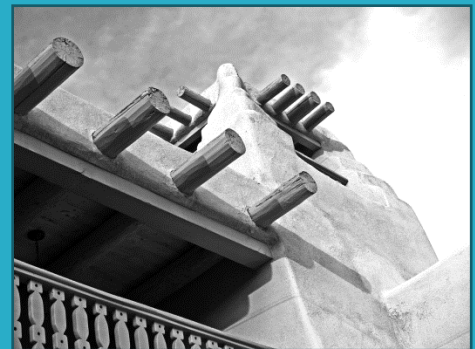


# 2014 NEW MEXICO ANNUAL ACTION PLAN

**New Mexico Mortgage Finance Authority**

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**Department of Finance and Administration**





# **2014 NEW MEXICO ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT**

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**Draft Report  
2014**

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## **I. EXECUTIVE SUMMARY**

### **A. INTRODUCTION**

In 1994, the US Department of Housing and Urban Development (HUD) issued new rules consolidating the planning, application, reporting, and citizen participation processes for four formula grant programs: Community Development Block Grants (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). This process, termed the Consolidated Plan for Housing and Community Development, pursuant to the Consolidated Plan regulations (24 CFR Part 91) require preparation of an Executive Summary that must include:

- A summary of the citizen participation and consultation process
- Objectives and outcomes and an evaluation of past performance
- Summary of comments on the plan and responses to comments

As the lead agency for the Consolidated Plan, the New Mexico Mortgage Finance Authority (MFA), along with the Department of Finance and Administration, Local Government Division (DFA), hereby follows HUD's guidelines for citizen and community involvement. MFA and DFA are responsible for overseeing citizen participation requirements that accompany the Consolidated Plan and the CDBG, HOME, ESG, and HOPWA programs.

In May 2012, HUD's Office of Community Planning and Development (CPD) introduced the eCon Planning Suite, including the Consolidated Plan template in IDIS OnLine and the CPD Maps website. Beginning with the 2016 – 2020 New Mexico Consolidated Plan, MFA will integrate the eCon Planning process into our annual Action Plan processes, as well as the Consolidated Plan preparation.

### **PURPOSE OF THE ANNUAL ACTION PLAN**

The 2014 New Mexico Annual Action Plan for Housing and Community Development is the one-year planning document that identifies the needs and respective resource investments regarding the state's housing, homeless, non-homeless special needs populations, community development and economic development needs.

### **GOALS OF THE ANNUAL ACTION PLAN**

The goals of the MFA and DFA are to provide decent housing, a suitable living environment and expanded economic opportunities for the state's low and moderate income residents. The MFA and DFA strive to accomplish these goals by maximizing and effectively utilizing all available funding resources to conduct housing and community development activities that will serve the economically disadvantaged residents of the state. By addressing need and creating opportunity at the individual and neighborhood levels, the MFA and DFA hope to improve the quality of life for all residents of the state. These goals are further explained as follows:

- Providing decent housing means helping homeless persons obtain appropriate housing and assisting those at risk of homelessness; preserving the affordable housing stock; increasing availability of permanent housing that is affordable to low and moderate income persons without discrimination; and increasing the supply of supportive housing.



- Providing a suitable living environment entails improving the safety and livability of neighborhoods; increasing access to quality facilities and services.
- Expanding economic opportunities involves creating jobs that are accessible to low and moderate income persons; making mortgage financing available for low and moderate income persons at reasonable rates; providing access to credit for development activities that promote long-term economic and social viability of the community; and empowering low income persons to achieve self-sufficiency to reduce generational poverty in federally assisted and public housing.

## **B. CITIZEN PARTICIPATION SUMMARY**

The consolidated planning process has been designed to spell out New Mexico's overall strategy for coordinating federal and other housing and community development resources to provide decent housing, establish and maintain a suitable living environment, and expand economic opportunities, particularly for low and moderate income persons. Interested groups and individuals have been encouraged to provide input into all aspects of New Mexico's Consolidated Planning activities, from assessing needs to setting priorities through performance evaluation.

Numerous opportunities for citizens to contribute information, ideas and opinions about ways to improve our state, promote housing affordability and enhance the delivery of public services to local residents have occurred. This includes meetings with representatives of other units of local government, including tribal groups, to address specific needs of rental, homeowner, and homeless needs; holding statewide meetings soliciting input, both live and via webcast; and having strategic policy meetings with the state's Housing Advisory Committee. The Community Development Council (CDC) conducts a minimum of four annual open public hearings through the CDBG Application Hearings, Allocation of CDBG funds, reviews of proposed rule changes and adoption of the CDBG rule. Such public meetings have also been advertised in statewide publications and through e-mail blasts and web page postings, thereby reaching out to additional members of the community. The state of New Mexico continues to be committed to keeping all interested groups and individuals informed of each phase of the Consolidated Planning process and of activities being proposed or undertaken under HUD formula grant programs.

The MFA and DFA published the draft Action Plan for public review in a manner that afforded citizens, public agencies and other interested parties a reasonable opportunity to examine its contents and submit comments. The draft Plan included the amount of assistance the state agencies expect to receive and the range of activities that may be undertaken.

Furthermore, a succinct summary of the Draft Plan was published on both MFA's and DFA's websites, and notices in English and Spanish were published in newspapers of general circulation to advise the public of the beginning of the public comment period. The summary described the Plan and included a list of the locations where the Plan was available. Documentation of this information is included in Appendix A of this Annual Action Plan. Furthermore, citizens and groups were able to obtain a reasonable number of free copies of the proposed Action Plan by contacting the MFA at 505-843-6880, or toll free at 800-444-6880, or to download the plan from the MFA website at <http://www.housingnm.org/action-plan-current-year> or DFA's website at [http://nmdfa.state.nm.us/Community\\_Development\\_Bureau\\_1.aspx](http://nmdfa.state.nm.us/Community_Development_Bureau_1.aspx).

## C. 2014 ANNUAL ACTION PLAN SUMMARY

The state of New Mexico is required by the U.S. Department of Housing and Urban Development (HUD) to annually prepare an Action Plan for Housing and Community Development. Timely completion of the Plan in a HUD-acceptable format helps ensure continued funding of housing and community development activities throughout the state. In 2011, the state of New Mexico prepared its Five-Year Consolidated Plan, covering the program years 2011 – 2015. That Consolidated Plan contains information about demographic, economic, and housing market trends in the state; analysis of statewide affordable housing needs; findings from the citizen participation process; and an analysis of the needs of special populations. Initial processes are now underway for the 2016 – 2020 Consolidated Plan.

This document represents the 2014 Annual Action Plan for allocating the State's federal block grant funds to address housing and community development needs. In order to make the document more informative for citizens and more useful for policy makers and those engaged in the production of affordable housing, the document describes actions and activities to be undertaken with resources beyond the federal grant programs and by organizations other than those administering the federal grant programs. It is intended to represent a comprehensive Action Plan for affordable housing and community development activities statewide. The goals and activities identified here can, by no means, be accomplished through the use of the federal grant programs alone. Where and when possible, the plan specifies those actions or activities that are expected to be undertaken with other resources as well as the related outcomes expected to be achieved. However, since many of these other resources are more flexible than the federal grant programs, it is difficult to estimate how these resources may be utilized.

On December 13, 2013, HUD issued Notice CPD-13-010 with guidance on submitting Consolidated Plans and Annual Action Plans. The Notice says that grantees need to include the actual amount of federal allocation they are receiving, not an estimate. It also states that affected grantees may delay submission of their Action Plan to HUD until 60 days after the date allocations are announced, or until August 16, 2014, whichever comes first.

MFA and DFA are limited in our choices for fulfilling our citizen participation obligations while waiting for HUD to announce FY2014 allocations. We have already completed the citizen participation obligations for the 2014 plan. Indeed, the 2014 plan had been submitted to HUD. When the notice was published our 2014 plan was withdrawn. We will update the 2014 plan when allocations are made public, and if necessary under our Citizen Participation Plan (CPP), we will hold new public hearings.

Note: HUD released the FY14 allocations on Tuesday, March 18, 2014. All of the New Mexico allocations went up over those from FY2013. Our CPP, states, among others, that the following conditions are considered to be Substantial Amendment Criteria:

- Any change in the described method of distributing funds to local governments or nonprofit organizations to carry out activities. Elements of a method of distribution are:
  - Application process,
  - **Allocation among funding activities in excess of 35 percent of the total current entitlement allocation,**
  - Grant size limits, and
  - Criteria selection.

The FY14 allocations versus the FY2013 are:

Program	2014	2013	% up or (down)
CDBG	\$9,016,371	\$8,975,336	5%
HOME	\$3,781,116	\$3,597,945	5%
ESG	\$897,007	\$757,993	18%
HOPWA	\$623,948	\$593,615	5%

The total increase of funding does not reach the level required to restart the public hearings on this 2014 Action Plan.

#### **D. EVALUATION OF PAST PERFORMANCE**

The MFA's evaluation of its past performance on HOME, ESG and HOPWA has been completed in a thorough Consolidated Annual Performance and Evaluation Report (CAPER), most recently published in March, 2013. This document states the objectives and outcomes identified in the 2011 – 2015 Consolidated Plan and include an evaluation of past performance through measurable goals and objectives compared to actual performance. This document can be found on MFA's website at <http://www.housingnm.org/consolidated-plan>. The CAPER published by DFA regarding CDBG and the Neighborhood Stabilization Program (NSP) can be found at the following website: [http://www.nmdfa.state.nm.us/NM\\_Performance\\_Evaluation\\_Report\\_1.aspx](http://www.nmdfa.state.nm.us/NM_Performance_Evaluation_Report_1.aspx).

## **II. ANNUAL ACTION PLAN DEVELOPMENT PROCESS**

### **A. LEAD AGENCY AND ADMINISTERING AGENCIES**

As the lead agency for the Consolidated Plan, the MFA followed the federal guidelines regarding public involvement, evaluation of quantitative and qualitative data, needs assessment, strategy development, priority setting, and the formulation of objectives. New Mexico's Consolidated Plan for 2011 – 2015 was prepared in accordance with 24 CFR Part 91, including an amendment for those changes related to the Emergency Solutions Grant program, that contains the regulations setting forth the Consolidated Plan submission requirements applicable to state governments.

On July 18, 2013, HUD released a proposed rule to affirmatively further fair housing in compliance with the federal Fair Housing Act. HUD proposed the rule because the current practice of affirmatively furthering fair housing carried out by HUD grantees, which involves an analysis of impediments to fair housing choice and a certification that the grantee will affirmatively further fair housing, has not been as effective as envisioned. The rule proposes to refine existing requirements with a fair housing assessment and planning process that will better aid HUD program participants to fulfill this statutory obligation. At the time of the writing of this Action Plan, the comment period for the rule had just opened. If during the Action Plan process the rule becomes effective, MFA will incorporate all new citizen participation requirements into the Plan.

