

ST. LOUIS COUNTY
ST. LOUIS HOME CONSORTIUM
OFFICE OF COMMUNITY DEVELOPMENT
FOR-SALE HOUSING PRODUCTION PROGRAM

The information enclosed contains the Program Guidelines and Application for the For-Sale Housing Production Program administered for the St. Louis Home Consortium by the St. Louis County Office of Community Development. Please refer to the Program Guidelines for eligibility requirements.

One original hard copy application and required exhibits and one identical copy of the original application and required exhibits must be submitted, along with two sets of preliminary plans and scopes of work, for the application to be considered complete.

Each form and exhibit must be accurately completed and include all requested information. Be sure to complete all sections and submit all forms required.

Applications and required exhibits should be submitted to the Office of Community Development, 121 S. Meramec, Clayton, MO 63105. If you have any questions, please contact Ms. Darlene Rich, Housing Programs Director, at (314) 615-4592 or 615-5467 (TTY).

Once you have assembled the significant information required for an application, we strongly encourage you to meet with Office of Community Development staff to discuss your application in detail.

ST. LOUIS COUNTY
ST. LOUIS HOME CONSORTIUM
OFFICE OF COMMUNITY DEVELOPMENT
FOR-SALE HOUSING PRODUCTION PROGRAM GUIDELINES

PROGRAM DESCRIPTION

The St. Louis County Office of Community Development (OCD), the lead agency for the St. Louis HOME Consortium, administers the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Programs for the Department of Housing and Urban Development (HUD). HUD allocates funds by formula among eligible State and local governments to strengthen public-private partnerships for the creation of affordable housing.

Members of the consortium include the Cities of Florissant, St. Charles and O'Fallon and the Counties of St. Louis, Jefferson and St. Charles. OCD's For-Sale Housing Production Program provides financing to developers for the acquisition and rehabilitation or new construction of housing for sale to low and moderate income families. To be considered, all sponsoring entities and proposals must meet the regulations prescribed in the Community Development Block Grant Program at 24 CFR Part 570 and/or the HOME Investment Partnerships Program at 24 CFR Part 92.

http://www.access.gpo.gov/nara/cfr/waisidx_05/24cfr570_05.html

http://www.access.gpo.gov/nara/cfr/waisidx_05/24cfr92_05.html

Nonprofit and for-profit developers may apply for a grant and/or low interest loan for construction and permanent financing. OCD may structure loans with from 0% to market interest rates. The purpose of this program is to expand the homeownership opportunities for low and moderate income families. This is accomplished through a savings in the financing cost that allows the developer to sell units at an affordable price.

ELIGIBILITY

Private builders, developers, nonprofit community groups, Community Based Development Organizations, and Community Housing Development Organizations are eligible to apply for financing. Applicants must demonstrate that they have appropriate housing development experience and sufficient financial capacity to undertake the development.

COMMUNITY BASED DEVELOPMENT ORGANIZATIONS (CBDOS)

CBDOS are a specific type of nonprofit organization defined exclusively under the CDBG program. CBDOS are organized and structured according to strict standards as established by HUD. New construction of housing assisted with CDBG funds can only be undertaken by or in collaboration with a CBDO. For a CBDO to receive CDBG assistance for a development it must be the developer, sponsor, or owner of the CDBG assisted development.

COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDOS)

CHDOS are a specific type of nonprofit organization defined exclusively under the HOME program. CHDOS are organized and structured according to strict standards as established by HUD. A portion of HOME funds is set-aside for CHDOS. For a CHDO to receive a set-aside it must be the developer, sponsor, or owner of the HOME assisted development.

