

CITY OF AURORA

Community Housing Development
Organization (CHDO)

Certification and Recertification Manual



EQUAL HOUSING
OPPORTUNITY



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What is a Community Housing Development Organization (CHDO)?

A CHDO (pronounced cho'doe) is a private nonprofit, community-based service organization that has significant capacity, and whose **primary** purpose is to develop affordable housing for the community it serves. Certified CHDOs receive special designation from the City of Aurora (City). The HOME Investment Partnership (HOME) Program definition of a CHDO is found at 24 CFR Part 92.2.

What Special Benefits are Available to CHDOS?

HOME regulations require that the City set aside **15%** of its annual HOME allocation exclusively for qualified, eligible CHDO projects. If an organization becomes a certified CHDO, it is eligible to take advantage of the HOME funds set-aside just for CHDOs, as well as financial support for a portion of its operating expenses (Operating Assistance Grants) associated with CHDO projects. The City's CHDOs also have first right of purchase on land bank lots and as a nonprofit they are eligible to purchase HB110 lots.

Regulatory Requirements for CHDO Certification

The U.S. Department of Housing and Urban Development (HUD) has established standard criteria for organizations to be eligible to become a certified CHDO:

1. **Organized Under State/Local Law.** A nonprofit organization must show evidence in its Articles of Incorporation that it is organized under state or local law.
2. **Nonprofit Status.** The organization must be conditionally designated or have a tax exemption ruling from the Internal Revenue Service (IRS) under Section 501(c) of the Internal Revenue Code of 1986. A 501(c) certificate from the IRS must evidence the ruling.
3. **Purpose of Organization.** Among its primary purposes, the organization must have the provision of decent housing that is affordable to low- and moderate-income people. This must be evidenced by a statement in the organization's Articles of Incorporation and/or Bylaws.
4. **Board Structure.** The board of directors must be organized to contain no more than one-third representation from the public sector and a minimum of one-third representation from the low-income community.
5. **No For-Profit Control.** The organization may not be controlled by, nor receive directions from, individuals or entities seeking profit from or that will derive direct benefit from the organization.
6. **No Individual Benefit.** No part of a CHDO's net earnings (profits) may benefit any members, founders, contributors, or individuals. This requirement must also be evidenced in the organization's Articles of Incorporation.
7. **Clearly Defined Service Area.** The organization must have a clearly defined geographic service area outlined in its Articles of Incorporation and/or Bylaws. CHDOs may serve individual neighborhoods or large areas. However, while the organization may include an entire community in their service area (such as a city, town, village, county, or multi-county area), they may not include the entire state.
8. **Low-Income Advisory Process.** A formal process must be developed and implemented for low-income program beneficiaries and low-income residents of the organization's service area to advise the organization in all its decisions regarding the design, location, development and management of affordable housing projects.

9. **Capacity/Experience.** The key staff and board of directors must have significant experience and capacity to carry out CHDO-eligible, HOME-assisted projects in the community where it intends to develop affordable housing (key staff and board of directors have successfully completed HOME-funded, CHDO-eligible projects in the past).
10. **Community Service.** A minimum of one year of relative experience serving the community(ies) where it intends to develop affordable housing must be demonstrated.
11. **Financial Accountability Standards.** The organization must meet and adhere to the financial accountability standards as outlined in 2 CFR 200 Subpart D, “Standards for Financial and Program Management.”

City Requirements for CHDO Certification

In addition to the regulatory requirements, the City has established additional criteria for CHDO designation. To be eligible for CHDO designation, an organization must also:

1. Maintain a record of good standing with the Colorado Secretary of State’s office.
2. Maintain a staffed, physical office location in the proposed service area that is open for business and accessible by potential program applicants during generally accepted customary business hours.
3. Have established a minimum 3-year strategic business plan, which must include CHDO- related production and community involvement goals.
4. Maintain a history of no significant compliance findings on its city-funded projects.

The City will accept applications from new CHDOs year-round; however, CHDO certifications will not be provided until a project is identified for funding and prior to execution of a written agreement. Please note that the criteria noted above are not intended to be all-inclusive and the City may require additional information prior to making a determination for CHDO designation. Meeting the above requirements does not guarantee that the organization will be granted CHDO designation. City reserves the right to deny or revoke CHDO designation based upon its evaluation of the nonprofit organization’s performance. Designated CHDOs will be evaluated periodically for production and other benchmarks as established by City staff.

