

City of Dover Action Plan 2011

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ONE YEAR ACTION PLAN:

INTRODUCTION AND EXECUTIVE SUMMARY:

This plan represents year two (2) of the City of Dover's Five (5) year Consolidated Plan (FY2010-2014) Each year the City outlines a specific plan for investment and use of affordable and supportive housing funds that are expected to be expended during the Fiscal Year.

Notices are posted and public service agencies are invited to apply for funding. The Dover Housing Authority is also consulted for their needs. Technical assistance is provided by the City to any applicant who need help with their application. Once the grant applications are received, a public hearing is held to determine funding. Decisions for funding priorities goes back to the 5 year Consolidated Plan which ranks activities for their importance in Dover, either High, Medium, Low, or no need. This plan also determines goals for the number of individuals and households to be served. Requests for funding are heard through the City's Planning Board, which makes it's recommendations to the City Council for a public hearing and vote on the appropriations.

The City has historically maximized the funding available to public service agencies that operate within the City. The US Dept. of Housing and Urban Development sets the maximum amount available for these obligations at 15% of the grant amount plus program income derived from the previous year. The balance of the funds goes toward Public facilities and improvements, economic development activities, administering the CDBG program, and finally Housing Rehabilitation and Weatherization.

The underlying structure is the same for every jurisdictions plan. All plans must address the needs of the community, primarily benefiting the needs of the lower income persons (defined as those with household incomes below 80% of the area median. In the Portsmouth-Rochester MSA, this equates to \$64,400 for a family of 4 in 2010.

All Plans and funded activities must address one of the three performance measure objectives set forth by HUD. Detailed project Objectives and Outcomes can be found in the specific Action Plan Project section of the Plan. (CPMP)

- To provide decent housing – Continued funding of the Housing and Weatherization Programs.

- To provide a suitable living environment – Continued funding of Public Service Agencies and facilities.

- To expand economic opportunities – Continuation of the Economic Loan Program and Public Facilities.

The City is very satisfied with its past performance in the CDBG program. This will be addressed by the City in the Fall through the City's CAPER.

The Planning Office has been concentrating on Special Economic Development activities in the City. With the economy still very much in a recovery mode, we see adding jobs and employment as one area where we can make a small difference for our community. Economic Development will continue to be a priority and have a lot of attention devoted toward it over the next fiscal year, even with a reduction in Federal funding.

Dover did experience a decrease in expenditures over the past year. We are working on one project that required much collaboration between other CDBG Agencies and the State of New Hampshire to make it come together. Even though the economy is struggling, materials for construction have shown a marked increase in costs and those costs get pushed on to the projects.

The Cross Roads House project is in the starting phases with the last of the funding being encumbered from the different resources. Since timeliness is always an issue with CDBG, the collaboration to complete Cross Roads construction has been tremendous. We have three different entitlement grantees and the State of NH coming together to provide six units of family housing for the seacoast area. The project should be completed, fully drawn down and ready for occupancy by the end of the Summer.

INSERT SF 424 HERE

Insert priority activities here

2011 ACTION PLAN AND USE OF CDBG FUNDS

Assistance to the homeless and population at risk of becoming homeless

High Priority:

Investment Plan (Activities and Programs)

My Friend's Place

My Friend's Place is an emergency shelter located within the City. The shelter provides services to a number of surrounding communities. The total operating budget of the shelter for FY11 will be approximately \$328,017. The Shelter will be utilizing \$6,900 from CDBG for operations and general administration of the facility. The source of funds for operating the shelter come from a variety of sources, which are outlined in the project funding section of this report

Approximately \$62,000 of the total budget will be spent toward services for residents of Dover.

Projected assistance for FY11-12	
Extremely Low-Income (0 - 30% MFI)	166 homeless individuals (45 Dover Residence)
	5% Elderly
	65% Small Related
	30% Individuals

My Friend's Place Transitional Housing

My Friend's Place received a HUD Emergency Shelters Grant and has purchased two duplexes. The total operating budget of the shelter for FY11 will be approximately \$67,295, including \$3,000 from CDBG. My Friend's Place will serve eight (8) families in the transitional housing units.

Cross Roads House

The City of Dover Supports the efforts of Cross Roads, located on Lafayette Road in Portsmouth. CDBG funds have gone to the agency for the past 10 years. Next fiscal year, the agency will receive \$6,000. from Dover CDBG for support services for the homeless shelter.

Homeless Center For Strafford County

The Center operates a seasonal emergency shelter which is located in Rochester. The shelter has been in existence for seven years and financial administration is being handled by My Friend's Place. The shelter serves the residents of surrounding communities and operates on a referral bases from local welfare offices and My Friend's Place. The total operational budget for the shelter is \$67,000. They anticipate serving 60 persons during operational times including 20 Dover residents. The shelter operates on a seasonal bases from October through April and is operating at maximum capacity. CDBG Funding for the shelter this year will be \$8,400.

THE SEACOAST CONTINUUM OF CARE

The City continues to work with The Seacoast Continuum. Both the Welfare and Community Development staff attend and participate in continuum meetings, applications for funding and Goals and Objectives of the agency Over the past 18 months, The continuum is comprised of agencies from both Rockingham and Strafford Counties. Most agencies overlap the county divide. The meetings alternate between Dover and Portsmouth (United Way) monthly. The members of the continuum were instrumental in the development of the Consolidated Plan/Action plan for Dover Rochester and Portsmouth. The first meeting for each communities plan development was done through the Continuum. Unmet needs were discussed, along with funding and priorities for the CDBG program.