APPLICATION THRESHOLD REQUIREMENTS

- FOR CDBG assistance, the development's characteristics must conform with the HUD 24 CFR Part 570 and OCD rules and regulations, including occupancy and sale price restrictions.*

http://www.access.gpo.gov/nara/cfr/waisidx_04/24cfr570_04.html

- FOR HOME assistance, the development's characteristics must conform with the HUD 24 CFR Part 92 and OCD rules and regulations, including occupancy and sale price restrictions.*

<http://www.hud.gov/offices/cpd/affordablehousing/lawsandregs/regs/finalrule.pdf>

- *FOR NSP assistance, the development's characteristics must conform with Neighborhood Stabilization Program in Federal Register Volume 73 Number 194 dated October 6, 2008.*

<http://www.hud.gov/offices/cpd/communitydevelopment/programs/neighborhoodspg/nspnotice.pdf>

- *The application is complete with the required exhibits. Applications must include a market survey of comparable properties, including sales prices, property descriptions, amenities and other relevant data.*

- *Developer must submit evidence that they have contacted the municipality in which the project is located with an offer to meet and discuss the proposed development. If available, minutes of such meetings should be included with the application.*

- *Developer must submit evidence they have contacted local community and/or neighborhood organizations (if any exist) to discuss the proposed development. If available, minutes of such meeting should be included with the application.*

- *Evidence of site control and ability to keep same for 180 days from application date.*

- *Evidence regarding the property's current and proposed zoning designation and what, if any steps are in process to obtain proper zoning and/or site plan approval for the proposed development. Application must contain minutes of any public hearing on zoning considerations*

- *The application must contain enough financial information including financing commitments to assess the probability of economic feasibility.*

- *OCD staff must make a determination that the proposal meets a need as identified in the St. Louis County Consolidated Plan.*

<http://www.stlouisco.com/plan/plannews.html>

Sponsor must have a satisfactory compliance record on existing developments funded by OCD.

Upon satisfying application threshold requirements, an application will be considered under the Consistency with Local Needs Criteria and Development Factors and Qualifications set forth herein. Notice of the application will be sent to the municipality where the project is located requesting comments on the development.

CONSISTENCY WITH LOCAL NEEDS SELECTION CRITERIA

Each development will be evaluated to ensure it is consistent with local needs. The evaluation will review whether the development fills a demonstrated need in the local market as evidenced by:

Consistency with the St. Louis Home Consortium Consolidated Plan, including but not limited to the priorities listed in the Consolidated Plan:

- *Affordable housing for large low-moderate income households*
- *Affordable housing for persons with special needs*

Market study and/or analysis which reflects a need for the housing and that the development will be competitive in the local market.

Research by St. Louis Home Consortium member or secondary data from other research on housing needs in the area which identify a need for the type of housing proposed. Priority will be given to the following:

- *Sustainable Neighborhoods designated by St. Louis 2004.*
- *Municipalities and unincorporated areas with high concentrations of vacant buildings and lots for which St. Louis Home Consortium member has been*

designated "Trustee."

(See Map, p.18)

- *Federal and State designated Empowerment Communities and Enterprise Zones.*
- *Designated redevelopment areas or areas in which residential development activities are currently in process.*

Staff site visits which confirm the market analysis and competitiveness of the development.

DEVELOPMENT FACTORS AND QUALIFICATIONS

Applications will be further reviewed for other factors and qualifications that include, but are not limited to, the following:

- *Developments that create mixed-income housing environments.*
- *Development team experience and qualifications including the experience and financial capacity to undertake and complete the proposed development.*
- *Suitability of the site or building for development; including site control, proper zoning, and availability of utilities.*
- *Satisfactory evidence the development is ready to proceed as indicated by debt and equity commitments.*
- *Development application indicates that materials and construction standards exceed standard energy efficiency requirements.*
- *Development leverages CDBG and/or HOME funds with other sources of funding through the formation of partnerships between private housing developers, financial institutions, the public sector, foundations and others.*
- *Lowest intermediary (soft) costs. Development budget contains a lower percentage of soft costs to total development cost, as compared with other similar types of developments. Intermediary (soft) costs are considered to be,*

but are not limited to, developer fees, attorney fees, engineering fees, architect fees and contractor fees.