Organizational Structure Requirements for CHDO Certification

The HOME Program establishes requirements for the organizational structure of a CHDO to ensure that the governing body of the organization is controlled by the community it serves. These requirements are designed to ensure that the CHDO is capable of decisions and actions that address the community's needs without undue influence from external agendas.

There are four specific requirements related to the organization's board, which must be evidenced in the organization's Articles of Incorporation and/or Bylaws. These are:

1. Low-Income Representation. At least one-third of the organization's board must be representatives of the low-income community served by the CHDO. There are three ways a board member can meet the definition of a low-income representative:

- The person lives in a low-income neighborhood where **51%** or more of the residents are low-income. This person need not necessarily be low-income.
or
- The person is a low-income (below **80%** area median income) resident of the community.
or
- The person was elected by a low-income neighborhood organization to serve on the CHDO board. The organization must be composed primarily of residents of the low-income neighborhood and its primary purpose must be to serve the interests of the neighborhood residents. Such organizations might include block groups, neighborhood associations, and neighborhood watch groups.

The CHDO is required to certify the status of low-income representatives.

2. Public Sector Limitations. No more than one-third of the organization's board may be representatives of the public sector, including elected public officials, appointees of a public official, any employees of a local government or public school system, or employees of the City or the State of Colorado. If a person qualifies as a low-income representative **and** a public-sector representative, their role as a public-sector representative supersedes their residency or income status. Therefore, this person counts toward the one-third public sector limitation.

3. Low-Income Advisory Process. Input from the low-income community is not met solely by having low-income representation on the board. The CHDO must provide a formal process for low-income program beneficiaries to advise the CHDO on design, location of sites, development, and management of affordable housing. The process must be described in writing in the Articles of Incorporation and/or Bylaws. Each project undertaken by the CHDO should allow potential program beneficiaries to be involved and provide input on the entire project from project concept, design, and site location to property management. One way to accomplish this requirement is to develop a project advisory committee for each project or community where a HOME assisted project will be developed. Proof of input from the low-income community will be required at the CHDO's annual recertification.

4. For-Profit Limitations. If a CHDO is sponsored by a for-profit entity, the for-profit may not appoint more than one-third of the board. The board members appointed by the for-profit may not appoint the remaining two-thirds of the board members.

Experience, Capacity and Roles (24 C.F.R. 92.300-92.303)

To be certified as a CHDO, the HOME Program requires organizations to demonstrate sufficient experience, capacity, and financial accountability.

Experience & Capacity: A CHDO must certify to City that it has the capacity, demonstrated by having paid staff with demonstrated capacity to perform the specific role for which it is being funded. CHDO staff can be full-time or part-time and can be contract employees. The CHDO cannot count the experience of board members, donated staff, parent organization staff, or volunteers to meet the capacity requirement. The CHDO can only count capacity brought to the table by a consultant in the first year of participation. Afterward, the CHDO must demonstrate capacity based upon paid staff.

The CHDO must demonstrate experience and capacity relevant to the project and its role as owner, developer, or sponsor. If the CHDO is the owner, its staff must have the capacity to act as the owner (this may mean the ability to oversee development.) If the CHDO is the developer or sponsor, its staff must have development experience on projects of similar scope or complexity.

CHDOs must demonstrate a history of serving the community where the housing to be assisted with HOME funds will be located. HUD requires that organizations show a history of serving the community by providing:

- A statement that documents at least one (1) year of experience serving the community.
- For newly created organizations, provide a statement that the parent organization (if applicable) has at least one (1) years' experience serving the community.

CHDOs must provide resumes and/or statements of key staff members that describe their experience of successfully completed projects similar to those proposed.

CHDO Service Area

While the City does not limit the number of counties in a CHDO's service area, the very definition of a CHDO is that it be community-based. Therefore, an organization proposing a large or regional service area must demonstrate that it is taking the appropriate steps to achieve the community-based component. Some of the ways this can be achieved is by having an active community (nonpublic) representative from each of the counties on the CHDO's board of directors; establishing local advisory councils to advise the CHDO board on topics relative to the organization's activities; hosting "town hall" meetings in the proposed project areas, etc. the City will consider other methods suggested by the CHDO. CHDOs will be required to provide updates on how it is ensuring that it is active and visible in the community(ies) included in its service area.