THE CITY OF DOVER

The City of Dover traditionally expends the majority of its annual welfare dollars on rental assistance. It is anticipated that eighty seven percent (87%) of the total welfare budget, or \$390,000 will be expended for rental assistance during the 2009 Fiscal year. In addition to the City funds, the City will also be receiving \$10,000. in McKinney funds and \$9,900 from CDBG for a security deposit assistance program.

This money will be used in four (4) different areas of assistance.

1. Emergency Housing for the Homeless - Monies are used to temporarily place people at a local homeless shelter called My Friend's Place, or a local hotel.

Projected Temporary Shelter Assistance for FY11-12	
Extremely Low-Income	
(0-30% MFI)	8 Elderly
	40 persons, 11 small families
	25 persons, 5 large families
	35 single persons

2. Rental Assistance Payments - The City will assist in rental payments for eligible clients in an effort maintain adequate housing and prevent homelessness.

Projected Assistance for FY11-12	
Extremely Low-Income - (0 - 30% MFI)	15 Elderly households
	700 persons (250 small households)
	410 persons (100 large households)
	300 individuals

3. Security Deposit Program provides funding to secure adequate housing using \$9,9,000 in CDBG funds. The program will be used for clients in an effort to prevent homelessness. Beneficiaries are addressed in the submitted project detail.

Projected Assistance for FY11-12	
Exextremely Low-Income - (0 - 30% MFI)	3 Elderly households
	43 persons, 16 small household
	20 persons, 4 large Household
	10 individuals

4. Support Services- \$9,600 for rental/utility arrears to prevent homelessness

Projected Assistance for FY11-12 McKinney Funds	
Extremely Low - Income - (0 - 30% MFI)	5 Elderly
	89 persons, 37 small household
	60 persons, 13 large household
	15 Individuals

Community Partners

Community Partners will continue a program started in the late 90's with funds received through the City's Community Development Block Grant Program (\$9,900) and Supportive Living Services subsidy (\$7,000.). The program is aimed at mentally ill homeless, or those at risk of homelessness. An individual will be able to borrow up to three months in rental payments so that they may obtain housing. During these three months, the individuals will apply for SSI and to the Housing Authority for a FSS Section 8 Certificate. Job training and counseling will be provided so that the individual will become integrated in society. Beneficiaries are addressed in the submitted projects detail

A Safe Place

A Safe Place provides emergency shelter and support services for physically or emotionally abused spouses. The source of funds for operating the shelter come from a variety of sources, which are outlined in the project funding section of this report. The agency will be receiving \$3,000 from the CDBG program.

AIDS Response of the Seacoast

AIDS Response of the Seacoast provides support services including housing assistance for clients inflicted with the HIV Virus. Housing assistance will be primarily short-term rental subsidies, but some transitional and longer term assistance may be provided. The source of funds for operating the agency and providing services to their clientele come from a variety of sources, which are outlined in the project funding section of this report. The agency will be receiving \$8,400 from the CDBG program.

HOUSING PRIORITIES:

Assistance to Very Low and Moderate Income Renters, Elderly, Small and Large Households.

High Priority:

Investment Plan (Activities & Programs)

Strafford County Community Action

Strafford County Community Action Partnership (CAP) will utilize \$25,000 in CDBG funding for their weatherization and rehabilitation program, which includes removing/ correcting health and safety hazards. These funds will be combined with \$200,000 from the DOE To weatherize homes for the very low income. (both rental and owner occupied) CAP anticipates weatherizing 16 homes in Dover with the funding, for an average of \$1,550/unit CDBG.

City of Dover

Dover will continue to fund and operate the Housing Rehabilitation Program currently in place. At this time, there are no plans to change the program from a low interest loan to a grant, which makes the program unattractive to landlords. The Lead Based Paint Hazard Reduction requirements have made the program infeasible or too costly for the owner's to participate without converting it to a grant only program. Projects anticipated to be done include: new roofs, boiler or heating system replacement, plumbing and electrical repairs and repairs to housing constructed after 1978.

Dover Housing Authority

The City of Dover works closely with the DHA to determine their needs and ways the City can help the organization. The City and DHA consult on Consolidated, Action and HAP plans throughout the year. CDBG is not able to fund their school drop-out prevention program at this time.

Rehabilitation Location, Items Included and Amount: \$329,439

Location	Item	Amt.
Mineral Park	Build airlock entrances; repair front entrances; basement drainage	\$100,000
Union Court	Remove tile flooring	5,000
Waldron Towers	Replace balcony doors	25,000
Central Towers	Repair/reconstruct balconies; repair/redesign parking lot; replace tile floors; remove underground oil storage tank	222,439
St. John's	Replace perimeter fence	40,000

Additionally, the DHA will not be applying to HUD for additional Section 8 Certificates or vouchers as it appears there will be none available to the Authority.

**Public Facilities and Improvements (Gen)
High Priority**

i. Analysis

The City is finalizing the creation a multi use public facility in the downtown area. The former middle school with 103,000 sq. feet of space has become home to many of the City's public service agencies when the renovations are completed. There are also many agencies operating outside the McConnell. The City will also try and meet their needs through public facilities grants.