- *Participation of Local Tax-Exempt Organization. Development will be sponsored by a nonprofit developer, a Community Based Development Organization as defined in HUD 24 CFR Part 570, or a Community Housing Development Organization as defined in HUD CFR 24 Part 92.*

DEVELOPMENT STANDARDS

The following standards are set to assure developments that receive CDBG and/or HOME financing produce the most effective economically feasible developments to serve income-eligible home buyers in habitable dwelling units. Generally, amounts greater than the amounts listed in this section will be considered excessive. However, OCD may, at its discretion, consider higher amounts if required to produce highly needed housing that meets the following criteria:

- *Hard to develop developments such as scattered site developments.*
- *Developments in difficult to develop areas.*

PER UNIT COST STANDARD

The per unit cost of CDBG and HOME developments shall not exceed HUD's 221(d)(3) limits for elevator-type projects, adjusted to reflect cost increases of construction costs since their adoption in 1992, and further adjusted by HUD's high cost factor to reflect differences in different geographic areas.

DEVELOPER FEE STANDARD

The maximum developer's fee is to be no more than 15% of the hard construction costs. The developer's fee is dependent on the size of the development, difficulty to develop and other characteristics that could warrant a larger developer's fee. For acquisition and substantial rehabilitation projects, the developer's fee cannot exceed the sum of 8% of the acquisition cost plus 15% of the balance of the development costs.

CONSTRUCTION FEE STANDARD

The maximum construction fee standard is to be no more than 18% of the construction

costs. The construction fee is dependent on the size of the development, difficulty to develop and the development's unique characteristics. Items of construction costs to be considered allowable include builder's overhead, builder's profit and general requirements.

The sponsor should list any identity of interest between the sponsor, the developer, the contractor, and subcontractors in the application. The application must include the dollar amounts of subcontracts and profit spread of identity of interest subcontractors. If an identity of interest is not disclosed in advance, the cost of that subcontract will not be recognized.

JUSTIFICATION OF EXPENDITURES STANDARD

Owners and contractors shall submit an independent third-party CPA cost certification as part of the final feasibility evaluation or other certification acceptable to OCD.

ELIGIBLE PROPERTIES

Only units receiving CDBG monies are considered "CDBG Assisted Units", only units receiving HOME monies are considered "HOME Assisted Units." and only units receiving NSP monies are considered "NSP Assisted Units".

INELIGIBLE PROPERTIES

CDBG , NSP or HOME funds may not be used to assist developments assisted under Title VI of the National Affordable Housing Act (NAHA) — Prepayment of Mortgages Insured under the National Housing Act.

PROPERTY STANDARDS

All developments to be funded with CDBG, NSP and/or HOME funds must at the time of completion, at a minimum, comply with all local building codes, rehabilitation standards, ordinances, zoning and federal regulations regarding hazardous materials as well as energy standards required by HUD 24 CFR 570 and/or 24 CFR 92. The goal is to provide "decent, safe and sanitary" housing at an affordable cost to lower income families. Beyond these minimum standards OCD encourages developments built with the same quality and amenities as market rate developments within the same market area. Energy standards required:

- *Substantial rehabilitation — cost-effective energy conservation and effectiveness standards in 24 CFR Part 39. Additional consideration will be given to projects that exceed Energy Star standards and/or meeting such standards as the varying levels of LEED, GBI, or other such designations.*

- *New construction single-family 1-4 units — Must at a minimum meet Energy Star standards as found at www.energystar.gov . Additional consideration will be given to projects that exceed energy star standards meeting such standards as the varying levels of LEED, GBI, or other such designations.*

ACCESSIBILITY

Developments financed with CDBG, NSP and/or HOME funds must meet the accessibility requirements in the regulations referenced in 24 CFR 5.105(a) which implement the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973. Attached to these guidelines is a summary of the St. Louis County Office of Community Development's Accessibility Policy. Page # 15.

For questions regarding handicap accessibility requirements, contact the Darlene Rich at (314) 615-4592.