MFA is responsible for administering the citizen participation requirements for HOME, ESG and HOPWA. DFA administers the CDBG program, and is responsible for the citizen participation requirements for that program. Consequently, the MFA and DFA strongly encourage public participation and consultation with other organizations as an essential means of identifying community needs. The citizen participation process was formulated at the beginning of the five-year plan development process and is presented in the Citizen Participation Plan (CPP), Appendix A of this document.

The objectives of the CPP are to encourage citizen participation and emphasize participation by persons of low or moderate income, particularly residents of predominantly low and moderate income neighborhoods, slum or blighted areas and areas in which the DFA or MFA propose to use funds.

### **B. AGENCY CONSULTATION ACTIVITIES**

As part of the consolidated planning process, the lead agency, MFA, along with DFA, consults with a wide variety of organizations in order to gain understanding of the housing and community development stage. This represents a collective effort from a broad array of entities in New Mexico, ranging from advocacy groups for the disabled to economic development organizations. Private, non-profit and public organizations, including mayors, county supervisors, county commissioners, county managers, planning and development district administrators, councils of government, persons interested in the CDBG program, persons interested in the HOME program, and persons associated with Continuum of Care organizations, were contacted through several means, e-mail correspondence, telephone interviews and face-to-face interactions. These persons were solicited to discuss housing and community development needs in New Mexico, including the ranking of those needs and activities that the MFA and DFA might consider in better addressing needs throughout the state. Further, individuals were asked to provide additional insight into prospective barriers and constraints to addressing housing and community development needs in New Mexico.

### **C. EFFORTS TO ENHANCE CITIZEN INVOLVEMENT**

Public involvement began in August 2013 and extended over a period of several months. The key steps taken in the involvement process were a set of public input meetings during which citizens were provided the opportunity to offer feedback and input regarding the 2014 Annual Action Plan.

The public input meeting about the Action Plan was held in Albuquerque on September 13, 2013, via video broadcast i.e., webcast, live throughout the State of New Mexico, to offer the public an opportunity to offer feedback on the Plan. An additional public input meeting was held on Wednesday, September 25, 2013, in Las Cruces. The meetings were advertised utilizing e-mail blast notices, web page postings and public notices in at least five newspapers of general circulation. Such notices were published at least 14 calendar days prior to public hearings. All notices were written in plain, simple language in both English and Spanish. The notices and broad-based meetings were intended to allow many people to conveniently attend a public input session.

The draft report for public review was made available to the public on September 9, 2013, initiating the 30-day public review period. The draft report was available for download and printing from the MFA website: <http://www.housingnm.org/consolidated-plan>, or the DFA website: [http://nmdfa.state.nm.us/Community\\_Development\\_Bureau\\_1.aspx](http://nmdfa.state.nm.us/Community_Development_Bureau_1.aspx). On September 24, 2013, the MFA Policy Committee reviewed the Draft Plan. The Draft Plan was approved by MFA's Board of Directors on October 16, 2013, and by the CDBG Community Development Council on November 14, 2013.

**Citizen Comments:** The 30-day public review and comment period concluded on October 12, 2013. No comments were received by MFA.

#### **D. ACTIONS TO BE TAKEN TO ENHANCE THE INSTITUTIONAL STRUCTURE AND ITS COMMUNICATION**

MFA and DFA recognize that many times, the difference between success and failure in a partnership is in the ability to operate with an effective communication system. In an effort to help organizations develop that capacity, MFA and DFA will continue their outreach to a variety of agencies and entities involved with housing and community development activities in New Mexico, including the Behavioral Health Collaborative, the New Mexico Department of Mental Health, New Mexico Professional Technical Advisory Board (PTAB), Council of Governments (COG), New Mexico Environment Department (NMED), New Mexico Department of Transportation (NMDOT), USDA Rural Development (USDARD), New Mexico Aging and Long-Term Services (ALTSD), New Mexico State Fire Marshal Office (SFMO), New Mexico Department of Health (NMDOH), Children Youth and Families Department (CYFD), New Mexico Governor's Commission on Disability (GCD), New Mexico Office of the State Engineer(OSE), New Mexico Finance Authority (NMFA) and New Mexico Public Regulation Commission (PRC) and United States Department of Agriculture (USDA).

MFA receives input throughout the year from a number of external advisory and oversight committees comprising representatives from various housing-related industries, political parties and geographic areas of the state to advise and comment on activities undertaken with federal dollars. These committees include the Mortgage Finance Authority Act Legislative Oversight Committee, the Housing Advisory Committee, the New Mexico Housing Trust Fund Advisory Committee, the Land Title Trust Fund Advisory Committee and the Tax Credit Allocation Committee. MFA will continue to work with and consult with these committees regarding activities undertaken or proposed changes in activities to be undertaken throughout the tenure of this plan.

DFA continually seeks input from the Community Development Council (CDC), Council of Governments, Mayors, County Commissioners, County Managers, Grants Administrators, other Local and County officials, as well as other state agencies on infrastructure, public facilities, planning, economic development, emergency and housing needs across the state. DFA is also in the process of collaborating with other state agencies to streamline the funding, application, and program processes across the state. In the future, these efforts will help maximize funding and mainstream the grants administration process for all municipalities and counties.

### III. ALLOCATING HOUSING AND COMMUNITY DEVELOPMENT RESOURCES

#### A. OVERVIEW OF AVAILABLE RESOURCES

Housing and community development resources are expected to be available to the state of New Mexico through the US Department of Housing and Urban Development (HUD) under several federal block grant programs. These block grants include the Small Cities Community Development Block Grant (CDBG) Program, Home Investment Partnerships Program (HOME), Emergency Solutions Grants (ESG), Housing Opportunities for Persons with AIDS (HOPWA), and the Neighborhood Stabilization Program (NSP-1 and NSP-3). The HOME and NSP programs will produce program income that will also be available for program specific housing and community development activities in the state.

In addition, several HUD-funded competitive grants are also available. MFA and its partner agencies will compete for additional resources under the Supportive Housing Program (SHP), Shelter Plus Care (S+C), Section 811 Housing for Persons with Disabilities, Section 202 Housing for the Elderly, Rural Innovation Fund, and Housing Counseling. Many programs leverage their resources with other HUD funding sources that they receive directly such as the FHA Multifamily Housing Finance Agency Pilot Program under section 542(c) of the Housing and Community Development Act of 1992, The Self-Help Homeownership Opportunity Program and the Native American Housing Assistance and Self-Determination Act of 1996.

In September 2010, the State of New Mexico received a second direct allocation for the Neighborhood Stabilization Program (NSP-3) in the amount of \$5 million authorized under the Dodd Frank Wall Street Reform and Consumer Protection Act. Like the first round of the NSP grant, the targeted funds are being used to purchase foreclosed homes at a discount and to rehabilitate or redevelop them in order to respond to rising foreclosures and falling home values. DFA awarded funds to a developer to help administer the NSP-3 program.

The Section 108 Loan Guarantee Program is authorized under Section 108 of the Housing and Community Development Act of 1974 (42 USC 5308) as part of the CDBG Program. In July 2012 DFA applied directly to HUD for \$42,200,000.00 in Section 108 Loans to be guaranteed by the state's CDBG Allocation. The Section 108 Loan Guarantee Program allows for loans made to small cities and counties on behalf of their needs for economic and community development. The Section 108 Loan Guarantee Program offers local governments a source of financing for economic development, large-scale public facility projects, and public infrastructure. HUD sells bonds on the private market and uses the proceeds to fund Section 108 loans through the state to local governments. The local government may loan the funds to third parties to undertake eligible CDBG activities (typically economic development) or use the funds for other eligible CDBG activities that must be repaid. CDBG future allocations are used as secondary security for the HUD loan to the local government (the loan guarantee).

MFA's additional federal resources include Mortgage Revenue Bonds (MRBs) and Low Income Housing Tax Credits (LIHTC) available from the IRS, Weatherization Assistance awarded by the Department of Energy and resources available to rural areas through several programs funded by the US Department of Agriculture. These rural development programs include: Guaranteed Rural Housing Program, Section 502 Direct Loan Program, Section 504 Loan/Grant Repair Program, Section 514/516 Farm Labor Housing Program and Section 515 Rural Rental Housing Loan Program.

Other nonfederal resources expected to be available through MFA include resources from the MFA Housing Opportunity Fund and General Fund, taxable bonds, 501(c)(3) bonds, the state Affordable Housing Tax Credit Program, and the New Mexico Housing Trust Fund. MFA receives money from PNM and New Mexico Gas Company, the state's largest utilities, for energy efficiency measures. MFA has established a charitable trust that can receive and lend money to foster more affordable housing in New Mexico. Under the state Affordable Housing Act, capital outlay money from the New Mexico state Legislature can be used for affordable housing activities as long as the use of the funds is consistent with the Act, its implementing regulations and all applicable local regulations.

## **B. ADMINISTERING AGENCIES**

MFA administers the HOME, ESG, and HOPWA HUD block grants, as well as DOE Weatherization grant funds. These grants are eligible for allocation statewide except for the entitlement communities of Las Cruces, which receive HOME funds directly from HUD, and Albuquerque, which receives HOME, ESG and HOPWA funds directly. As the state's housing finance agency, the MFA directs available resources for affordable housing to each of the 33 counties in the state. The actual amount of resources that are invested in an area in any one year depends upon several factors. Certain funding sources have specific geographic targets resulting in differences in funding availability. The capacity to build housing and therefore the delivery system for investing in affordable housing varies substantially among communities in New Mexico. Further, the housing and community development needs also differ significantly throughout the state.

DFA, Local Government Division, which administers the CDBG program, makes CDBG funding available to all areas of the state except for the HUD CDBG entitlement communities. Currently the cities of Albuquerque, Las Cruces, Santa Fe, Rio Rancho, Farmington and Indian pueblos and tribes receive funding directly from HUD (Title I, Section 107). DFA also administers the Neighborhood Stabilization Program, NSP-1 and NSP-3. DFA provided NSP-1 resources to the MFA as well as to the cities of Albuquerque, Santa Fe and Las Cruces. NSP-3 funds were provided to a developer who has expended funds in Albuquerque and Rio Rancho to serve the Areas of Greatest Need. In 2014, DFA anticipates administering the Section 108 Loan Guarantee program for all areas of the state except for the HUD CDBG entitlement communities, if approved by HUD.

Funding for New Mexico's HUD housing block grants is administered by the MFA and allocated geographically based on three considerations: 1) requirements of the funding source; 2) relative priority need for various types of housing activities and their associated costs; and 3) local support and local capacity to deliver services.

However, in order to understand how HUD funds are available to communities in New Mexico, it is useful to understand the qualifying attributes of selected communities in New Mexico. The City of Albuquerque and the City of Las Cruces receive funding directly from HUD for both HOME and CDBG and therefore are not eligible to receive such funding from the MFA or DFA. The City of Albuquerque receives ESG and HOPWA funds from HUD. Under contract with the City of Albuquerque, the MFA distributes Albuquerque's HOPWA funds.

Many other MFA funding sources, such as mortgage revenue bonds, Low Income Housing Tax Credits, and state affordable housing resources will be directed to non-entitlement communities. The MFA will continue to work with these communities to meet their affordable housing needs.