Investment Plan

Easter Seals: \$50,000 grant for facility improvements to Easter Seal's space in the McConnell Center

Our House for Girls: \$8,194 for facility improvements to the home on Central Ave. in Dover. The home sees a lot of wear and is in need of constant updating and repairs.

Cross Roads House: The City is providing funding for renovations of the homeless shelter family units. The renovations will total \$356,837 at the facility. Cross Roads anticipates serving 37 Dover residents over the next year.

My Friend's Place: \$8150. For facility improvements to their Washington St home and their four transitional housing units.

NON-HOUSING COMMUNITY DEVELOPMENT NEEDS

ACCESSIBILITY NEEDS

1. Medium Priority: Accessibility Needs

Need level determined by Planning Department, other City Departments and Public Service Agencies

i. Analysis

The Americans with Disabilities Act (ADA) required all public facilities and buildings to conform to the standards set for accessibility to the physically challenged. In addition, private businesses are required to comply with the requirements

ii. Investment Plan

The City of Dover is funding additional tip down work and improvements in the downtown corridor. The City is putting \$45,355 into the project next year.

CHILD CARE FACILITIES

1. Medium Priority:

Need level determined by Planning Department, other City Departments and Public Service Agencies and child care providers

i. Analysis

The city currently has one title 1 day car facility that operates in two locations, Back River Road and the McConnell Center. They are no longer taking names for their waiting list.

ii. Investment Plan

Dover Children's Center.

The City has granted \$28,100 in funds to Dover Children's Center for repairs to both the McConnell Center facility and their Back River Road facility. Work including roofing, painting, playground equipment and fencing will be included.

ECONOMIC DEVELOPMENT NEEDS:

i. Analysis

The key to breaking the poverty cycle is through the creation of good, well paying jobs in the community. The Dover Economic Loan Program works to provide equipment, materials, buildings, land and working capital for businesses located in Dover. Since the City is willing to take a subordinate position on most

gap financing loans, the business is able to obtain the necessary funding to create or retain jobs in the community.

1. High Priority: Commercial Industrial Rehabilitation & Infrastructure & Other Improvements

Need level determined by Planning Department, City's Master Plan and Public Service Agencies

ii. Investment Plan

During the next five years the City anticipates continued funding in the Dover Economic Loan Program (DELP), on an as needed basis.

2. High Priority: Other Businesses

Need level determined by 1990 Census Data, Planning Department and Public Service Agencies

ii. Investment Plan

During the next five years the City anticipates continued funding in the Dover Economic Loan Program (DELP)

3. Medium Priority: Micro-enterprise, Technical Assistance and Other Economic Development Needs

Need level determined by Planning Department and Public Service Agencies

ii. Investment Plan

During the next five years the City anticipates continued funding in the Dover Micro-enterprise Loan Program, on an as needed basis.

1. High Priority: Energy Efficiency Improvements

Need level determined by 2000 Census Data, Planning Department and Public Service Agencies

i. Analysis

Weatherization continues to be a high priority in Dover. Repairing properties with energy improvements such as replacement windows, storm windows and insulation helps reduce heating and cooling costs for owners and renters thereby reducing their housing costs. Statistics show 649 households earning 0 to 30% MFI pay more than 30% of their gross income and 463 pay more than 50% of their gross income for housing. Of those earning 31-50% MFI, 598 pay more than 30% and 262 pay more than 50% of their gross income for housing.

ii. Investment Plan

During the next five years the City will continue to offer weatherization through the Housing Rehabilitation Program. For elderly very low income at 0% interest deferred and for rental properties and other income owners at 6% interest. Community Action has received grants of \$25,000 for the last nine years from the

City's Block Grant to supplement the Weatherization Program. CAP has applied again for the supplemental grant for FY10/11 funds. Also see child care facilities for additional energy improvements.

2. Medium Priority: Lead Base Paint / Hazards
Need level determined by 2000 Census Data, Planning Department, Public Service Agencies and Dover Health Department

1. Analysis

Lead paint poisoning and prevention has not become a major issue in the City of Dover. The passage of the New Hampshire Lead Poisoning Prevention and Control Act, has placed the burden of lead paint abatement on landlords without the benefit of financial resources to perform the necessary work. Landlords are given a time frame in which to abate after a child is found to have lead poisoning. The high costs of de-leading will force some landlords to close or demolish their properties, thereby reducing affordable housing in the community.

There were 2123 rental units build prior to 1940 and another 174 build between 1941-59. Of those units, 481 are occupied by very low income renters and 1482 occupied by other low income renters for a total of 1963 (46%) low-mod units that fit

the criteria for having lead paint. Between 1960-79, another 1893 rental units were

built, of which some certainly contain lead paint. This only addressed the rental side of housing. Homeowners also have the potential for lead poisoning. Of the 1830 homes built prior to 1979, 226 are occupied by low to very low income owners.

ii. Investment Plan

The City of Dover has been working with New Hampshire Housing Finance Authority and Strafford County Community Action to secure lead grant funds for our residents residing in homes with lead. There have been very few lead poisoning cases in Dover over the past years. The City is currently working on one multi family for lead abatement and will assist others as they come up.