MAXIMUM ALLOWABLE SALES PRICES OF ASSISTED UNITS

All units rehabilitated or constructed with CDBG, NSP and/or HOME assistance must be sold to low and moderate income home purchasers at prices that do not exceed the HUD Section 203(b) single family maximum mortgage limits. The Section 203(b) single family maximum mortgage limits in St. Louis County are currently:*

<i>_ 1 Family \$213,750</i>	<i>· 3 Family \$292,500</i>
<i>_ 2 Family \$240,750</i>	<i>· 4 Family \$337,500</i>

**NSP assisted homes must be sold to Low-, moderate, and middle income home purchasers.*

INCOME OF HOME BUYERS UPON OCCUPANCY OF ASSISTED UNITS

All units rehabilitated or constructed with CDBG and/or HOME assistance must be occupied by home buyers who at initial occupancy have annual incomes that are 80% or less of the area median income adjusted for household size.

All units rehabilitated or constructed with NSP assistance must be occupied by home buyers who at initial occupancy have annual incomes that are 120% or less of the area median income adjusted for household size.

Refer to the enclosed Table: "Maximum Qualifying Household Incomes in St. Louis County," page 14.

INCOME ELIGIBILITY OF HOME BUYERS

CDBG, NSP and HOME use the same definitions of annual income as the Section 8 Housing Programs. Section 8 definitions are found in 24 CFR Part 813. Annual income is the gross amount of income anticipated to be received by all adults in a family during the twelve months following the effective date of the determination.

MINIMUM AFFORDABILITY PERIOD OF HOME ASSISTED UNITS

Units to be rehabilitated or constructed with NSP or HOME funds must remain affordable to low and moderate (and middle income for NSP) income purchasers for varying lengths of time depending upon the average amount of NSP or HOME funds invested per unit. Affordability must be guaranteed through the use of either "resale" or "recapture" provisions.

RESALE PROVISIONS

Resale requirements must ensure, if the housing does not continue to be the principal place of residence of the family for the duration of the period of affordability, that the housing is made available for subsequent purchase only to a buyer whose family qualifies as a low-income family (at or below 80% of area median income) and middle income (at or below 120% of area median income for NSP) and will use the property as its principal residence. The resale requirements must also ensure that the price at resale provides the original HOME-assisted owner a fair return on investment (including the homeowner's investment and any capital improvement) and ensure that the housing will remain affordable to a reasonable range of low-income homebuyers. **The period of affordability is based on the total amount of NSP or HOME funds invested in the housing.**

Deed restrictions, covenants running with the land, or other similar mechanisms must be used as the mechanism to impose the resale requirements. The affordability restrictions may terminate upon occurrence of any of the following termination events: foreclosure, transfer in lieu of foreclosure or assignment of an FHA insured mortgage to HUD. We may use purchase options, right of first refusal or other preemptive rights to purchase the housing before foreclosure to preserve affordability. The affordability restrictions shall be revived according to the original terms if, during the original affordability period, the owner of record before the termination event, obtains an ownership interest in the housing.

RECAPTURE PROVISIONS

Recapture provisions must ensure that we recoup all or a portion of the NSP or HOME assistance to the homebuyers, if the housing does not continue to be the principal place of residence of the family for the duration of the period of affordability. We may structure our recapture provisions based on our own program design and market conditions. **The period of affordability is based upon the total amount of NSP or HOME assistance that enabled the homebuyer to buy the dwelling unit. This includes any NSP or HOME assistance that reduced the purchase price from fair market value to an affordable price, but excludes the amount between the cost of producing the unit and the market value of the property (i.e., the development subsidy).**

The following four options for recapture requirements may be used:

1. Recapture entire amount. We may recapture the entire amount of the NSP or HOME investment from the homeowner (NOTE, however, the entire amount subject to recapture is the NSP or HOME assistance that enabled the homebuyer to buy the dwelling unit, it does NOT include development subsidy).
2. Reduction during affordability period. We may reduce the NSP or HOME investment amount to be recaptured on a prorata basis for the time the homeowner has owned and occupied the housing measured against the entire affordability period (i.e., a forgivability period).
3. Shared net proceeds. If the net proceeds are not sufficient to recapture the full NSP or HOME investment (or a reduced amount as provided for in paragraph 2 above) plus enable the homeowner to recover the amount of the homeowner's downpayment and any capital improvement investment made by the owner since purchase, we may share the net proceeds. The net proceeds are the sales price minus loan repayment (other than HOME funds) and closing costs. The net proceeds may be divided proportionally as set forth in the following formulas:

NSP/HOME investment X Net proceeds = NSP/HOME amount to be
 NSP/HOME investment + homeowner investment recaptured

homeowner investment X Net proceeds = amount to homeowner
 NSP/HOME investment + homeowner investment

- Owner investment returned first. We may permit the homebuyer to recover the homebuyer's entire investment (downpayment and capital improvements made by the owner since purchase) before recapturing the NSP or HOME investment.