The cities of Albuquerque, Las Cruces, Santa Fe, Rio Rancho, and Farmington receive CDBG funds directly from HUD and therefore are not eligible to apply for CDBG through DFA. However, Santa Fe, Rio Rancho and Farmington do not receive HUD HOME funds directly and therefore MFA may direct HOME funds as well as all other appropriate affordable housing resources to these communities. These communities represent a unique opportunity to combine HOME, CDBG and other resources in new ways to better meet the housing and community development needs in these areas.

The remainder of the state does not receive any funding directly from HUD and therefore is eligible to receive CDBG and Section 108 Loan Guarantee Program through DFA and HOME, ESG and HOPWA funding through the MFA. Additional funding sources that are expected to be available to the state may be restricted to certain geographic areas. These include Rural Development (Rural Community Development Initiative) programs and competitive grant programs such as Housing Counseling. MFA also received funding from the Behavioral Health Purchasing Collaborative for pre-development and development costs associated with supportive housing development. The Collaborative also provided funding for the Linkages Program, a rental voucher program. Table III.1, on the following page, presents the 2014 estimate of all available housing and community development resources for the 2014 New Mexico Annual Action Plan year.

### **C. GEOGRAPHIC DISTRIBUTION OF HUD RESOURCES**

Formula grant funds from the CDBG, HOME, ESG, NSP, and HOPWA programs may be directed to their highest and best use first, within each set of program guidelines, given the funding of all housing and community development programs throughout New Mexico. Still, the housing and community development needs statewide far exceed the available resources to address those needs. Therefore, it is necessary to prioritize needs by type of activity and geography in order to ensure the greatest impact with limited resources. Diversity across the state means that different areas have different housing and community development needs that are best addressed through different types of investment activities. Housing rental activities are guided by selected ranking criteria, with the 2014 annual ranking criteria presented in Appendix B. Nevertheless, New Mexico's experience with these programs shows that these resources are indeed distributed throughout the state. The following narrative provides information about the successful operation of HUD programs from 2009 through June 30, 2013.

**Table III.1**

#### **Housing and Community Development Resources Available in New Mexico**

<b>Federal Funding Sources</b>	
<b>HUD Funding Sources</b>	
Small Cities CDBG Allocation	\$9,016,371.00
Section 108 Loan Guarantee Program	\$42,200,000.00
HOME Formula Allocation	\$3,781,116.00
HOME Program Income	\$1,000,000.00
HOME Program Carryforward	\$0.00
Emergency Solutions Grant	\$897,007.00
Housing Opportunities for Persons with AIDS	\$623,948.00
<b>Total HUD Sources</b>	<b>\$57,518,442.00</b>
<b>Other Federal Funding Sources</b>	
DOE Weatherization Program	\$889,637.00

LIHEAP	\$1,368,000.00	
542 C Risk Share/USDA RHS 538	\$3,000,000.00	
Project-Based Section 8 Housing Assistance	\$26,691,456.00	
Allocated Low Income Housing Tax Credits (9%)	\$46,924,610.00	*
Bond Financed Low Income Housing Tax Credits (4%)	\$17,500,000.00	*
Total Other Federal Funding Sources	<b>\$96,373,703.00</b>	
<b>Subtotal Federal Funding Sources</b>	<b>\$153,892,145.00</b>	
<b>Non-Federal Funding Sources:</b>		
Tax Exempt Mortgage Revenue Bonds (Single Family)	\$264,860,000.00	
Multi-Family Taxable and Non-taxable Bond Cap	\$60,000,000.00	
MFA Housing Opportunity Fund - Primero	\$4,626,800.00	
MFA Housing Opportunity Fund - Build It Loan Guaranty	\$500,000.00	
MFA Housing Opportunity Fund - Partners Program	\$700,000.00	
MFA Housing Opportunity Fund - HERO, Mortgage Booster DPA	\$3,785,000.00	
MFA Housing Opportunity Fund - ACCESS Loans	\$5,776,000.00	
MFA General Fund - Capacity Building and Training	\$304,290.00	
State of New Mexico Homeless Program	\$925,700.00	
Land Title Trust Fund	\$7,868.00	
NM Gas Company EnergySmart	\$1,298,734.00	
PNM Refrigerator/CFL Energy Efficiency Program	\$351,357.00	
PNM Energy Efficiency Program	\$0.00	
Regional Housing Authority Allocation	\$0.00	
State Affordable Housing Tax Credit	\$1,600,000.00	
NM Housing Trust Fund	\$7,673,040.00	
Behavioral Health Collaborative Pre-Development	\$376,842.00	
Behavioral Health Linkages	\$372,760.00	
Behavioral Health Linkages - Admin	\$42,532.00	
<b>Subtotal Non-Federal Funding Sources</b>	<b>\$353,200,923.00</b>	
<b>Total Sources of Funds</b>	<b>\$507,093,068.00</b>	
<b>Funding Uses for HOME, CDBG, HOPWA, ESG</b>		
<b>CDBG:</b>		
Administration and T&TA	\$897,533.60	
Community Development Activities	\$8,077,802.40	
<b>HOME:</b>		
Administration	\$459,795.00	
Down Payment Assistance	\$300,000.00	
Single Family Rehabilitation	\$1,400,000.00	
Single Family Development	\$250,000.00	
Multi-Family Development	\$1,468,563.00	
CHDO Operating	\$179,897.00	
CHDO Development	\$539,692.00	
Section 108 Loan Guarantee Program	\$0.00	
Emergency Solutions Grant	\$757,993.00	
HOPWA	\$593,615.00	
<b>Total Uses for HUD funds included in 2013 Action Plan</b>	<b>\$5,949,555.00</b>	

Other Funding Uses	
Homeless	\$1,717,834.00
Single Family Rehab	\$200,000.00
Capacity Building	\$304,290.00
Single Family Development	\$43,269,000.00
Home Ownership	\$264,860,000.00
Multi Family Development	\$135,097,650.00
Rental Assistance	\$26,691,456.00
Weatherization	\$3,907,728.00
<b>Total Other Funding Uses</b>	<b>\$476,047,958.00</b>
<b>Total Uses of Funds</b>	<b>\$481,997,513.00</b>

\*This amount is the value of 10 years of allocated credits.

### **C.1. INVESTMENTS OF HUD RESOURCES FROM 2009 THROUGH 2013**

Over the past few years, substantive project investments of both CDBG and HOME funds have been directed to specific types of projects, given the ranking criteria in use each year.

#### **DFA ADMINISTERED CDBG PROGRAM INVESTMENTS**

Table III.2, below, presents the number of CDBG projects that were undertaken or awarded during the previous five years, from 2009 through 2013. As noted therein, there were 63 water and sewer infrastructure projects; 34 projects that provided support to local planning; 74 public facility projects, such as health facilities, community centers, senior centers and libraries; 70 projects related to other types of infrastructure development, such as street and road improvements, curb/gutter and drainage improvements and bridge improvements. There were no housing projects in 2013. These kinds of activities were spread all over New Mexico, excluding the CDBG entitlement communities of Albuquerque, Farmington, Las Cruces, Rio Rancho, and Santa Fe. While ranking criteria may be slightly modified each year, such infrastructure demands and related activities are anticipated to continue to be distributed in a very similar fashion throughout the consolidated planning period of 2011 through 2015.

<b>Table III.2</b> <b>Number of CDBG-funded Projects by Year and Activity</b> <b>DFA: 2009 - 2013</b>						
Activity	2009	2010	2011	2012	2013	Total
Water and Sewer	23	19	4	9	8	63
Planning	8	0	26	0	0	34
Public Facilities	7	11	46	5	5	74
Other Infrastructure	8	6	43	8	5	70
Housing Rehab	29	0	0	0	0	29
Total	75	36	119	22	18	270

DFA determines areas of CDBG funding based on need, readiness to proceed and other current ranking criteria identified in the CDBG Rules and Regulations. To better view the geographic distribution of the DFA administered CDBG water and sewer projects, their specific address locations were assigned longitude and latitude coordinates and plotted on a geographic map, by year. As seen in Map III.1, on

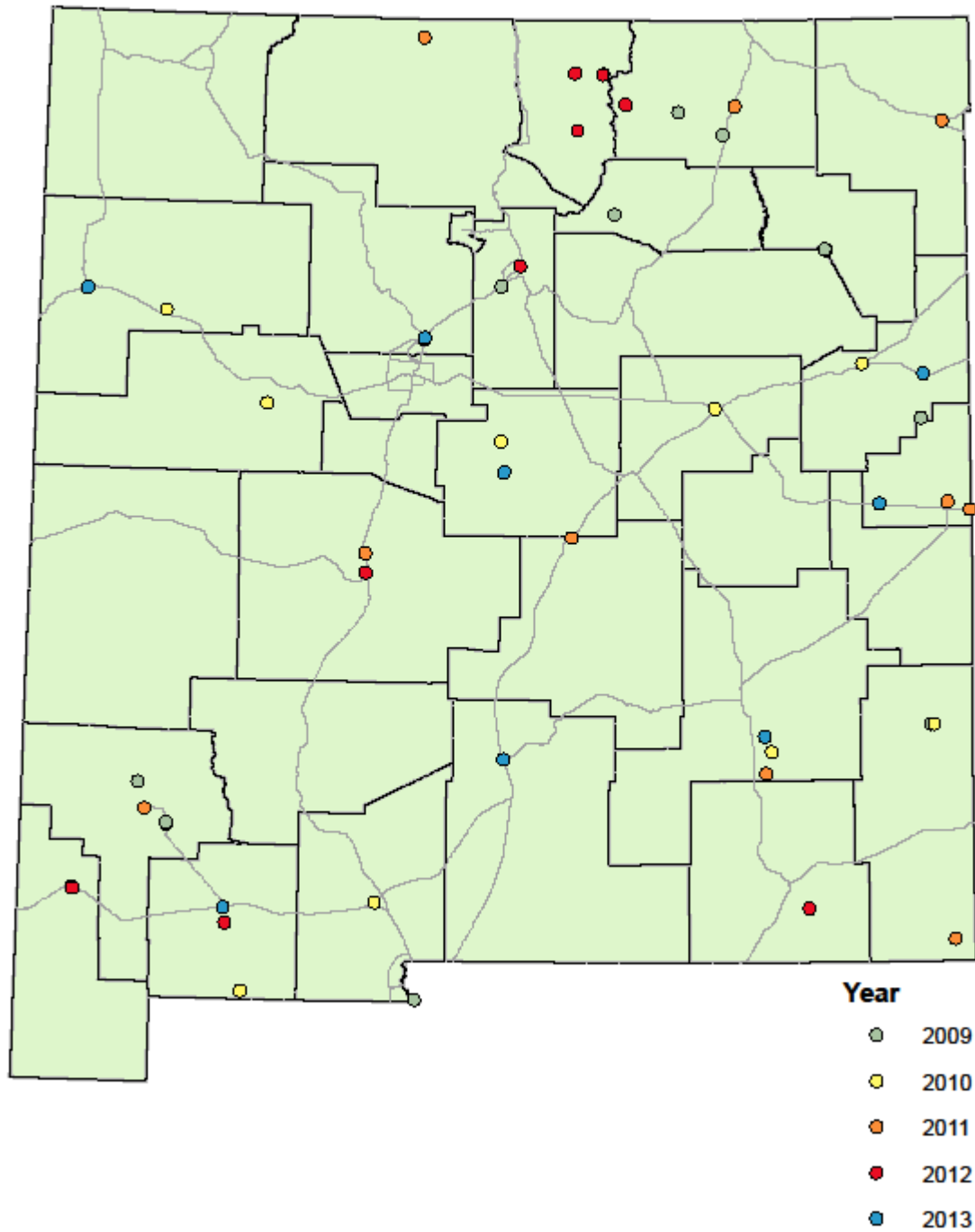
the following page, this set of projects was exclusively outside the CDBG entitlement communities, as described previously. Geographic maps have been prepared to show the data for the three additional types of CDBG program activities presented in Table III.2, planning projects, public facilities, and other infrastructure investments. These other infrastructure investments include street and sidewalk improvements, curb and drainage enhancements, and related street, bridge, and throughway modifications and improvements.