The City reserves the right to limit CHDOs going into a service area where an existing CHDO is already providing service. Unless a CHDO is already approved to serve a particular territory, the City will not approve CHDOs to serve overlapping territories.

CHDO Recertification

To ensure compliance with the HOME regulations, the recertification process will apply to CHDOs with active development projects including those under development and within the affordability period. Each CHDO will be required to submit specific information to the City on an annual basis in conjunction with annual monitoring and compliance audits, including, but not limited to:

- The response to questions, numbered exhibits, and attachments listed in the City's CHDO certification application.

- An updated **3-year** business plan and a description of how the low-income advisory process was implemented. If no HOME funds were used within the reporting period, a detailed description of all other affordable housing initiatives undertaken will be requested.

Recertification will be required **ANNUALLY WHEN THE CITY MONITORS THE CHDO FOR COMPLIANCE**. The CHDO must recertify as to its continued qualifications as a CHDO and its capacity to own, sponsor, or develop housing.

CHDOs that have not been allocated project funds from the HOME CHDO set-aside for **3** consecutive years will be deemed inactive. At its discretion, the City may revoke the designation of inactive CHDOs based upon a review of other non-CHDO housing activities the organization has undertaken (if any), as well as other factors deemed appropriate by the City.

CHDO Set-Aside

The HOME requirements at 24 CFR Part 92.300 require City to set aside at least **15%** of its annual HOME allocation for projects owned, developed, or sponsored by CHDOs. A certified CHDO must serve as the owner, developer, or sponsor of a HOME-eligible project when using funds from the **15%** percent CHDO set-aside. A CHDO may serve in one of these roles or it may undertake projects in which it combines roles, such as being both an owner and developer. The CHDO must be certified for each type of activity it plans to undertake.

Financial Accountability

CHDOs must have financial accountability standards that conform to the requirements detailed in 2 CFR 200 – Subpart D, “Standards for Financial and Program Management.” This can be evidenced by:

- A notarized statement by the president or chief financial officer of the organization.
- Certification from a certified public accountant.
- Audit completed by CPA.
- The City reserves the right to request additional audited financial statements at any time.

Eligible And Ineligible Uses of Home CHDO Set-Aside Funds

ELIGIBLE ACTIVITIES - OWNERS, SPONSORS, DEVELOPERS

Using the **15%** set-aside, a CHDO acting as an owner, sponsor, or developer may undertake any of the following activities:

- Acquisition and/or rehabilitation of rental property;
- New construction of rental housing;
- Acquisition, rehabilitation and resale of existing, vacant, homebuyer property;
- New construction of homebuyer property;
- Direct financial assistance to purchasers of HOME-assisted housing developed by a CHDO with HOME CHDO set-aside funds.

Please note that to be considered a CHDO-eligible project, CHDO set-aside HOME funds must be used during the construction or rehabilitation of the project.

INELIGIBLE CHDO ACTIVITIES

Using the **15%** set-aside, a CHDO may not undertake any of the following activities:

- Rehabilitation of existing homeowners' properties;
- Tenant-based rental assistance (TBRA); or
- Down payment and/or closing cost assistance to purchasers of housing not developed with HOME CHDO set-aside funds.

ELIGIBLE ACTIVITIES – SUBRECIPIENTS

CHDOs may also act as subrecipients with non-set-aside funds by undertaking other HOME- eligible activities such as:

- Tenant-Based Rental Assistance (TBRA);
- Owner-occupied rehabilitation of single-family dwellings; and
- Down payment or closing cost assistance in the acquisition of single-family units.

OPTIONAL OPERATING EXPENSES

From time to time, funds may be available to provide general operating assistance to CHDOs receiving CHDO set-aside funds for activities. When funds are available, certified CHDOs that are administering an eligible project funded from the CHDO set-aside may be eligible to receive funds to be used for operating expenses. The regulations allow the City to allocate no more than **5%** of its HOME allocation for CHDO operating expenses (Operating Assistance Grants). However, the City reserves the right to further restrict the amount of funds an entity may receive for CHDO operating funds. This allocation does not count toward the required **15%** CHDO set- aside funds that are to be used by CHDOs for projects.