NSP or HOME Assistance Used For:		
Affordability Subsidy	Affordability + Development Subsidy	Development Subsidy
Resale and/or Recapture provisions can be used	Resale and/or Recapture provisions can be used	<u>Only</u> Resale provisions can be used
Affordability period based on amount of NSP/HOME affordability subsidy	Affordability period may be based on amount of NSP/HOME affordability subsidy only	Affordability period based on amount of NSP/HOME development subsidy

NSP/HOME Affordability Periods:

NSP/HOME Amount Per Unit	Minimum Period of Affordability in Years
Under \$15,000	5
\$15,000 to \$40,000	10
Over \$40,000	15

LOAN CLOSING REQUIREMENTS

For profit sponsors must have a minimum 10% equity investment in the development. OCD does not require that eligible nonprofit sponsors provide a cash equity.

The general contractor of CDBG, NPS and/or HOME financed developments is required to assure completion of the project by either:

- posting a performance and payment bond equal to 100% of estimated construction or rehabilitation costs,*
- OR —*
- pledging cash or a letter of credit for 25% of the construction contract upon completion and pledge a 2 1/2% latent defect escrow account which is retained for 15 months following construction completion.*

Sponsors of developments financed with OCD funds will be required to obtain a Title policy written by a title company licensed to do business in Missouri and the title company must agree to disburse loan proceeds. The Title Policy is required to be written in accordance with the 1992 American Land Title Association Standards, subject only to permitted encumbrances as approved by OCD and must contain environmental and zoning endorsements, pending disbursement clause, mechanics lien coverage and survey coverage.

RELOCATION ASSISTANCE

All developments financed with CDBG, NSP, and/or HOME funds must comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, implementing regulations at 49 CFR Part 24 and the requirements of 24 CFR 570.606 and/or 24 CFR 92.353.

PREVAILING WAGE REQUIREMENT

Developments of 8 units or more financed with CDBG or NSP funds and developments of 12 units or more financed with HOME funds are required to pay wages to laborers and mechanics employed in the construction at a rate not less than the prevailing wage rates for corresponding classes of laborers and mechanics employed on construction of a similar character as determined by the Secretary of Labor.

AFFIRMATIVE FAIR HOUSING MARKETING PLAN

All developments of 5 units or more financed with CDBG, NSP and/or HOME funds are required to submit an Affirmative Fair Housing Marketing Plan that outlines methods for providing information and otherwise attracting eligible persons in the housing market area to the available housing without regard to race, color, national origin, sex, sexual orientation, religion, familial status or disability.

The Affirmative Fair Housing Marketing Plan must include methods for informing the public, owners, and potential home buyers about Federal fair housing laws and the County's affirmative marketing policy (e.g., the use of the Equal Housing Opportunity logotype or slogan in press releases and solicitations and display of fair housing poster); procedures to be used by owners to inform and solicit applications from persons in the housing market area who are not likely to apply for the housing unit without special outreach (e.g., use of community organizations, places of worship, employment centers, fair housing groups, or housing counseling agencies); and records that will be kept describing actions taken by the owner to affirmatively market units.

OUTREACH TO MINORITY AND WOMEN OWNED BUSINESSES

St. Louis County requires the maximum utilization of minority and women-owned businesses in all OCD assisted housing development projects with a goal of at least 25%

minority business enterprise (MBE) participation and 5% women's business enterprise (WBE) participation taken as a percentage of the total development cost of the project, excluding acquisition. All recipients of OCD funds will be required to keep records of participation by minority and women-owned businesses. Demonstration of these efforts includes, but is not limited to the following:

- _ Qualified minority and women's businesses will be on bid solicitation lists and will be solicited whenever they are a potential source of material or services.*
- _ When economically feasible the developer will divide total contract requirements into small tasks or quantities to permit maximum minority and women-owned business participation.*
- _ If any subcontracts are let, the prime contractor will be required to take affirmative steps such as those described in paragraphs 1 — 3.*

The attainment of the minimum goals of 25% MBE and 5% WBE participation does not necessarily meet the standard of the maximum MBE/WBE utilization requirements.