The method of distributing funds for the Section 108 Loan Program will be similar to the CDBG program.

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Map III.1<sup>1</sup>  
Community Development Block Grant Water and Sewer Activity

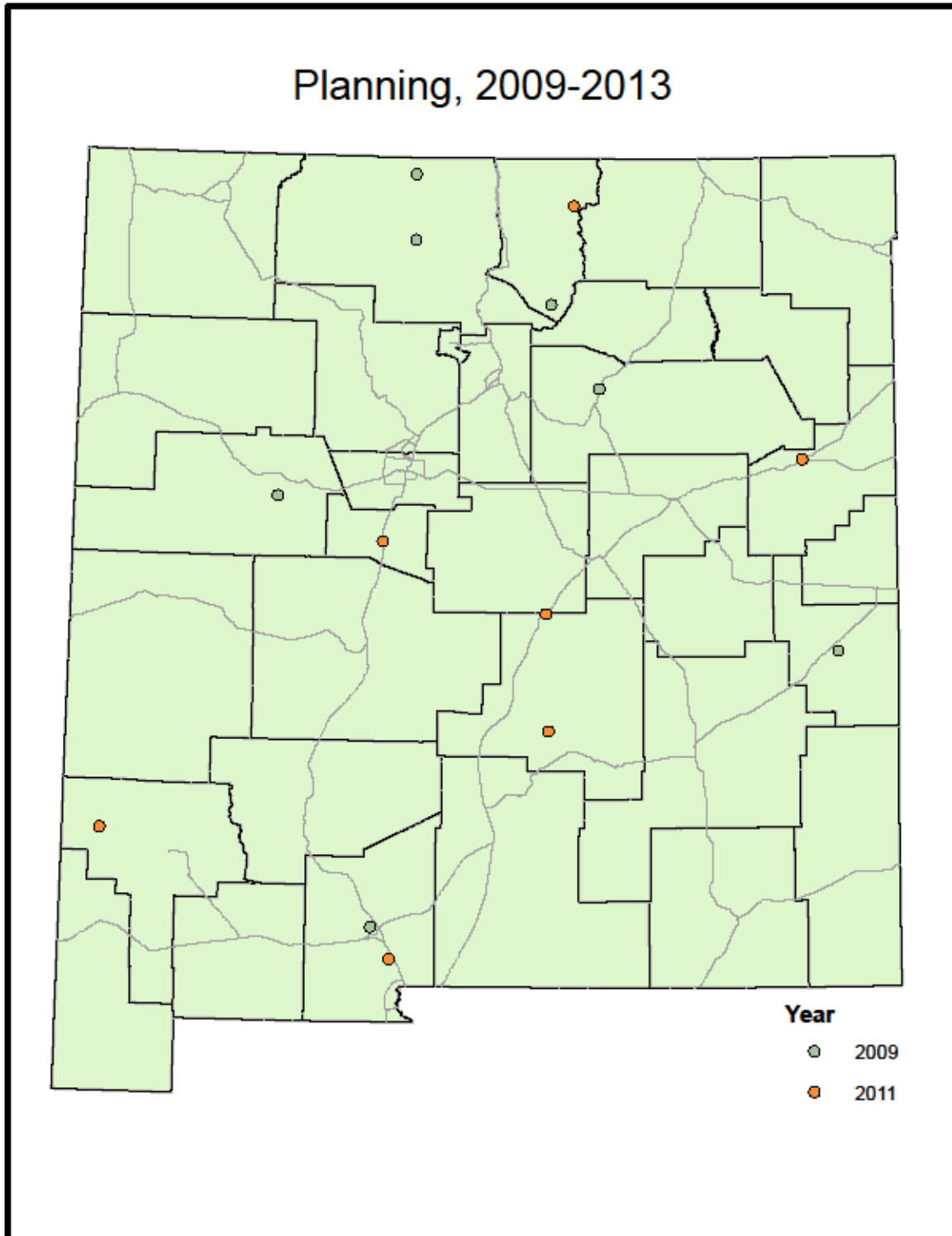
## Water and Sewer, 2009-2013



<sup>1</sup> Maps provided by the Bureau of Business and Economic Research, University of New Mexico  
2014 Annual Action Plan

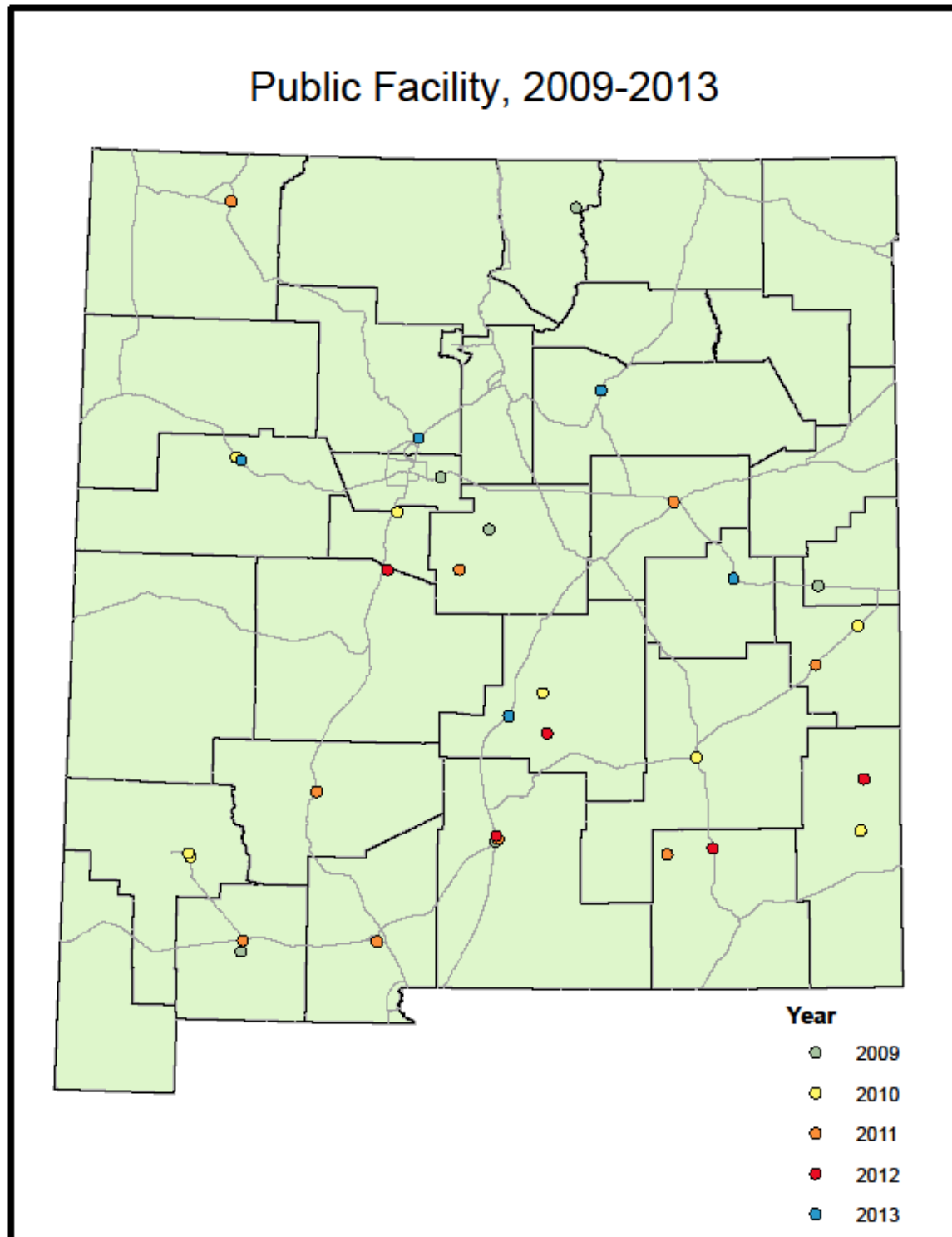
Map III.2 demonstrates how planning projects been provided to communities throughout the state of New Mexico, as administered by the DFA. Again, these are outside of the existing CDBG entitlement communities.