PLANNING:

1. High Priority: Planning
Need level determined by Planning Department and Public Service Agencies

1. Analysis

Planning is a crucial tool in the development of the services and programs to be

provided to persons residing in the community. The City must devise programs and activities to meet the goals and objectives of the C. D. Program and find ways to evaluate the progress of the programs in meeting those objectives. Of all the prioritized needs listed, Planning is probably the most important, although it does not deliver a direct service.

ii. Investment Plan

During the next five years, the City will be working on transportation issues, creating Annual C. D. Plans, updating the Consolidated Plan and the City's Master Plan for Economic Development, working on Capitol Improvement Plans, develop codes, ordinances and regulations Funding for planning in the community comes mainly from the City of Dover and is supplemented by the Community Development Block Grant Program.

INSERT PROJECTS HERE

OTHER ACTIONS TAKEN

Lead-Based Paint Hazard

The Needs Assessment of the Consolidated Plan indicates that an estimated 40% of the City's housing stock contains some amount of lead paint, and that given the age of the homes in relation to the condition of the painted surfaces, the issue may become more serious each year.

The State has adopted regulations and guidelines governing lead-based paint hazards and elimination of lead-based paint from homes. These regulations and guidelines were implemented in October 1994, and are in compliance with the CDC for lead-based paint poisoning levels.

During the next five (5) years, the Planning Department will continue to ensure a high knowledge and awareness level with regard to lead-based paint abatement procedures by fostering an education outreach program at the building permit and health inspection Office, and through the Housing Rehab Program. Brochures are still part of permit packages, health, rehab and building inspections, and continue to be “up front” at the permit office counter. The Fire Department is also continuing their effort in this program through life safety inspections and coordination with the City’s Health Officer and Housing Standards Board.

Additionally, the City and other housing providers continue their contingency plan to apply for funding under NHHFA’s lead grant administered through the CAP agencies, in order to address the issue of lead paint poisoning in homes.

Planning staff has consulted with the City Health Officer about the Housing Revolving Loan Program regarding fund availability for de-leading housing units that contain children with an elevated lead blood level who are under the age of 72 months. The housing program was changed over the past years to accommodate lead removal. Priority shall be given to housing units that contain children under the age of 72 months, and who have an elevated blood level. During the next five years, the City anticipates creating a low interest loan pool for home owners and landlords who have children in their building with lead poisoning, and to borrow funds for lead paint abatement. Recognizing that landlords cannot increase rents above the existing rental amount, or 30% of the tenants gross household income to pay the additional debt service, it is intuitive that another program may be necessary to address this need. The City will continue to work with the appropriate state and federal public and private agencies to establish funding limits, rehab standards, and appraisal requirements for the program. Currently, an assessment is on-going.

The City's rate on the rehab. loans is a maximum of 6% for 15 years. Implementing HUD's lead base paint regulations may make this program undesirable to many homeowners or landlords that do not have children in their home or unit and that do not want to deal with lead paint interim controls. Planning staff will continue to monitor the number and location of units identified with lead paint, and the number of abatement cases involving children with elevated blood levels. To that end, the Department has consulted with both the state and the City's Health Officer on this issue and will continue to do so on an annual basis. Currently, there have been three lead complaints with two of those resulting in confirmed cases during the fiscal year in the City. One asbestos abatement was successfully undertaken. One has received an abatement order from the state of NH, while the other is pending. The Department has a listing of addresses on file of lead-based paint reported structures dating from 1991 through 2007 (when the last case in the City was reported.)

Barriers to Affordable Housing

I. INTRODUCTION:

The following is an analysis of barriers to affordable housing using the regulations governing administration of the Community Development Program. The analysis will indicate what barriers to affordable housing, if any, exist within the City, and whether said barriers fall under the public sector or the private sector, or a combination of the two. The analysis will indicate whether a barrier has already been analyzed, or is in need of initial or further analysis. The analysis will prioritize any barriers based on their severity. Finally, what mitigating actions are planned to be taken, and what actions should be continued, strengthened or ended will be included in the analysis. Also included is how Community Development gathered its information for the analysis.

II. COMMUNITY BACKGROUND:

Based on estimates provided by United States Census for 2010, Dover had a 2010 population of 29,987, which represents an increase of 3,103 (11.5%) since 2000. This is one and a half times higher than the 7.3% growth rate that Dover experienced between 1990 and 2000. Dover is now the State's fifth most populated community, and the most populated in Strafford County. The City of Dover is a suburban, combination workplace-oriented, bedroom community of approximately 29,987 with a 7.3% minority population. The City is located in the geographic and transportation network center of an intricate regional economy. The City's role as an employment and housing center in the seacoast metropolitan region is expanding, due primarily to its central location and its nexus on the region's roadway network and its availability of relatively lower-priced housing units as compared to Portsmouth (which is situated somewhat closer to a majority of the jobs in the region).

The City consists of 28.6 square miles of which 28.76% of the land area has been developed for residential use and 9.65% has been developed for non-residential uses. The remaining 53.51% are either vacant, in public, agricultural, or institutional use. Of the developed residential area, about 85% consist of single-family dwelling units. Most of the multi-family development is located in and around the urban core, with expanding suburban subdivision development.

Forty-nine percent of the year round housing stock is rental property, while fifty-one percent is intended for owner occupancy. This number has remained constant and reflects the trend towards more single-family housing starts. 12.7% of the rental housing stock and 1.2% of the owner housing stock is substandard as defined by overcrowding, a lack of adequate plumbing or kitchen facilities, or a cost burden of greater than 30% of total income. It is estimated that approximately 10% of the housing stock is in physical disrepair.