The amount of the optional Operating Assistance Grants awarded will be based on, but not limited to, the following factors:

1. The total amount of HOME funds the City has available to allocate for reimbursable CHDO operating expenses;
2. The anticipated completion date and size of your current CHDO set-aside project(s);
3. The CHDO's past performance as a CHDO developer;
4. The CHDO's capacity to complete the project in a timely manner; and,
5. The ability of the CHDO to retain CHDO proceeds.

The City will allocate Operating Assistance Grants annually. Operating Assistance Grants will be provided on a fiscal year basis (January 1 – December 31) provided funds are available and the CHDO has demonstrated acceptable performance.

Although the disbursement of CHDO operating funds is not tied directly to the drawdown of the CHDO project funds, the City reserves the right to delay disbursement of operating funds if it is evident that the CHDO project is experiencing excessive delays.

The City reserves the right to reduce the amount of, or not award, operating funds based upon its evaluation of the CHDO's production and overall performance.

Eligible operating expenses for which CHDOs may use operating funds include:

- Salaries, wages, benefits, and other employee compensation
- Employee education, training, and travel
- Rent and utilities
- Communication costs
- Taxes and insurance
- Equipment, materials, and supplies

Because the purpose of providing CHDO operating support is to nurture successful CHDOs and ensure their continued growth and success, the City will periodically evaluate the performance of any CHDO wishing to receive CHDO operating funds.

CHDO Procurement

As noted in HUD CPD Notice 97-11, CHDO organizations are not subject to the requirements of 2 CFR, Part 200 in regard to the procurement of goods and services. However, the City strongly encourages organizations to ensure that costs are reasonable and equitable. This exemption is only applicable to procurement associated with CHDO-eligible projects. CHDOs must still follow appropriate procurement procedures compliant with Part 200 for their non- CHDO projects. The City may request a copy of the CHDO's procurement policy for any non-CHDO project funding proposals.

Effective Period of CHDO Certification

To maintain its CHDO certification, the CHDO must submit at least **30** days prior to its annual compliance and monitoring audit a copy of the most recent audit financial statements along with all required attachments listed in the City's CHDO Certification Application, which is attached to this manual as **Exhibit "A" – City CHDO Application**. If the CHDO fails to submit the recertification packet, the CHDO may no longer qualify as a CHDO. Prior to awarding any City CHDO funds, the CHDO must recertify that no changes have occurred within the agency that would disqualify the entity as a CHDO for the specific type of activity being undertaken.

How To Apply for CHDO Certification

Complete the City's CHDO Certification Application including all requested attachments, documentation, and forms. The applicant has **30** days to respond to any request for additional information. If information is not received within **30** days, the CHDO certification application will be denied.



A Community Housing Development Organization (CHDO) is a private, nonprofit, 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 nonprofit corporations must satisfy to be certified as a CHDO by the City of Aurora Housing and Community Development Division Department (HCD). Please refer to the CHDO Manual which provides details and additional requirements HCD will use in reviewing your application submission. The CHDO Manual can be found on the City of Aurora (City) website at [auroragov.org/Housing and Community Development](http://auroragov.org/Housing%20and%20Community%20Development).

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 about completing the application. Please do not hesitate to contact Sarah Carroll (303) 739-7601 or sacarrol@auroragov.org for assistance.

We look forward to receiving your application!

Submit Original Certification Application

Package to:

Sarah A. Carroll, Ph.D. (ABD), MPA, BBA
(She/her/hers)
Housing Development Supervisor | City of Aurora
Housing and Community Services
office 303.739.7601

sacarrol@auroragov.org



[Facebook](#) | [Twitter](#) | [Instagram](#) | [Nextdoor](#) |

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

Name: (typed or printed)

Title: (Executive Director)

Name of Organization

(Submit this application, with original signature, to the City of Aurora)

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. Organization must Maintain a record of good standing with the Colorado Secretary of State's office. Which of the following have you supplied?
- Charter
 - Articles of Incorporation along with confirmation from the Secretary of State; and
 - Certificate of Good Standing or comparable document 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. CHDO must maintain a staffed, physical office location in the proposed service area that is open for business and accessible by potential program applicants during generally accepted customary business hours. 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 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 as 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 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 demonstrates 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)

In order 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. In order 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%** 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 Sarah Carroll at **(303) 739-7601** 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 nonprofit organization is free to contract goods and services from vendor(s) of its own choosing. Which of the following items has been provided to demonstrate that the nonprofit 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 nonprofit 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 nonprofit 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 2 CFR 200 Subpart D, "Standards for Financial and Program Management", 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 fiscal management and internal controls 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 Aurora 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 nonprofit 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 Aurora from certifying the capacity of that organization to successfully develop a CHDO project.