**Map III.2**  
**Community Development Block Grant Planning Activity**



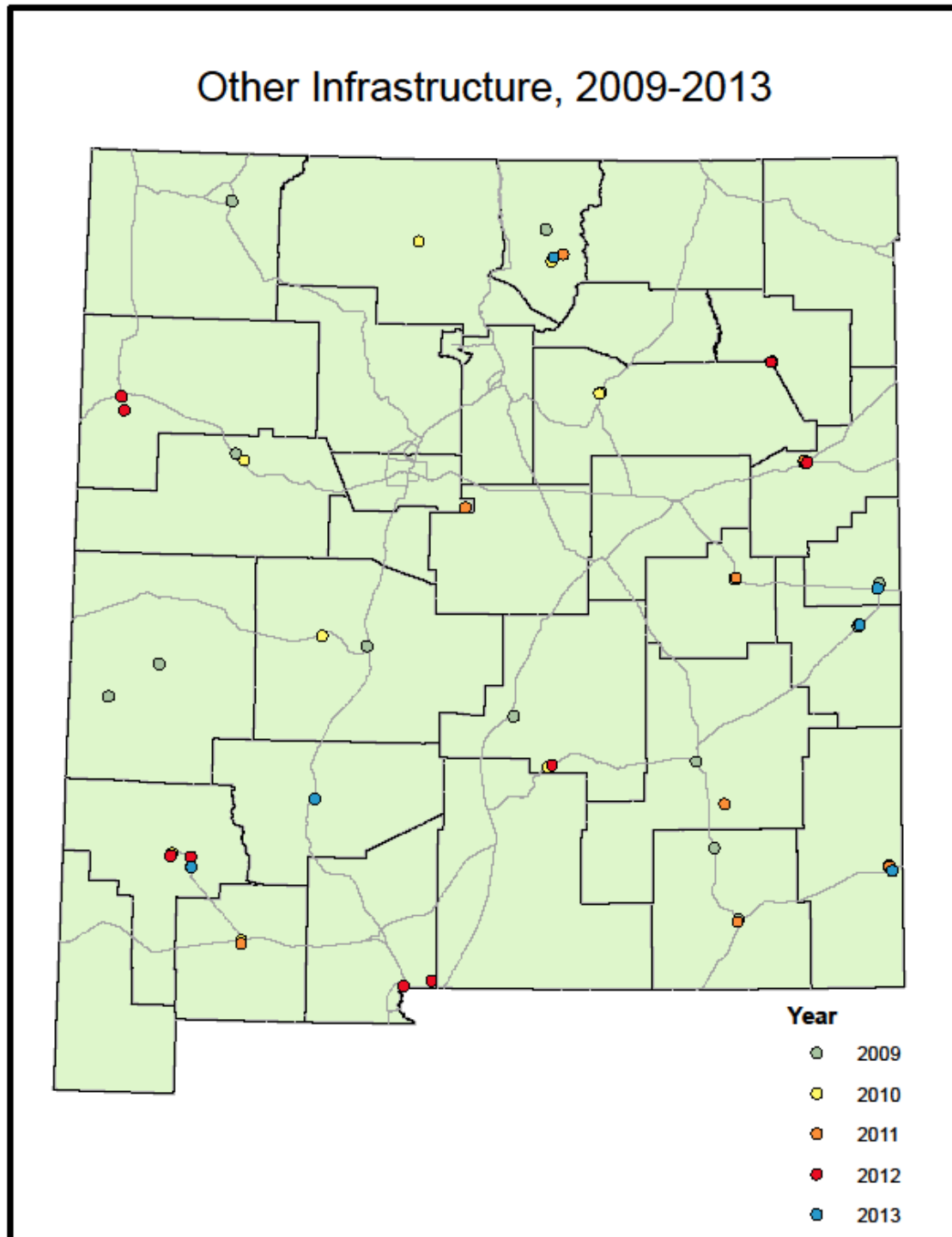
Map III.3 demonstrates how resources have been directed to a variety of public facility projects throughout the state of New Mexico. Again, these are outside of the existing CDBG entitlement communities and demand remains high for such activities.

**Map III.3**  
**Community Development Block Grant Public Facility Activity**



Map III.4 demonstrates how resources have been directed to a variety of other infrastructure projects throughout the state of New Mexico. Again, these are outside of the existing CDBG entitlement communities and demand remains high for such activities.

**Map III.4**  
**Community Development Block Grant Other Infrastructure Activity**





## MFA ADMINISTERED HOME PROGRAM INVESTMENTS

Similar geographically dispersed demands exist when MFA allocates its HOME resources. Some communities have a greater need for new housing development while other communities would best be served by rehabilitation of existing housing. MFA determines areas of statistically demonstrated need, based upon program activity type, on applications for funds, and current ranking criteria in use in the particular program year. For 2014, the ranking criteria were determined only for rental activities, as presented in Appendix B.

<b>Table III.3</b> <b>Number of HOME-funded Projects by Year and Activity</b> MFA: 2009 - Jun. 30, 2013						
Activity	2009	2010	2011	2012	2013	Total
Down Payment Assistance	80	51	34	22	15	202
Homeowner Rehab	66	73	75	43	41	298
Single Family Development	32	20	45	28	42	167
Rental	8	7	4	2	1	22
Tenant Based Rental Assistance <sup>2</sup>	23	20	17	18	0	78
CHDO Operating	5	9	5	0	1	20
<b>Total</b>	<b>214</b>	<b>180</b>	<b>180</b>	<b>113</b>	<b>100</b>	<b>787</b>

In the past, high priority counties were identified through the housing condition and market indicators identified in the housing market analysis for the 2006 – 2010 state of New Mexico Consolidated Plan. The modified prioritization scheme was sometimes based on data available in years subsequent to the 2000 Decennial Census, but was usually from the 2000 census. These ranking criteria included characteristics such as the following: poverty level, homeownership, cost burden, and population change. Such data were periodically updated as well. Table III.3, above, presents the HOME projects funded between 2009 through June of 2013, with 787 projects.

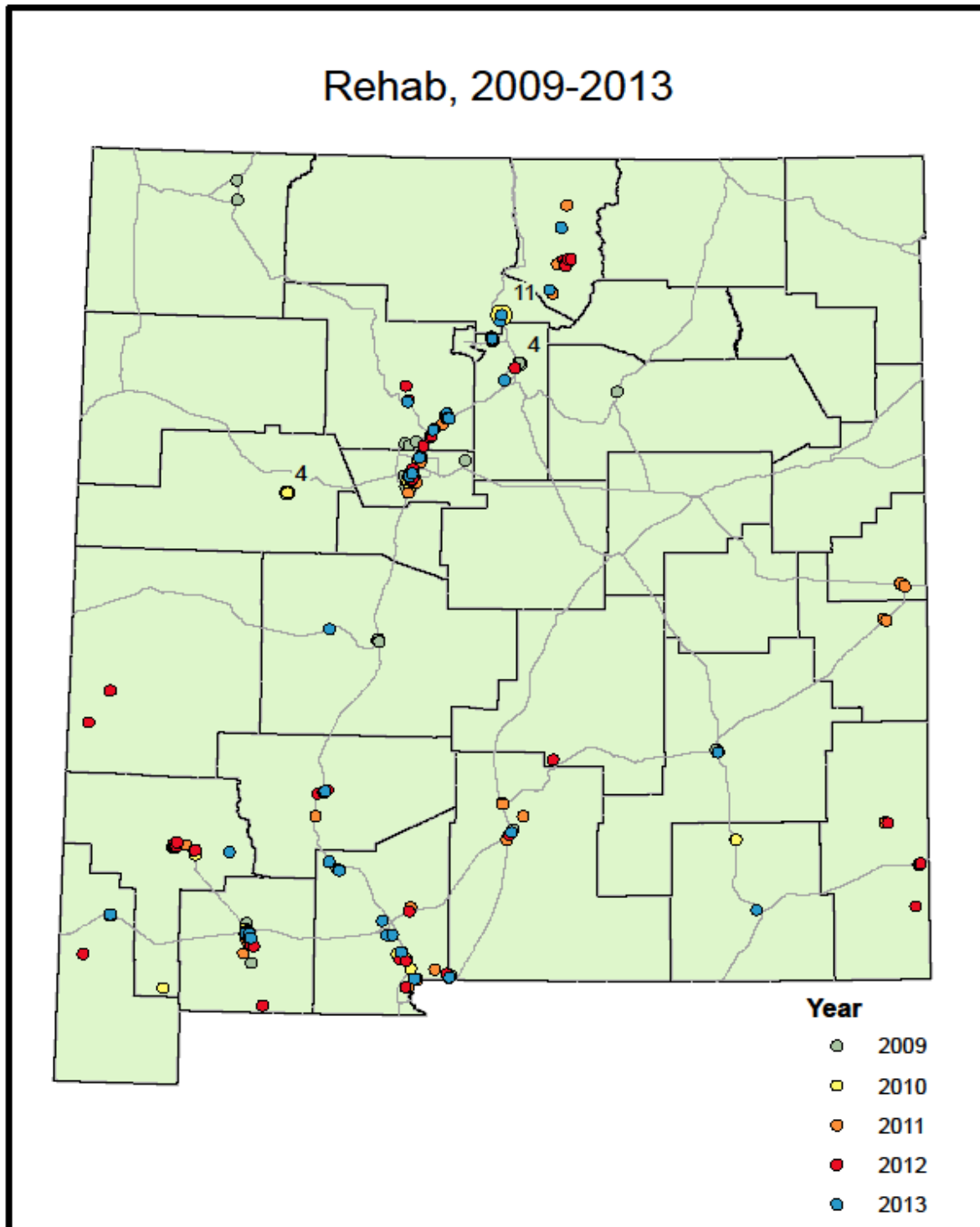
For 2014, MFA re-evaluated its areas of statistically demonstrated need, and concluded that needs would be determined for rental programs only. Each county was assigned a relative determined need of High, Medium or Low based on a number of indicators for both types of rental activity. A high need indicated an area where, ideally, the greatest amount of resources should be invested and projects or programs proposed to meet that need had the greatest opportunity for funding. A medium need indicated areas where a moderate amount of resources should be invested and projects or programs proposed to meet those needs were likely to be funded. A low need indicated an area where the least amount of resources should be invested. A project proposing to serve a low need area would not necessarily be excluded from funding; however, such projects have a lower opportunity for funding.

Some communities find that housing preservation is in line with their key housing needs. MFA administered HOME Funds for single family rehabilitation have been used for rehabilitation of owner-occupied housing, reconstruction or replacement where substandard units are in such poor repair that rehabilitation is not appropriate. Substandard units may be replaced with new manufactured housing that is affixed to a permanent foundation or a new site built home. During the Action Plan period last year, we determined that housing preservation is a need throughout the state and did away with the ranking chart. There were more than 298 homeowner rehab projects that occurred between January of

<sup>2</sup> Tenant Based Rental Assistance, or TBRA, was not funded in 2013, nor will it be in 2014.