The City's population is 92.7% white, with the 7.3% minority and ethnic populations being divided between Black at 1.8%, Asian at 4.7%, and American Indian/Alaskan Native at 0.2%. The racial/ethnic minorities are not concentrated within any location in the jurisdiction; in fact, the 2010 Census Data indicates a continued even distribution of minorities throughout the City.

Similarly, low-income residents remain rather evenly distributed throughout the City. Slightly higher numbers of low-income residents are found in the urban core and Cochecho River areas, primarily due to the availability of multifamily rental units. The average household income for the jurisdiction is 113% of the national average. Despite this, 21% of all households are very low income, and 20% of all households are low income as defined by Department of Housing and Urban Development criteria. This compares favorably with regard to the entire region (Portsmouth-Dover-Rochester, NH-ME PMSA[now the Dover-Rochester MSA]), which tallies a 35.3% of all household being very low income.

III. PUBLIC SECTOR:

This section deals with analyzing building, zoning, health, community development, transportation, and community services policies, practices, procedures, and actions or omissions of actions to determine if they affect affordable housing choice.

Current Subdivision, Site Review, and Zoning ordinances were reviewed during the January through April 2011 timeframe, using Chapter 5 of the Fair Housing Planning Manual, December 5, 1995, as a guide for analysis.

Following are the City of Dover's 6 principal impediments to affordable housing choice in the public sector:

1. The City's single family 7/8 acre (40,000 sq. ft. area) zoning requirement *contributes to* making the cost of land prohibitive for the development of housing affordable to low and moderate income households. The land area requirement is only one of several factors, including market conditions and demand, which would be hard to influence with public policy revisions. It should be noted that single family lot sizes allowed range from 40,000 (not

including wetlands) sq. ft. area in non-sewer/water areas to 12,000 sq. ft. area in the R-12 Zoning District with municipal sewer/water. It is arguably debatable if this issue constitutes a true impediment to fair housing choice given the adequate inventory of smaller parcels in other districts.

2. The Zoning Ordinance Allows Group Homes by Special Exception only, not by right, in two of the City's zoning districts. The districts, RM-U, and O represent a small area of the City's Zoning district area. The CBD district allows the use by right, as well as the use of a rooming house by right. A further barrier is that the RM-U does not offer either developable land or adequate in-fill opportunities for such a use to reasonably locate. The Special Exception criteria and requirement for a public hearing may subject the process to NIMBY reactions that may influence decisions made by the Zoning Board.
3. The Zoning Ordinance continues to allow the placing of mobile homes in the R-40 zoning district only if they are to be placed in a "mobile home subdivision". Households are prohibited from placing a mobile home on an existing, legal lot in the R-40 zone, but an owner subdividing a new, legal lot may place the mobile home if the wording "Mobile Home Subdivision" is placed in the title of the plat.
4. It has been estimated that approximately 40 % of the rental housing stock in the jurisdiction have some amount of lead-based paint hazard on the premises. Low income and minority households tend to rent units which still have this hazard, simply because the rent amount is lower than other rental units. Because a unit's age, condition, and location define the rents, these are units that can least afford to be made lead-based paint free for the foreseeable future. Fair housing choice between lead-based paint contaminated and lead-based paint free rental units should not just be dependant on state laws prohibiting renting to families with children under the age of six, the ability of the units owner to pay for mitigation, or the ability of the household to pay more funds for the rent.
5. Large numbers of very-low and low-income homeowners are overpaying for their housing costs, and many are living in substandard housing. Sixty-nine percent of all very-low income homeowners in the City expend more than 30% of their gross income on housing costs and 45% of those expend more than 50% on housing costs. Most all of these dwellings have rehabilitation needs. These low-income homeowners are finding it difficult to refinance existing mortgages allowing reduced monthly debt service costs to draw on equity or to rehabilitate their homes. Low income and minority households also need assistance with down payment and closing costs to purchase a home.

DOVER HOUSING AUTHORITY
 Dover Housing Authority Waiting List Data
 As of 4/30/2011
 DHA OCCUPANCY RATE 99%

FAMILY UNITS	LENGTH OF WAIT
1 BEDROOM	18+ MONTHS
2 BEDROOMS	6 TO 9 MONTHS
3 & 4 BEDROOMS	4 TO 9 MONTHS
ELDERLY	3 TO 12 MONTHS

FAMILY UNITS	# OF PEOPLE
1 BEDROOM	127
2 BEDROOM	112
3 & 4 BEDROOM	37
ELDERLY	76

SECTION 8	# PEOPLE	LENGTH OF WAIT
FAMILY & ELDERLY	255	12 TO 18 MONTHS

IV. PRIVATE SECTOR:

The economic downturn continues to adjust the one private sector barrier that may have existed due to paucity of available rental units relative to what had been a very low vacancy rate. The issue involved a previous trend in the City whereby private landlords appeared to be taking (possible fairly) advantage of the tight rental market in the MSA, and charging maximum rents for an increased profit. This issue has receded during the year.