ENVIRONMENTAL REVIEW

OCD requires a site specific environmental screening of all development proposals being considered for financing. At a minimum before initial loan closing, OCD will require a Phase I Environmental Site Assessment or Phase I Environmental Review, according to, but not limited to, standards developed by the American Society for Testing and Materials. In addition, an environmental review report will be performed by St. Louis County prior to final approval.

OTHER APPLICABLE STANDARDS, REQUIREMENTS AND REGULATIONS

OCD requires all aspects of the development for which it provides financing to be in compliance with all federal, state and local regulations, laws and required practices. Therefore, requirements for hazardous materials, such as lead-based paint and asbestos, environmentally safe practices, such as clean water procedures or wetlands, culturally significant procedures, such as historic considerations; and safe work practices, will be specifically included among OCD requirements.

CERTIFICATIONS

In accordance with the Housing and Community Development Act and the Community Development Block Grant Program Rule at 24 CFR Part 570, and in accordance with the Home Investment Partnership Act and the Home Investment Partnership Program Rule at 24 CFR 92.150, the St. Louis County Office of Community Development certifies that:

- *Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that OCD has adopted for this purpose and will not invest any more CDBG, NSP and/or HOME funds in combination with other Federal assistance than is necessary to provide*

affordable housing.

- *OCD and its recipients/subrecipients will use CDBG, NSP and HOME funds pursuant to the St. Louis County Consolidated Plan approved by HUD and in accordance with all requirements of 24 CFR Parts 570 and 92.*
- *OCD will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, implementing regulations at 49 CFR Part 24 and the requirements of 24 CFR Parts 570.606 and 92.353.*
- *To the best of its knowledge and belief: no federal appropriated funds have been paid or will be paid, by or on behalf of OCD, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement; if any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal loan or agreement, OCD will complete and submit Standard Form—LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and OCD will require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.*

The information presented should not be construed as a complete list of the regulations

and requirements governing OCD financing through the For-Sale Housing Production Program. Upon filing an application, you acknowledge that you assume all risks of change in OCD's rules and regulations or policies concerning this program, together with any adverse effects upon you therefrom and any resulting costs thereof.

**ST. LOUIS COUNTY
2008 MAXIMUM SUBSIDY LIMITS**

Size	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom+
	\$140,569	\$170,929	\$221,124	\$242,730

**MAXIMUM QUALIFYING HOUSEHOLD INCOMES
IN ST. LOUIS COUNTY FOR 2008**

% of Area Median Income	Family Size					
	1	2	3	4	5	6
80 %	\$36,900	\$42,200	\$47,450	\$52,700	\$56,950	\$61,150
120% (for NSP only)	\$55,350	\$63,250	\$71,150	\$79,100	\$85,400	\$91,750

OFFICE OF COMMUNITY DEVELOPMENT ST. LOUIS COUNTY

ACCESSIBLE HOUSING POLICY

GOAL

The St. Louis County Office of Community Development administers approximately \$3.5 million in federal HOME funds each year to support the development of decent and affordable housing for low- and moderate-income households. It is the goal of the Office of Community Development to promote the construction of accessible housing for persons with disabilities in all development projects which receive federal HOME funding.

BACKGROUND

The need for decent and affordable housing presents special challenges to persons with disabilities who have a desire to live independently. In the interest of removing barriers to independent living, the St. Louis County Office of Community Development reviews accessibility requirements on all projects based on two major laws that mandate accessibility, the *Fair Housing Act of 1968*, and *Section 504 of the Rehabilitation Act of 1973*.