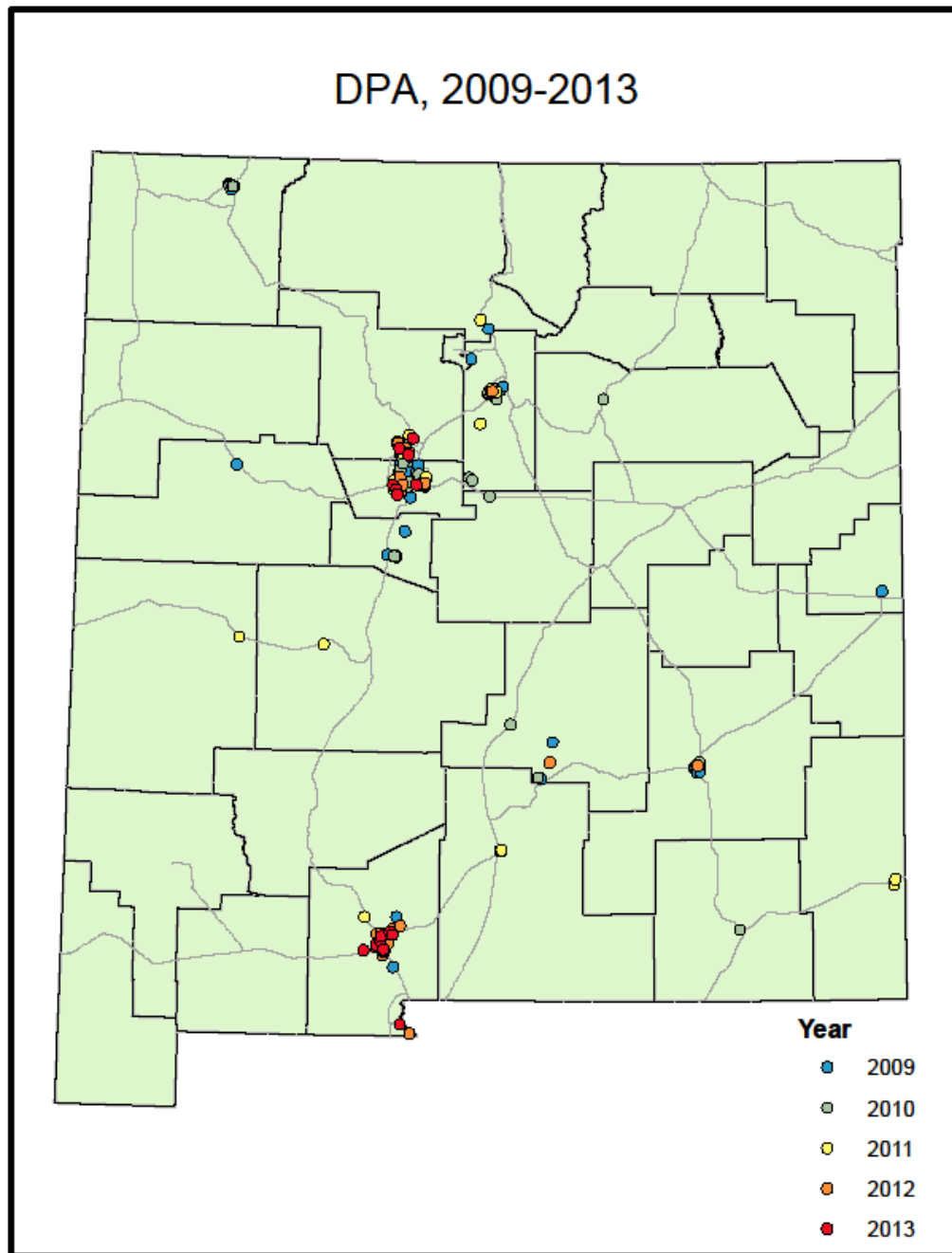
2009 and June 30, 2013, with the geographic distribution occurring all over the state as seen in Map III.6 below. Such widespread demand, and consequent use of HOME funds, is anticipated to continue throughout the remainder of the 2011 – 2015 planning period as well.

**Map III.6**  
**HOME Owner-Occupied Rehabilitation Program Activity**



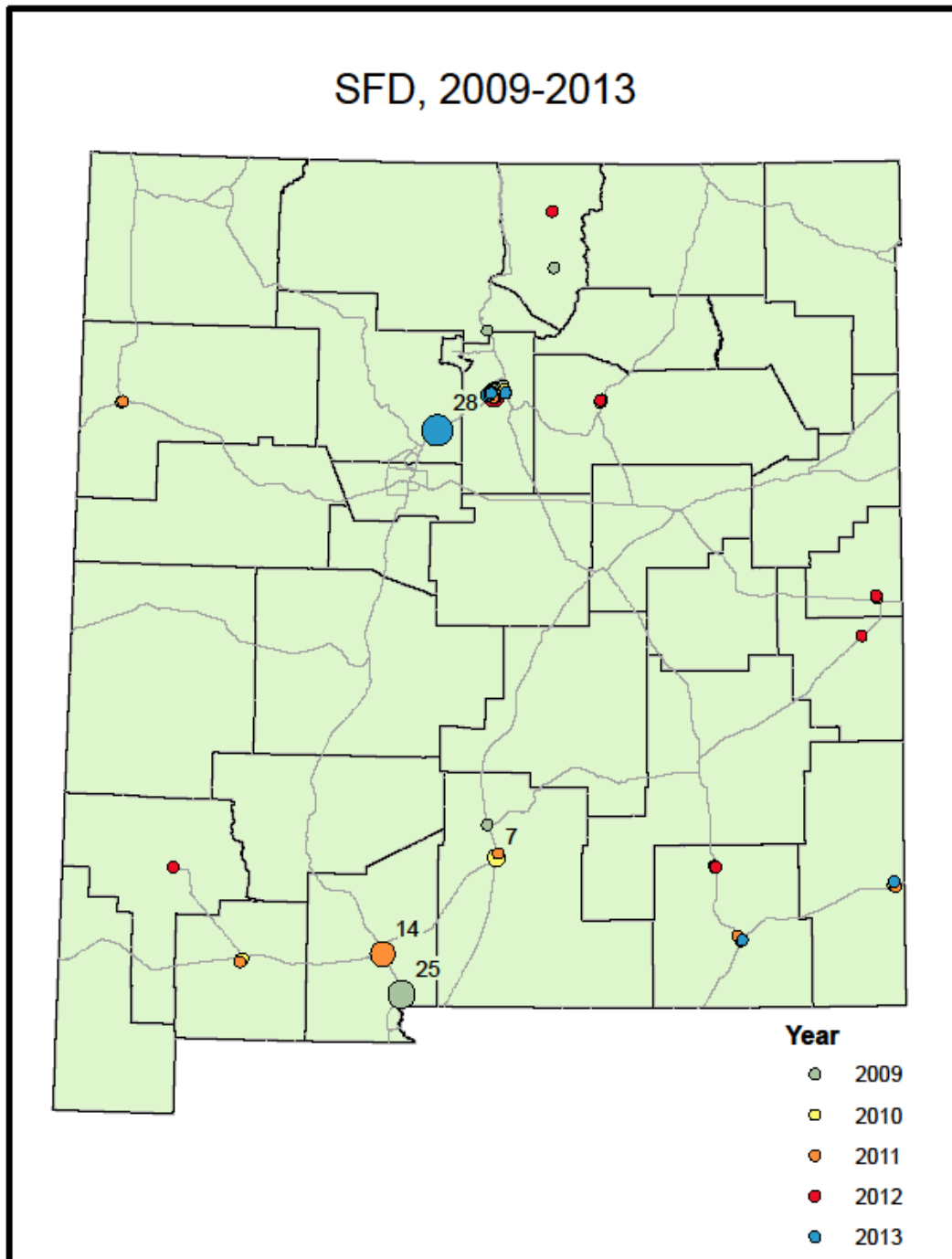
Instead of home purchases or rehab of single-family dwellings, other communities required new single family development, which includes housing activities that increase the supply of affordable single family units. This represents both new construction and the placement of new manufactured housing installations on permanent foundations. Also, the purchase and reconstruction of dilapidated units known as “acquisition and rehabilitation” can add to the affordable and suitable housing stock and, therefore, can also be considered for funding under this program activity. The Down Payment Assistance Program has been administered on a first-come, first-served basis, with some 202 households assisted with this activity during the last five years, as shown on Map III.7.

**Map III.7**  
**HOME Down Payment Assistance Program Activity**



While MFA had established areas of statistically demonstrated need in the past, new single family development is also dependent on housing developers having the capacity and the desire to build in designated high priority areas, factors not within MFA's control. Nevertheless, MFA used HOME funds for 167 single family development units from 2009 through June of 2013. It is expected to continue in this general manner, with the geographic distribution similar to what is seen in Map III.8, below.

**Map III.8**  
**HOME Single Family Development Program Activity**



Additionally, some communities may have other housing needs. For example, the need for new single family development like that noted above is driven by population growth; however, some areas that have not experienced significant population growth may still benefit from acquisition and rehabilitation of existing units. Those counties that had an owner-occupied vacancy rate that exceeds the state's average represent an opportunity to increase the stock of available housing through such acquisition and rehabilitation.

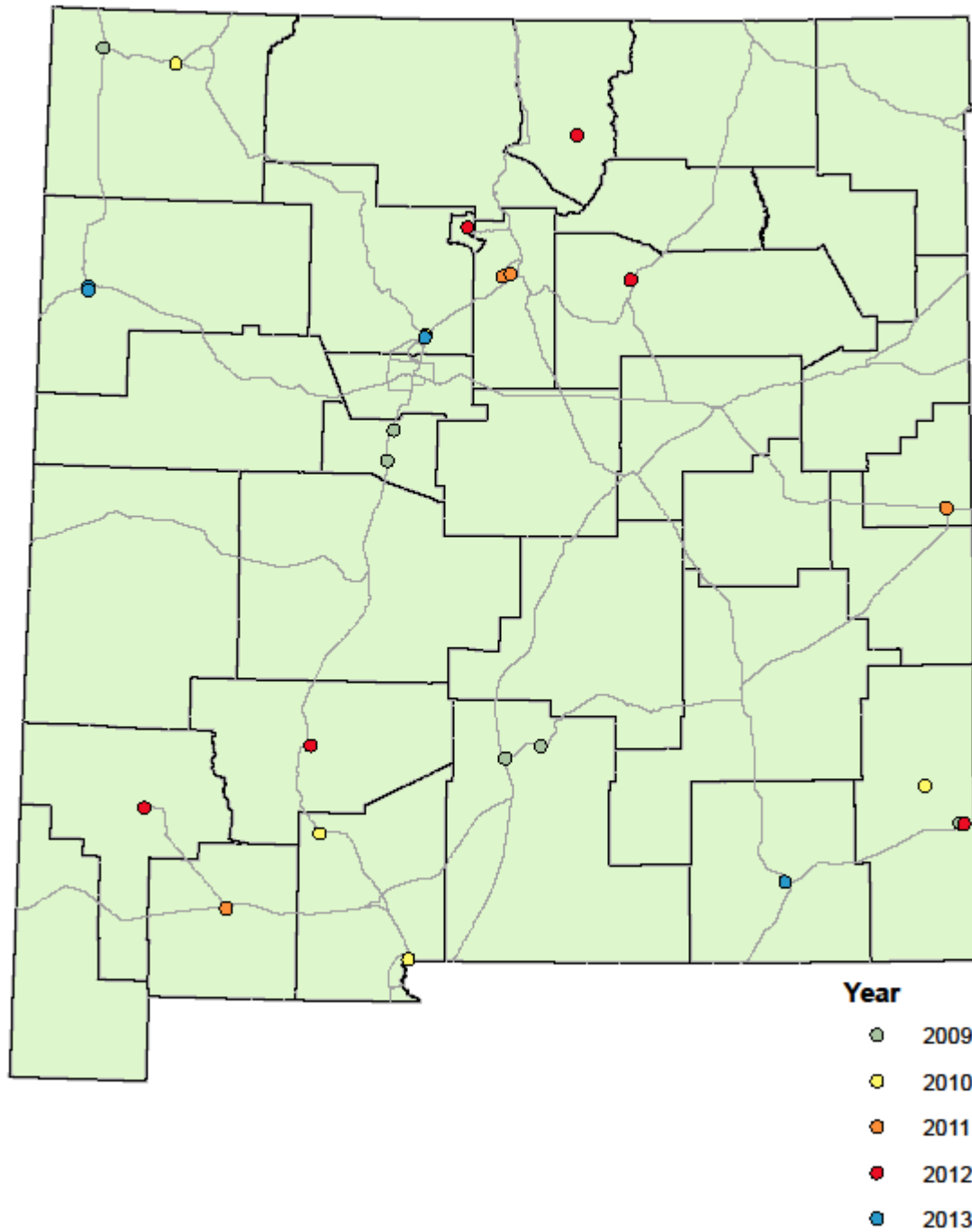
Demand exists for MFA HOME resources for the provision of affordable rental units, tenant based rental assistance, and CHDO set-aside operating funds throughout the more rural areas of New Mexico. This includes those activities intended to make existing rental units more affordable and/or improve the quality of the existing affordable rental units as well as new rental construction. New rental construction refers to the development of new multifamily rental units. The need for new multifamily rental units was categorized using a set of criteria indicated by population growth, areas of population concentration and low rental vacancy rates. The thresholds for assigning an area a high priority for new multifamily units included a population growth greater than the state's average growth for the past three years; a population larger than 10,000 people in 2012 or the county's inclusion in a Metropolitan Statistical Area, and a rental vacancy rate less than five percent. Areas were considered to have a medium priority for rental funding if they met the population threshold, had population growth greater than the state's average for the past three years, or have a rental vacancy rate less than five percent. Areas with slower growth or less population were given a lower priority for multifamily projects.

