-profit entity

Provided in Exhibit # _____ (please specify Exhibit #)

13. The non-profit organization is free to contract for goods and services from vendor(s) of its own choosing. Which of the following items has been provided to demonstrate that the non-profit is free to do this?

By-laws signed by the board Secretary

Charter

Articles of Incorporation

Provided in Exhibit # _____ (please specify Exhibit #)

14. If the non-profit is sponsored by a for-profit entity, the for-profit entity may not appoint more than one-third of the organization's governing body, and the board members appointed by the for-profit entity may not, in turn, appoint the remaining two-thirds of the board members. Which of the following items has been provided to demonstrate that the non-profit is free to do this?

By-laws signed by the board Secretary

Charter

Articles of Incorporation

Provided in Exhibit # _____ (please specify Exhibit #)

IV. EXPERIENCE and CAPACITY

15. **FINANCIAL ACCOUNTABILITY:** The organization must have financial accountability standards that conform to 24 CFR 84.21, “Standards for Financial Management Systems”, which is included as **Attachment A** to this application. These standards are a variation on OMB Circular A-133 but are an updated version to that circular. The organization must certify that its financial management systems comply with this specific standard. Which of the following have you provided to evidence compliance with this federal requirement?

- A notarized statement by the Treasurer or Chief Financial Officer of the organization
- Certification from a Certified Public Accountant
- HUD approved audit summary

Provided in Exhibit # _____ (please specify Exhibit #)

16. **AUDIT REQUIREMENT:** The City of Austin requires that your organization submit audited financial statements for the organization’s most recent program year. The audits financials should include all components conducted, including any A-133 analysis of compliance with federal grants, analysis of internal controls, letter to the Board of Directors or management letters. If your organization does not have audited financial statements because it has been operating for less than one year, you must submit the audited financial statements of the parent or sponsor organization, along with your organization’s current unaudited financial statements.

Provided in Exhibit # _____ (please specify Exhibit #)

NOTE: No non-profit organization shall be certified as a CHDO if the organization’s most recent audit reflects an outstanding finding, material weakness or other unresolved matter, which would prevent the City of Austin from certifying the capacity of that organization to successfully develop a CHDO project.

17. **EXPERIENCE:** To become a certified CHDO, the organization must have *at least* one year of experience serving the community where the housing to be assisted with HOME funds is to be located. The year of service does **not** have to be directly related to housing. Newly created organizations wishing to become CHDOs can meet the requirement if the parent (or sponsoring) organization is a nonprofit and has provided services to the community for at least one year. These are the two forms in which capacity may be documented and accepted. Which of the two have you provided to demonstrate compliance with this requirement?

- A statement signed by the Executive Director that document at least one year of experience serving the community prior to seeking CHDO certification and details the type of service provided, **OR,**
- A statement signed by the Executive Director that documents that its parent or sponsoring organization has at least one year of experience serving the community prior to seeking CHDO certification and details the type of services that were provided

Provided in Exhibit # _____ (please specify Exhibit #)

18. **PROJECT DETAIL:** As a next step toward assessing your organization’s capacity, please provide the following information about the type of project(s) your organization is currently developing or expects to develop in the next 6 months:

NUMBER OF UNITS IN FIRST PROJECT: _____

BUILDING TYPE:	EXPECTED USE:	CONCENTRATION:	CONSTRUCTION ACTIVITY
<input type="checkbox"/> Single Family buildings	<input type="checkbox"/> Rental	<input type="checkbox"/> Single Site	<input type="checkbox"/> Acquisition
<input type="checkbox"/> Multi-family buildings	<input type="checkbox"/> Homeownership	<input type="checkbox"/> Scattered Site	<input type="checkbox"/> New Construction
			<input type="checkbox"/> Rehabilitation
FOR RENTAL ONLY:		FOR HOMEOWNERSHIP ONLY:	
<input type="checkbox"/> CHDO will do Property Management		<input type="checkbox"/> CHDO will do Homeownership Counseling	
<input type="checkbox"/> CHDO will contract out for Property Management		<input type="checkbox"/> CHDO will work with established Homeownership Counseling or replace homeowners	

Additional comments about the project? _____

19. **STAFF AND CAPACITY:** To be certified as a CHDO, the organization must have paid staff *. HUD defines CHDO staff as paid employees who are responsible for the day-to-day operations of the CHDO; this does not include volunteers, board members or consultants. Additionally, the organization must demonstrate the capacity of its key staff to carry out the activities it is planning to undertake. Specifically, the key staff who will be responsible for the project must have successfully completed projects **like those the organization expects to undertake**. Please submit the following to evidence staff capacity:

- Resumes of key staff members who have successfully completed projects similar to that being proposed, (include project descriptions of relevant completed projects)

Provided in Exhibit # _____ (please specify Exhibit #)

** HUD's Definition of a paid employee is a person whose salary, payroll taxes, and unemployment insurance are paid by the organization and from whom the organization withholds payroll and income taxes. Receipt of a W-2 is sufficient evidence that an individual is a 'paid employee'. The employee must be paid by the CHDO and, therefore cannot be contracted through, shared with, or cost-allocated through another entity. Employees of a for-profit organization that created a CHDO cannot also be employees of that CHDO.*

Please submit a roster of the organizations current board composition and their positions on the board. Please describe the organization's current staffing by completing **Attachment C**

PLEASE REVIEW THE FOLLOWING CHECKLIST TO BE SURE YOUR APPLICATION SUBMISSION INCLUDES ALL OF THE ITEMS LISTED BELOW:

- All questions have been answered, exhibit numbers indicated, and the Executive Director has signed the certification statement on page one.
- Attachment B, Board information has been completed for every board member and is enclosed.
- Attachment C, Staff information has been completed for every staff person and is enclosed.
- All exhibits referenced in the application are numbered and enclosed.

Thanks very much for applying for CHDO Certification with the City of Austin's Housing Department. We will work diligently to provide you with a quick response to your application.