Approximately 40% of all renters in the Portsmouth, Dover, and Rochester area are unable to afford fair market rent for a two-bedroom apartment, which is \$1,000 per month (average). One-bedroom units go for \$800 (average). Approximately 30% are unable to afford a one-bedroom apartment. Three-bedroom units average is \$1335, however a poll taken during 2010 indicated that rents for such units ran from \$1050 upwards to \$1300 at that time. Two bedroom units were running from \$800 to \$1175 according the Planning Department informal telephone poll taken by the Planning Office.

These numbers remain on par with 2009 findings and indicate that there is a stabilization in the rental rates in the City. This year's information was taken from the National Low Income Housing Coalition for 2010 and represents the metropolitan statistical area:

Portsmouth-Rochester HMFA

In Portsmouth-Rochester HMFA, the Fair Market Rent (FMR) for a two-bedroom apartment is \$1,020. In order to afford this level of rent and utilities, without paying more than 30% of income on housing, a household must earn \$3,400 monthly or \$40,800 annually. Assuming a 40-hour work week, 52 weeks per year, this level of income translates into a Housing Wage of \$19.62.

In Portsmouth-Rochester HMFA, a minimum wage worker earns an hourly wage of \$7.25. In order to afford the FMR for a two-bedroom apartment, a minimum wage earner must work 109 hours per week, 52 weeks per year. Or, a household must include 2.7 minimum wage earner(s) working 40 hours per week year-round in order to make the two bedroom FMR affordable.

In Portsmouth-Rochester HMFA, the estimated mean (average) wage for a renter is \$13.72 an hour. In order to afford the FMR for a two-bedroom apartment at this wage, a renter must work 54 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 1.4 worker(s) earning the mean renter wage in order to make the two-bedroom FMR affordable.

Monthly Supplemental Security Income (SSI) payments for an individual are \$674 in Portsmouth-Rochester HMFA. If SSI represents an individual's sole source of income, \$202 in monthly rent is affordable, while the FMR for a one-bedroom is \$823.

A unit is considered affordable if it costs no more than 30% of the renter's income.

Number of Households (2000)

	New Hampshire	Portsmouth – Rochester HMFA
Total	474,606	81,755
Renter	143,823	27,695
% Renter	30%	34%

2010 Area Median Income¹

Annual	\$77,976	\$81,600
Monthly	\$6,498	\$6,800
30% of AMI ²	\$23,393	\$24,480

Maximum Affordable³ Monthly Housing Cost by % of AMI

30%	\$585	\$612
50%	\$975	\$1,020

80%	\$1,560	\$1,632
100%	\$1,949	\$2,040

2010 Fair Market Rent (FMR)⁴

Zero-Bedroom	\$699	\$693
One-Bedroom	\$823	\$818
Two-Bedroom	\$1,023	\$1,020
Three-Bedroom	\$1,309	\$1,346
Four-Bedroom	\$1,461	\$1,519

% Change from 2000 Base Rent to 2010 FMR

Zero-Bedroom	47%	44%
One-Bedroom	48%	44%
Two-Bedroom	47%	44%
Three-Bedroom	47%	44%
Four-Bedroom	45%	44%

Annual Income Needed to Afford FMR

Zero-Bedroom	\$27,951	\$27,720
One-Bedroom	\$32,928	\$32,720
Two-Bedroom	\$40,917	\$40,800
Three-Bedroom	\$52,374	\$53,840
Four-Bedroom	\$58,453	\$60,760

Percent of AMI Needed to Afford FMR

Zero-Bedroom	36%	34%
One-Bedroom	42%	40%
Two-Bedroom	52%	50%
Three-Bedroom	67%	66%
Four-Bedroom	75%	74%

Renter Household Income

Estimated Median Renter Household Income ⁵	\$43,459	\$46,501
Percent Needed to Afford 2 BR FMR	94%	88%
Rent Affordable at Median	\$1,086	\$1,163
% Renters Unable to Afford 2 BR FMR ⁶	46%	43%

2010 Renter Wage

Estimated Mean Renter Wage ⁷	\$14.08	\$13.72
Rent Affordable at Mean Wage	\$732	\$714

2010 Minimum Wage

Minimum Wage	\$7.25	\$7.25
Rent Affordable at Minimum Wage	\$377	\$377

2010 Supplemental Security Income

Monthly SSI Payment	\$674	\$674
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Rent Affordable at SSI	\$202	\$202
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Housing Wage

Zero-Bedroom	\$13.44	\$13.33
One-Bedroom	\$15.83	\$15.73
Two-Bedroom	\$19.67	\$19.62
Three-Bedroom	\$25.18	\$25.88
Four-Bedroom	\$28.10	\$29.21

Housing Wage as % of Minimum Wage

Zero-Bedroom	185%	184%
One-Bedroom	218%	217%
Two-Bedroom	271%	271%
Three-Bedroom	347%	357%
Four-Bedroom	388%	403%

Housing Wage as % of Mean Renter Wage

Zero-Bedroom	95%	97%
One-Bedroom	112%	115%
Two-Bedroom	140%	143%
Three-Bedroom	179%	189%
Four-Bedroom	200%	213%

Work Hours/Week at Minimum Wage Needed to Afford FMR

Zero-Bedroom	74	74
One-Bedroom	87	87
Two-Bedroom	109	108
Three-Bedroom	139	143
Four-Bedroom	155	161

Work Hours/Week at Mean Renter Wage Needed to Afford FMR

Zero-Bedroom	38	39
One-Bedroom	45	46
Two-Bedroom	56	57
Three-Bedroom	72	75
Four-Bedroom	80	85