17. **EXPERIENCE:** To become a certified CHDO, the organization must demonstrate a capacity for conducting housing projects assisted with HOME funds. A designated organization undertaking development activities as a developer or sponsor must satisfy this requirement by having paid employees with housing development experience who will work on projects assisted with HOME funds or by contract with a consultant who has housing development experience to train appropriate key staff of the organization. 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 documents at least **1** year of experience serving the community prior to seeking CHDO certification plus details the type of service provided; and have paid employees or a consultant with housing development experience working on projects assisted with HOME funds **OR**,
- A statement signed by the Executive Director that documents that its parent or sponsoring organization has at least **1** year of experience serving the community prior to seeking CHDO certification plus details the type of service provided; and have paid employees or a consultant with housing development experience working on projects assisted with HOME funds.

Provided in Exhibit #_____ (please specify Exhibit #)

17a. **3-Year Business Plan:** To be eligible for CHDO designation, an organization must also have established a minimum 3-year strategic business plan, which must include CHDO- related production and community involvement goals.

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"/> Multi-family buildings	<input type="checkbox"/> Rental <input type="checkbox"/> Homeownership	<input type="checkbox"/> Single Site <input type="checkbox"/> Scattered Site	<input type="checkbox"/> Acquisition <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 contract out for Property Management		<input type="checkbox"/> CHDO will do Homeownership Counseling <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 **similar to 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 Aurora's Housing and Community Development Division. We will work diligently to provide you with a quick response to your application.

ATTACHMENT A TO CHDO CERTIFICATION APPLICATION

HUD–Required Standards for Financial Management and Internal Controls

Code of Federal Regulations, Title 2, Volume 200, Parts 302 and 303
Revised as of December 19, 2014
From the U.S. Government Printing Office via GPO Access

[CITE: 2CFR200.302, 2CFR200.303], Page 107-108

TITLE 2-- GRANTS AND AGREEMENTS

Subpart D--Post Federal Award Requirements

Sec. 200.302-- **Financial management.**

- (a) Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds. In addition, the state's and the other non-Federal entity's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit the preparation of reports required by general and program specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. See also §200.450 Lobbying.
- (b) The financial management system of each non-Federal entity must provide for the following (see also §§ 200.333 Retention requirements for records, 200.334 Requests for transfer of records, 200.335 Methods for collection, transmission and storage of information, 200.336 Access to records, and 200.337 Restrictions on public access to records):
 - (1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.
 - (2) Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements set forth in §200.327 Financial reporting and 200.328 Monitoring and reporting program performance. If a Federal awarding agency requires reporting on an accrual basis from a recipient that maintains its records on other than an accrual basis, the recipient must not be required to establish an accrual accounting system. This recipient may develop accrual data for its reports on the basis of an analysis of the documentation on hand. Similarly, a pass-through entity must not require a subrecipient to establish an accrual accounting system and must allow the subrecipient to develop accrual data for its reports on the basis of an analysis of the documentation on hand.
 - (3) Records that identify adequately the source and application of funds for federally funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
 - (4) Effective control over, and accountability for, all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes. See §200.303 Internal controls.
 - (5) Comparison of expenditures with budget amounts for each Federal award.
 - (6) Written procedures to implement the requirements of §200.305 Payment.
 - (7) Written procedures for determining the allowability of costs in accordance with Subpart E—Cost Principles of this part and the terms and conditions of the Federal award.