Map III.8 presents locations of rental developments. Map III.9 shows the counties served by the Tenant Based Rental Assistance (TBRA) program from 2009 through 2012, when funding for this activity ended.

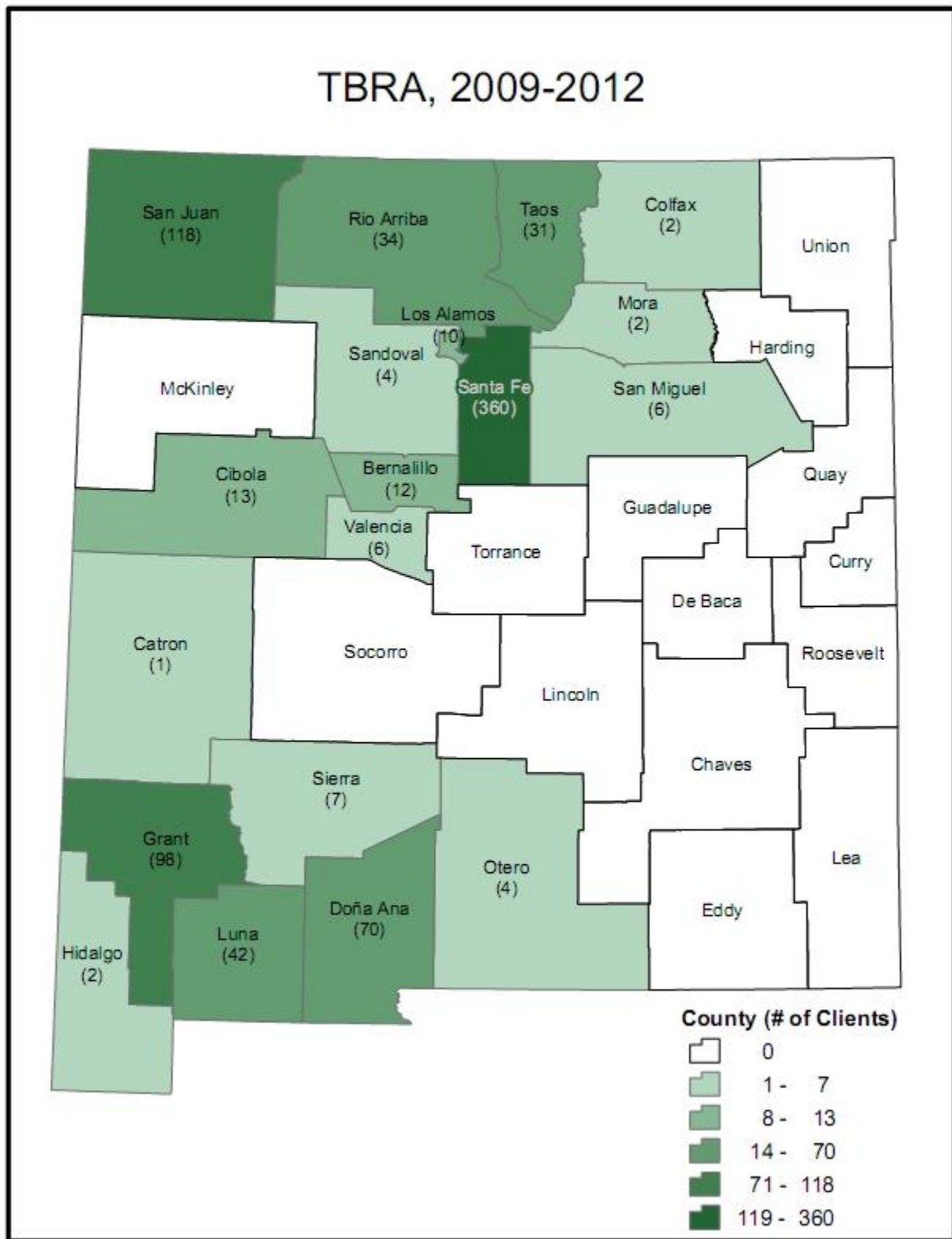
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**Map III.8**  
**HOME Rental Development Program Activity**

## Rental, 2009-2013



**Map III.9**  
**HOME Tenant Based Rental Assistance Program Activity**



## **D. ANTICIPATED USE OF RESOURCES IN 2014**

The MFA and DFA anticipate addressing a wide set of housing and community development demands on housing and community development resources over the term of the 2011-2015 five year plan, with much less funding for the 2014 Annual Action Plan. In federal funding year 2012, allocation of the largest HUD block grants was severely curtailed. Cuts to block grants for federal funding year 2013 were less severe. CDBG saw an increase of approximately 6%. After a massive 53% reduction in 2012, HOME funds experienced a smaller 4% reduction in 2013. Those cuts brought about the elimination of funding to certain HOME activities, described later in this document, and forced CDBG to fund approximately 20 less CDBG projects than previous years. CDBG had over \$9.2 million dollars in CDBG requests in 2013 and approximately \$8.6 million dollars to allocate. DFA and MFA anticipate approximately the same amount of funding in 2014 as in 2013.

### **D.1. MFA RESOURCES TO BE APPLIED IN 2014**

#### **HOMEOWNERSHIP PROGRAMS**

Several resources are available to provide first mortgages to low income, first-time (and other special populations) homebuyers. The MFA's MortgageSaver Program is primarily funded by tax exempt mortgage revenue bonds and provides a 30-year fixed rate loan available for first time homebuyers earning less than 115 percent of the area median income. The MortgageSaver and MortgageSaver Zero provide affordable financing for the first time homebuyer. The MortgageSaver Plus interest rate is similar to conventional market rates; however, the buyer receives a grant of 3.50 percent to help defray down payment and closing costs. It can also be used as a temporary interest rate reduction or to reduce the principal loan amount. With \$132,000,000 in mortgage revenue bonds, the MFA expects to create 1,050 new first time homebuyers in the next year.

For MortgageSaver loans, MFA offers the **eHome America** online counseling program. **eHome America** was designed to help more people obtain certified homebuyer education. Many people have a difficult time getting to a local HUD certified housing counseling agency office for face-to-face counseling, for reasons such as work schedules or childcare issues. This online version helps individuals get the education and certification that they need at their convenience. Each participant in this course is directly connected to a local HUD certified housing counseling agency. This ensures that participants continue to receive the face-to-face counseling they need over the phone or in-person while receiving their certification online.

MFA's Partners Program was established in 1992 to serve as a secondary market by purchasing mortgage loans made by non-profit housing development organizations, tribal organizations and public housing agencies in New Mexico to further homeownership opportunities for the lowest income New Mexico residents. The loans are structured at a zero percent interest rate and are at a term not to exceed 30 years. Eligible borrowers may not earn more than 50 percent of county/area median income for most counties and 60 percent of county/area median income for counties of high cost (determined by MFA). In order to limit the dollar amount that the Partners loans are eligible for purchase, the maximum loan-to-value ratio (LTV) will be 50 percent of the appraised value of the property. All loans must be affordable to low income borrowers; affordable is defined as paying no more than 30 percent of income for housing expenses. It is expected that 14 homebuyers will be created through the Partners Program in 2014.



Several Public Housing Authorities in the state have implemented a Section 8 Homeownership Voucher program that utilizes Section 8 vouchers or Housing Choice Vouchers to subsidize home purchases by public housing residents.

The US Department of Agriculture, Rural Development will also have resources available to subsidize home buying by low income residents in rural areas. Funds are expected from the Guaranteed Rural Housing program and the Direct Loan program both of which provide below-market rate first mortgages. It is expected that these programs will assist rural homebuyers. In addition to low cost financing of first mortgages, resources will also be utilized to provide additional homebuyer assistance. Homebuyer assistance programs are intended to provide down payment and/or closing cost assistance, and may also be used to reduce the principal loan amount or buy down the interest rate. HOME resources will be used to fund the MFA's PaymentSaver program.

PaymentSaver and Helping Hand provide down payment and closing cost assistance in the form of a second mortgage. PaymentSaver is a zero-percent interest rate, non-amortizing loan due on sale if the borrower sells, refinances, or transfers the property. PaymentSaver and Helping Hand funds are available, statewide, on a first come, first served basis. PaymentSaver and Helping Hand funds may be applied toward the down payment, closing costs, temporary interest rate buy downs and additional downpayment to reduce the principal balance of the loan. The maximum PaymentSaver loan amount is the lesser of 8 percent of the sales price or \$8,000. Or, if the borrower has a Section 8 Voucher he/she would be eligible for the SmartChoice loan of \$15,000. The Helping Hand loan amount is \$8,000.

PaymentSaver and Helping Hand loans will be available through MFA's participating lender network statewide. Nonprofit and public housing organizations will participate in the program by providing pre-purchase counseling and referring eligible homebuyers to participating lenders; PaymentSaver and Helping Hand borrowers must complete face to face pre-purchase counseling. Nonprofit organizations are encouraged to market their services to, and develop a working relationship with, lenders in their communities. In order to fully leverage available resources, the PaymentSaver and Helping Hand programs must be used with one of the following first mortgage programs:

- MFA's MortgageSaver Program - mortgages are financed with tax-exempt mortgage revenue bonds.
- HUD Section 8 Homeownership Program - Section 8 voucher subsidies are used to assist low income first-time homebuyers meet monthly homeownership expenses instead of offsetting rental expenses.
- Guaranteed Rural Housing or Rural Development Direct Loan - below-market rate mortgages financed by USDA Rural Development. Any institutional loan product that demonstrates interest rates and key terms that benefits the homebuyer as much as or more than comparable MFA loan products throughout the term of the loan.

Upwards of \$300,000 dollars is expected to be available for PaymentSaver loans that will provide assistance to first-time homebuyers, most of whom will also receive MortgageSaver.

The MFA will work closely with Public Housing Authorities operating Housing Choice Voucher programs to provide targeted outreach to public housing residents seeking to become homeowners. MFA will also work closely with nonprofit organizations, community housing development organizations (CHDOs) and local groups including those on Native American trust lands and in the colonias to ensure that PaymentSaver loans are available to residents in difficult to serve areas.