Full-time Jobs at Minimum Wage Needed to Afford FMR

Zero-Bedroom	1.9	1.8
One-Bedroom	2.2	2.2
Two-Bedroom	2.7	2.7
Three-Bedroom	3.5	3.6
Four-Bedroom	3.9	4

Full-time Jobs at Mean Renter Wage Needed to Afford FMR

Zero-Bedroom	1	1
One-Bedroom	1.1	1.1
Two-Bedroom	1.4	1.4
Three-Bedroom	1.8	1.9
Four-Bedroom	2	2.1
	New Hampshire	Portsmouth-Rochester HMFA

CHART FOOTNOTES	
1.	Fiscal Year 2010 Area Median Income (HUD, 2010).
2.	Annual income of 30% of AMI or less is the federal standard for Extremely Low Income households. Does not include HUD-specific adjustments.
3.	"Affordable" rents represent the generally accepted standard of spending not more than 30% of gross income on gross housing costs.
4.	Fiscal Year 2010 Fair Market Rent (HUD, 2010; revised as of March 11).
5.	Census 2000 median renter household income, projected to 2010 using HUD's income adjustment factor.
6.	Estimated by comparing the percent of renter median household income required to afford the two-bedroom FMR to the percent distribution of renter household income as a percent of the median within the state, as measured using 2008 American Community Survey Public Use Microdata Sample housing file.
7.	Based on 2008 BLS data, adjusted using the ratio of renter to overall household income reported in Census 2000, and projected to April 1, 2010.
*	50th percentile FMR (See Appendix A).
†	Wage data not available (See Appendix A).
	For a listing of towns within FMR areas in New England States, click here .

Location	Number of Households		
	Total Households	Renter Households	Renter Households as Percent of Total Households
New Hampshire	474,606	143,876	30%
Portsmouth-Rochester, NH-ME	81,755	27,695	34%

The obstacles to meeting the underserved needs are both the lack of affordable housing and the lack of resources to address the need. This creates a “landlords market” where many of the lowest income, those with special needs and households with children are considered a higher housing risk and subsequently are not competing well for the limited housing supply.

In addition, the lead paint regulation (24 CFR part 35) Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance, HUD’s most recent lead-based paint regulation, became effective on September 15, 2000, while designed to protect children from lead-based paint hazards, has had a negative effect on owners of pre-1978 rental property, of which there are many in the City. They are less likely to participate in the Section 8 rental subsidy program and are concerned with potential liability and the cost of renovations. For families with children the new regulation comes at a time when there are limited rental units available and owners can afford to be selective, which is a double whammy on those underserved.

HOME FORECLOSURES IN DOVER/STRAFFORD COUNTY

The effects of the down-turned economy have been modestly felt in Dover compared to the County overall. In comparison to other parts of the country, Dover is doing very well with foreclosures, delinquencies and bank REO. The area did not have the real estate speculation this time around that occurred in the late 1980’s.

For the 2010 year, there were 420 foreclosures in Strafford County. Dover accounted for 73 of the total, or 17.1%. Dover accounts for approximately 24% of the housing in Strafford County as well as 24% of the population in the County. That being said, the lower foreclosure rate bodes well for the City. Dover remains toward the bottom of the States foreclosure list for eligibility for NSP funding. In March of 2011 there were 15 foreclosures in Dover, 103 in Strafford County and 538 State wide. This represents 14.6% of foreclosures for the County, a slight decrease from the 2010 percentage for Dover.

The Planning Office will continue to monitor, as needed, the number of foreclosures in the future occurring in Dover as well as the County. At this point, due to the low volume, the City will not be taking any steps to address the issue locally.

There are signs of the sub-prime housing loan rate crisis having an effect on the state. 18,000 mortgages were listed as delinquent as of the end of March 2008, according to the New Hampshire Housing Finance Authority. By way of comparison, the delinquency rate for prime loans stands at 4.2%, with less than 1% already foreclosed upon, while (the smaller number of) sub-prime loans reported a delinquency rate of 19.5%, with approximately 7% already foreclosed upon. The loan crisis is coupled with rising costs in transportation and food.

V. STRATEGY TO REMOVE OR AMELIORATE NEGATIVE EFFECTS OF PUBLIC POLICIES THAT MAY SERVE AS BARRIERS TO AFFORDABLE HOUSING:

In response to the identified barriers, the City will take the following actions over the next five years:

1. The Planning Department continues to work on Master Plan updates. The housing chapter has been reliant on census data, and now may begin. Part of this work includes a study to ascertain which zoning districts would be appropriate to allow group homes by right. The department has been in discussions with the Workforce Housing Coalition of the Greater Seacoast.
2. The Planning Department will consider crafting another revision which allows for the placement of mobile homes on any legal lot in the R-40 zone, so long as the home and associated foundation and hook-ups meet all other applicable criteria to go forward through the next major zoning revision process, also tentatively scheduled for later this year. In addition, the Department will begin research on new industry trends towards improvement in the mobile or modular home industry and compare those developments to its definitions section in zoning. The research with regard to definitions is underway.
3. The City continues to have a considerably higher number of public housing and government assisted rental units than all other communities in the MSA. The City is proactive in maintaining this high number of units through its public and governmental agencies. This is an on-going action.