ATTACHMENT A TO CHDO CERTIFICATION APPLICATION

HUD–Required Standards for Financial Management and Internal Controls

Code of Federal Regulations, Title 2, Volume 200, Parts 302 and 303

Revised as of April 1, 2000

From the U.S. Government Printing Office via GPO Access

[CITE: 2CFR200.302, 2CFR200.303], Page 107-108

TITLE 2-- GRANTS AND AGREEMENTS

Subpart D--Post Federal Award Requirements

Sec. 200.303-- **Internal controls.**

The non-Federal entity must:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States or the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor the non-Federal entity’s compliance with statutes, regulations and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or the non-Federal entity considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

ATTACHMENT B - BOARD MEMBER REQUIREMENTS

Org Name Here:

BOARD MEMBER INFORMATION:

PLEASE CHECK THE APPROPRIATE BOX BELOW:

1	Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.							
	Board Position:															
	Address:															
	City															
	State									Yes						Included
	Zip	Phone:								No						N/A
Place of Employment:			Additional Comment:													
Position:																

2	Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.							
	Board Position:															
	Address:															
	City															
	State									Yes						Included
	Zip	Phone:								No						N/A
Place of Employment:			Additional Comment:													
Position:																

3	Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.							
	Board Position:															
	Address:															
	City															
	State									Yes						Included
	Zip	Phone:								No						N/A
Place of Employment:			Additional Comment:													
Position:																

4	Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.							
	Board Position:															
	Address:															
	City															
	State									Yes						Included
	Zip	Phone:								No						N/A
Place of Employment:			Additional Comment:													
Position:																

ATTACHMENT B - BOARD MEMBER REQUIREMENTS

Org Name Here:

BOARD MEMBER INFORMATION:

PLEASE CHECK THE APPROPRIATE BOX BELOW:

5

Name:									* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.
Board Position:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?		
Address:									
City									
State			Yes						Included
Zip		Phone:	No						N/A
Place of Employment:			Additional Comment:						
Position:									

6

Name:									* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.
Board Position:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?		
Address:									
City:									
State:			Yes						Included
Zip		Phone:	No						N/A
Place of Employment:			Additional Comment:						
Position:									

7

Name:									* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.
Board Position:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?		
Address:									
City									
State			Yes						Included
Zip		Phone:	No						N/A
Place of Employment:			Additional Comment:						
Position:									

8

Name:									* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.
Board Position:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?		
Address:									
City:									
State:			Yes						Included
Zip		Phone:	No						N/A
Place of Employment:			Additional Comment:						
Position:									

ATTACHMENT B - BOARD MEMBER REQUIREMENTS

Org Name Here:

BOARD MEMBER INFORMATION:

PLEASE CHECK THE APPROPRIATE BOX BELOW:

9	Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.								
	Board Position:																
	Address:																
	City:																
	State:								Yes							Included	
	Zip								Phone:		No						N/A
	Place of Employment:								Additional Comment:								
Position:																	

10	Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.								
	Board Position:																
	Address:																
	City:																
	State:								Yes							Included	
	Zip								Phone:		No						N/A
	Place of Employment:								Additional Comment:								
Position:																	

11	Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.								
	Board Position:																
	Address:																
	City:																
	State:								Yes							Included	
	Zip								Phone:		No						N/A
	Place of Employment:								Additional Comment:								
Position:																	

12	Name:			Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.								
	Board Position:																
	Address:																
	City:																
	State:								Yes							Included	
	Zip								Phone:		No						N/A
	Place of Employment:								Additional Comment:								
Position:																	

ATTACHMENT C
Staff Member Information
(Please make additional copies as needed to include *all* staff members)

PLEASE NOTE: 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.

STAFF INFORMATION:

Name:		Please indicate if this position is: <input type="checkbox"/> Paid <input type="checkbox"/> Unpaid Resume Included? <input type="checkbox"/> Yes <input type="checkbox"/> No (Required)
Title:		
Position:		
Hours of work:		
Duties and Responsibilities		

Name:		Please indicate if this position is: <input type="checkbox"/> Paid <input type="checkbox"/> Unpaid Resume Included? <input type="checkbox"/> Yes <input type="checkbox"/> No (Required)
Title:		
Position:		
Hours of work:		
Duties & Responsibilities		

Name:		Please indicate if this position is: <input type="checkbox"/> Paid <input type="checkbox"/> Unpaid Resume Included? <input type="checkbox"/> Yes <input type="checkbox"/> No (Required)
Title:		
Position:		
Hours of work:		
Duties & Responsibilities		

ATTACHMENT D TO CHDO CERTIFICATION APPLICATION

City of Aurora

Community Housing Development Organization (CHDO) CERTIFICATION REQUIREMENTS

To be certified as a Community Housing Development Organization (CHDO), an organization must meet the minimum certification criteria as required by the U.S. Department of Housing and Urban Development. Additionally, the organization must comply with the following policies in order to receive CHDO certification from the Housing and Community Development Division (HCD).