The *Fair Housing Act* requires that all new construction, multi-family housing projects of four or more units make provisions for accessibility. The design and construction guidelines of the *Fair Housing Act* require accessible or adaptable living units on accessible routes and have requirements for specific accessible features:

- Accessible building entrance on an accessible route
- Accessible and usable public and common use areas
- Usable doors
- Accessible route into and through the covered unit
- Light switches, electrical outlets, thermostats and other environmental controls in accessible locations
- Reinforced walls for grab bars
- Usable kitchen and bathrooms

Additional details and recommendations regarding *Fair Housing Act* criteria can be found in the Department of Housing and Urban Development's [Fair Housing Act Design Manual](#), August 1996.

Section 504 of the Rehabilitation Act of 1973 requires that no otherwise qualified individual with a disability may be discriminated against in any program or activity receiving federal financial assistance. *Section 504* requires the provision of units within a multi-family housing development that are adaptable for individuals with mobility impairments and also units that are adaptable for individuals with hearing or vision impairments. *Section 504* applies to rental properties of all kinds including scattered site, single family homes, but does not apply to properties that are for sale.

In response to *Section 504*, the Department of Housing and Urban Development (HUD) has instituted specific regulations (24 CFR Part 8) regarding the inclusion of accessible units in residential development projects utilizing federal dollars. Under this rule, substantial rehabilitation projects of 15 or more units and new construction projects of 6 or more units require the following:

- 5% of all units (with a minimum of one unit) must be accessible or adaptable for

- residents with mobility impairments
an additional 2% of all units (with a minimum of one unit) must be accessible or adaptable for residents with hearing/vision impairments.

The Uniform Federal Accessibility Standards is the design standard for providing physical accessibility on projects subject to *Section 504* requirements.

POLICY

In addition to the requirements specified under the *Fair Housing Act of 1968* and *Section 504 of the Rehabilitation Act of 1973*, the St. Louis County Office of Community Development requires that development projects receiving federal HOME assistance, to the maximum feasible extent, be made accessible to individuals with disabilities.

Multi-family Rehabilitation (5 or more unit structures)

For non-elevator multi-family rental rehabilitation projects, the maximum feasible number of accessible or adaptable units for residents with mobility impairments is to be included on the first floor or ground level. Considerations are to be made for existing building and site configuration as well as cost feasibility.

For multi-family rental rehabilitation projects which include elevators, the maximum feasible number of accessible or adaptable units for residents with mobility impairments is to be included on all floors or levels. Considerations are to be made for existing building and site configuration as well as cost feasibility.

Multi-family Construction (5 or more unit structures)

All multi-family rental new construction projects must include the maximum feasible number of accessible or adaptable units for residents with mobility impairments on all floors or levels. Considerations are to be made for existing site configuration as well as cost feasibility.

Single-family Rehabilitation

All single-family rental rehabilitation projects must include the maximum feasible number of accessible or adaptable units for residents with mobility impairments in all single-story structures. Considerations are to be made for existing building and site configurations as well as cost feasibility.

Single-family Construction

All single-family rental new construction projects must include the maximum feasible number of accessible or adaptable units for residents with mobility impairments in all single-story structures. Considerations are to be made for existing site configuration as well as cost feasibility.

For-sale Projects

The St. Louis County Office of Community Development strongly encourages the development of accessible or adaptable for-sale units for residents with mobility impairments through the following activities:

- Referral of potential homebuyers with mobility impairments to developers of for-sale housing receiving federal HOME assistance.
- A 10% set aside in the Homebuyer Assistance Pool for individuals with disabilities.
- Flexible underwriting guidelines on projects seeking federal HOME assistance for the development of for-sale housing for homebuyers with mobility impairments.

UNIVERSAL DESIGN

The St. Louis County Office of Community Development strongly encourages the use of Universal Design Features In Houses as developed by the Center for Universal Design, School of Design, North Carolina State University, April 1998, to maximize the accessibility of housing developed using federal HOME assistance. The specifications detailed in this publication are intended to make housing units easily adaptable to individuals with disabilities without compromising style or affordability. OCD construction staff are available to assist prospective developers in obtaining and implementing universal design procedures. .