In addition to the City's fair share of affordable housing opportunities, the City has received brochures, in English and Spanish regarding housing standards and fair housing regulations in the state, and has made them available in the Department of Planning and Community Development office as well in public locations in City Hall.

4. The City Health Officer continues to work with State Health officials,

local landlords, and City Fire/Life-Safety officials to reduce the number of lead-based paint units in the City. This is an on-going action.

5. The City will continue to work proactively with the New Hampshire Housing Finance Authority when conditions merit such action. The City continues to work with the Strafford Regional Planning Commission in their Affordable/Workforce Housing Initiative regarding ways to achieve affordable housing for the City and the region as a whole. This is an on-going action.

INSTITUTIONAL STRUCTURE:

The City's Comprehensive Plan has outlined the institutional structure, including non-profit organizations and public institutions, through which it will carry out the community's affordable and supportive housing strategy. An identified weakness of the institutional structure is the difficulty in creating and then maintaining the coordination of all the varied housing needs among human service programs. None of the agencies have the administrative funds to afford a coordinator to deal primarily with housing issues. Many lack the knowledge, staff and expertise to apply for various housing assistance grants. For these reasons, the Consortium has broken into several task forces, including: Collaboration, Self-Sufficiency, Transportation & Transitional Housing. These task forces work toward common goals for the Consortium and coordinating delivery of needed services to Strafford County residents.

The City will continue support of the Seacoast Continuum, an organization consisting of representatives of local housing providers. The committee is in the process of finalizing goals, objectives, and a course of action for future housing projects. In addition, the Consortium was the instrument for applying for transitional housing funds from the super NOFA announced last year. The Consortium completed the Continuum of Care System for Strafford County submitted in the Consolidated Plan and is working on updating the Continuum based on determined needs and gaps identified by the Consortium members.

Geographic Distribution:

There are no specific geographic areas within the City, targeted for assistance. CIAP Funds for Dover Housing Authority will be expended on specific public housing locations, all other programs will be offered on a citywide basis. While there are higher concentrations of low income residents within certain sections of the urban core, a sufficient number exist Citywide to warrant the expanded coverage.

In regard to minority populations, the City does not anticipate expending funds in any specific geographic area. Although there are no concentrations of minorities or an inordinate number of low-income residents located in specific areas, Census data does indicate that the Black population does appear to suffer a higher rate of poverty. This does not seem to appear in client cases of human service agencies.

**Distribution of Racial and Ethical Minorities
2000 Census Data**

Census Tract	Total Pop.	African Amer.	% of Total	Amer. Indian/ Eskimo	% of Total	Asian And Pacific Islander	% of Total	Hispanic Origin	% of Total
811	5,723	43	.8	4	.1	89	1.6	39	.7
812	4,076	27	.7	7	.2	91	2.2	36	.9
813	4,588	66	1.4	15	.3	74	1.6	65	1.4
814	1,804	31	1.7	4	.2	92	5.1	13	.7
815	5,341	56	1.0	10	.2	236	4.4	87	1.6
816	5,352	78	1.5	13	.2	53	1.0	66	1.2

Total White – 25,589

STEPS TO END CHRONIC HOMELESSNESS:

The City will continue to fund organizations such as My Friend’s Place and Cross Roads House and the Strafford County Overflow Shelter, which provides both emergency and transitional housing. Strafford County Homeless Center which provides Emergency shelter. Community Partners which provides security deposits for mentally ill, Dover Welfare which provides security deposits for their clientele, along with any agency operating within Dover limits that deals with homeless or housing issues.

MONITORING:

The City will monitor on an annual basis, the projected number of people assisted with housing resources and the amount of money spent thereon. This will be accomplished through the normal monitoring avenues for agencies receiving CDBG funds. Standards used for monitoring programs will be very similar to those already used by the City for sub-recipients of the CDBG program.

Over the past few years, the City of Dover has tried to approve projects that would be completed in a timely fashion. This is difficult at times when dealing with public facilities trying to acquire space or make substantial improvements to their property. Many times, CDBG is the first place the organizations look for funding and due to the grant size of Dover, we are not always able to fund the project completely. This leaves the agency to fundraising, other grants and sometimes small commercial loans. We have been working with agencies thinking of applying for CDBG to get their other financing in line at the same time or before they apply for CDBG funds.

CITIZEN'S COMMENTS:

One comment was received at the City Council meeting held in May. One resident asked the Council to appropriate funding for a conference room at the McConnell Center. The Council did not follow the suggestion to change funding recommendations. Any additional comments received by the Planning Office within the 30 day comment period will be forwarded to HUD for inclusion in the Action Plan.

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about -
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and

- (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- 5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- 1. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- 7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

- 1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, 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 contract, the making of any Federal grant, the making 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;
- 2. 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 this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL,

"Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying 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.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Acquisition and relocation. The City will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Updated Consolidated Plan -- The City of Dover has updated it's 5 year Consolidated Plan to meet the current requirements of the Plan including pages 1,14,17,22,29,32 and 35

Signature/Authorized Official

Date

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2000 - 2002 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property

with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

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

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the requirements of 24 CFR §570.608;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

Date

Michael Joyal, City Manager

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State

employees in each local unemployment office, performers in concert halls or radio stations).

5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (288 Central Avenue Dover, NH 03820)

Check X if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or

involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).