NO DISTRIBUTIONS

An applicant organization's charter or the articles of incorporation must specify that no net earnings of the corporation can inure to the benefit of any member, founder, contributor or individual. All net income must be reinvested in the projects developed by the organization or in subsequent affordable housing projects.

BOARD COMPENSATION

Board members may receive a reasonable fixed sum and expenses for each board meeting he/she attends. However, board members cannot receive a salary for their service as a board member. For HCD staff to verify the reasonableness of compensation, CHDO applicants are required to submit all financial statements and, upon request, any other documents necessary for HCD to verify the amount of compensation provided to board members and the services for which the sum was paid.

SPONSORSHIP OR CREATION BY A RELIGIOUS ORGANIZATION

A religious organization cannot become a CHDO but can create a wholly secular nonprofit housing organization. The sponsoring organization can appoint an unlimited number of board members to the board of the housing organization. Beyond that, however, the housing organization cannot be controlled by the religiously based sponsor organization. That is, the housing organization must be free to select its projects, to procure its goods, services, and financing, and to otherwise operate the organization without influence or intervention by the religiously based sponsor. Additionally, the housing developed by the housing organization must be made available to all persons, regardless of religious belief or affiliation. The by-laws of the housing organization must include language that ensures compliance with all of the above requirements.

REPRESENTATIONS AND WARRANTIES

Any applicant who submits fabricated information, documentation or signatures as part of or along with its CHDO application, or any applicant who misrepresents any aspect of the board, staff or organizational accomplishments, experience or expertise shall be disqualified from the CHDO certification process for a period of one (1) year. The 1-year disqualification period will begin at the time the misrepresentation is made by the HCD Department and is reported in writing by HCD staff to the applicant organization. If an applicant believes the HCD determination of misrepresentation is in error, the applicant organization may appeal the decision in writing to the Director of the Housing and Community Services Department.

AUDIT

The Housing and Community Development Division requires that your organization submit audited financial statements for the organization's most recent program year. 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. No nonprofit organization shall be certified as a CHDO if the organization's most recent audit has an outstanding finding, material weakness or other unresolved matter which would prevent the Housing and Community Development Division from certifying the capacity of that organization to successfully develop a CHDO project. The audit will also be used in assessing the organization's financial capacity for executing the affordable housing activities it intends to pursue.

VERIFICATION OF COMPLIANCE WITH BYLAWS

As part of the certification process, the Housing and Community Development Division may do all necessary due diligence to verify that the operations of an applicant organization are being conducted in keeping with the by-laws submitted in the CHDO Certification application.



City of Aurora, Housing and Community Development Division

15151 E. Alameda Parkway, Suite 4500, Aurora, Colorado 80012

(303) 739-7900 Fax (214) 670-0156

auroragov.org/Housing and Community Development

ATTACHMENT E TO CHDO CERTIFICATION APPLICATION

HUD Income Limits by Household Size

Effective Date: June 1, 2022

**FY 2022 Area Median Family Income*

Aurora, Colorado

\$117,800 (4-person household)

Eligibility Standard	1	2	3	4	5	6	7	8
80%¹	\$62,600	\$71,550	\$80,500	\$89,400	\$96,600	\$103,750	\$110,900	\$118,050
60%	\$49,260	\$56,280	\$63,300	\$70,320	\$75,960	\$81,600	\$87,240	\$92,880
50%¹	\$41,050	\$46,900	\$52,750	\$58,600	\$63,300	\$68,000	\$72,700	\$77,400
30%¹	\$24,650	\$28,150	\$31,650	\$35,150	\$38,000	\$40,800	\$43,600	\$46,630

¹Income for the 80%, 50% and 30% categories are HUD's estimated figures rounded to the nearest \$50.

*Subject to change per HUD's guidance