For all households that receive HOME funded PaymentSaver loans, the MFA requires they receive a minimum of eight hours of homebuyer education. MFA has taken several steps to ensure that homebuyer education is not only available in most areas of the state, but that it also meets minimum guidelines for quality. The MFA pays a counseling fee to nonprofit organizations that provide homebuyer education. MFA also provides training and certification opportunities for housing counselors statewide and assistance with curriculum development and materials. Further, MFA has taken steps to encourage the statewide availability of housing counseling programs that assist households in becoming mortgage ready.

The Mortgage Booster Program provides down payment and closing cost assistance with a maximum loan amount of \$8,000 in the form of a second 30-year fixed rate mortgage.

The HERO (Home Equity and Required Occupation) program provides a fixed rate first mortgage loan for households in which at least one member is a teacher, police officer, nurse, firefighter or an active member of the United States Armed Forces. The buyer receives a grant of 3.00 percent (3%) to help defray down payment and closing costs. It can also be used as a temporary interest rate reduction or to reduce the principal loan amount. The interest rate on the mortgage is determined by the funding source. Recipients of HERO loans are not required to be first-time homebuyers.

MFA has implemented a To Be Announced (TBA) Program to provide a source of funding other than the Mortgage Revenue Bonds (MRB) for the single family mortgage program. Additionally, the TBA program may provide a source of funding for new or existing single family mortgage programs that are not eligible to be funded with MRB proceeds. This new funding mechanism incorporates a forward commitment of mortgage loans in which the interest rates on the loans are set daily. The program could be used to finance purchase money loans as well as refinance transactions. MFA is outsourcing this function through a TBA Administrator due to the complex nature, specific expertise required and risks inherent in hedging a mortgage pipeline to be sold through a TBA contract.

## **HOUSING DEVELOPMENT PROGRAMS**

Following the enactment of the New Mexico Affordable Housing Act, new resources have become available for financing new single family affordable housing development. These resources include the New Mexico Affordable Housing Tax Credit Program and the New Mexico Housing Trust Fund. The New Mexico Affordable Housing Tax Credit Program provides an investment voucher to persons who make investments in land, buildings, materials, cash or services for affordable housing projects approved by the MFA, or cash donations to the MFA Charitable Trust. The voucher is equivalent to 50 percent of the invested value and can be used as a tax credit against the holder's liability for combined taxes, personal income taxes or corporate income taxes. The voucher can be carried forward for up to five years and may be sold, exchanged or transferred once in whole or in part to one or more persons. The MFA has been authorized to issue investment vouchers up to approximately \$3.8 million each year, which can generate over \$7.6 million in resources for investment in affordable housing.

The New Mexico Housing Trust Fund was established in 2005 to provide flexible funding for housing initiatives in order to produce significant additional housing investment in New Mexico. The fund was capitalized with an initial \$10,000,000 appropriation from the state Legislature and has received an additional \$8,200,000 since then. The legislature appropriated \$500,000 in 2014 that has not yet been received. Funds are awarded on a competitive basis to applicants who develop responsive solutions to local needs consistent with sound housing policy.

Finally, under the Affordable Housing Act, state and local governments are authorized to donate land for construction of affordable housing, to donate an existing building for conversion or renovation into affordable housing, to pay the costs of infrastructure necessary to support affordable housing projects, to pay the cost of conversion or renovation, and to pay the costs of land acquisition. Under the Act, MFA must review and approve each community's affordable housing plan, affordable housing ordinance, and affordable housing program. MFA uses general funds to assist in hiring professionals to help the communities in their efforts to produce affordable housing.

A number of different resources are available for developing new affordable housing. These include:

**542(c) Risk Sharing (HUD) & 538 (RD) Loans** – Construction and permanent loan programs aimed at the production and preservation of affordable, low income rental housing units. Both programs require set-asides for a specific number of units to be rented to lower income tenants. These loans are often combined with Low Income Housing Tax Credits and/or HOME Rental loans. Risk Sharing loans also provide credit enhancement for tax-exempt bond financing.

**ACCESS Loans** – Streamlined Risk Sharing construction and permanent loans up to \$2 million for small-scale affordable rental housing projects.

**HOME/Rental Loans** – Federal HOME funds used for gap financing for the development of affordable rental or special needs housing through either new construction or acquisition and rehabilitation of existing properties.

**HOME/Single Family Loans** – Federal HOME funds used for gap financing for purchasers of single family residences constructed or acquired and rehabilitated by approved housing developer applicants.

**Land Title Trust Fund** – The interest earned on certain title company escrow funds, finances, loans or grants to provide housing for low income persons whose household income does not exceed 80 percent of area median income and other eligible uses. MFA awards funds on a competitive basis quarterly, when funds are available, as outlined in the Notice of Funding Availability. Eligible applicants include non-profit organizations, governmental housing agencies, regional housing authorities, governmental entities, governmental instrumentalities, tribal governments, and tribal housing agencies.

**Low Income Housing Tax Credit (LIHTC)** – A federal tax-based program that encourages private investment for the construction or rehabilitation of affordable rental housing in accordance with MFA's annual Qualified Allocation Plan. MFA awards funds on a competitive basis annually, as outlined in the Qualified Allocation Plan (QAP).

**New Mexico Affordable Housing Tax Credit Program** – Provides state tax credits to individuals and businesses that provide donations of land, buildings, materials, cash or services to affordable housing projects approved by MFA or for a trust fund administered by MFA. The credit is equal to 50 percent of the value of the donation. Project sponsors can apply to be designated an eligible affordable housing project and for a reservation of credits as outlined in the Notice of Funding Availability.

**New Mexico Housing Trust Fund** – Provides financing for affordable housing initiatives targeted primarily to low and moderate income households. MFA awards funds on a competitive basis, when funds are available, as outlined in the Notice of Funding Availability. Eligible applicants include non-profit and for-profit housing developers and providers, units of local government, housing authorities and tribal entities.

**Primero Investment Fund** – This program provides loans to meet the financial needs of affordable housing development initiatives that cannot be accommodated with existing sources. For-profit and nonprofit sponsors, public or government agencies including tribal entities are all eligible to apply.

**Tax Exempt Bonds** – MFA is a qualified issuer of tax-exempt bond financing and 501(c)3 bond financing for multifamily developments. Risk Share financing can be utilized for credit enhancement. Federally mandated tenant income restrictions apply.

## **RESOURCES ADMINISTERED BY THE MFA**

### **SINGLE FAMILY DEVELOPMENT**

Applications for Single Family Development funding are restricted to certified CHDOs in good standing with MFA. Awards will be made from MFA's CHDO setaside. CHDO Operating funds will be awarded to CHDOs who successfully apply for HOME Rental or Single Family Development funding. Units financed with HOME funds must be affordable to households earning below 80 percent of the area median income adjusted for family size, may not exceed 95 percent of the median purchase price for the area, and must meet the Model Energy Code, accessibility requirements under the Fair Housing Act, and local building codes. In these projects, HOME funds may be used in combination with other down payment and closing cost assistance programs. However, all HOME subsidies combined cannot exceed \$14,999 per unit for permanent financing. Projects must demonstrate that HOME funds are needed and will enhance affordability. These funds will be drawn at the time of sale to an eligible buyer and be in the form of "junior" homebuyer loans.

### **HOUSING COUNSELING**

Several resources will be used to provide housing counseling to New Mexico households. Housing counseling includes both group and individual one-on-one counseling. Group sessions may include homebuyer education classes, financial fitness sessions, and post-purchase education. One-on-one counseling may include becoming mortgage ready, default and foreclosure prevention, and counseling for predatory lending.

HOME funds will be used to leverage additional resources for housing counseling. Approximately \$22,700 in HOME funds will be used as housing counseling fees paid to nonprofit organizations that provide homebuyer education to households that purchase a home and receive a PaymentSaver down payment assistance loan. The fee of \$350.00 per household is expected to be paid to fifteen different agencies that will provide homebuyer education to at least 60 first-time homebuyers.

### **OWNER-OCCUPIED HOUSING REHABILITATION**

HOME funds will also be used to finance a statewide housing rehabilitation program. The program's objective is to assist low income homeowners in non-entitlement areas throughout the state. Assistance can be used to pay for the costs of rehabilitation required to meet applicable codes, standards or ordinances (including HQS/UPCS standards), essential improvements, energy-related improvements, lead-based paint hazard reduction, asbestos abatement and removal, accessibility for disabled persons, repair or replacement of major housing systems, incipient repairs and general property improvements of a non-luxury nature, and site improvements and utility connections. Depending on the household's annual gross anticipated income, adjusted for family size, assistance will take the form of a non-

amortizing, zero percent interest loans, due on sale, transfer or refinance. Considering that no more than \$80,000 in HOME funds may be used per unit (excluding the soft costs incurred to test for and abate lead-based paint hazards), MFA strongly encourages the leveraging of multiple resources from the sub grantees that will deliver this program. The value of the home (as determined by appraisal or other method as approved by MFA) cannot exceed the HUD published 203(b) appraisal limits after rehabilitation. The combination of an existing mortgage loan and HOME loan cannot exceed the value of the home.

The program consists of two components. First, in order to potentially service a larger portion of the state, MFA has modified the House by House Program where the MFA continuously accepts and reviews applications for Eligible Partner Status. Project funds are available on a first-come first-served basis. The 2012 House by House Reservation Rehabilitation Program Eligible Partners will be allowed up to five open projects at one time, whereas new agencies will be allowed up to three open projects. The second component is a set-aside of MFA's administrative funds to carry out lead-based paint testing, remediation, and abatement measures in eligible owners' homes.

## **RENTAL DEVELOPMENT**

HOME funds will be used to leverage a number of these resources by providing gap financing. The priority for multifamily rental financing is for projects that will serve homeless individuals and special needs populations. HOME/Rental Development funds will provide gap financing to nonprofit and for-profit developers, public and tribal entities, and CHDOs for construction, acquisition, or acquisition and rehabilitation of affordable rental housing. Units financed with HOME funds must be affordable to households earning at or below 60 percent of the area median income adjusted for family size, and awards may be further restricted by other federal funding limits. HOME funds will be used to fill the gap between the cost of development and other sources of funding. To the extent projects are able to carry senior market-rate debt; HOME dollars will be reduced accordingly in order to maximize their efficiency. Projects must have demonstrated financing gaps and will be subject to underwriting standards that, among other criteria, verify that HOME funds are needed and will enhance affordability. Market studies, or other evidence of market need, will be required at MFA's discretion. MFA will accept and review applications on a continuous basis. Additional CHDO set-aside funds are also available to projects meeting these guidelines and developed, sponsored, or owned by certified CHDOs in good standing with MFA. CHDO Operating funds will be awarded to CHDOs who successfully apply for HOME Rental or Single Family Development funding. MFA will set aside 15 percent of its HOME allocation for CHDO development projects. Applicants are encouraged to produce units that are energy efficient and developed for low water usage. MFA will coordinate with the Department of Energy and Minerals and the Construction Industries Division on ways to ensure energy and water efficiency in new affordable housing developments. MFA will also seek to coordinate funding to promote energy efficient upgrades in affordable housing developments.

These awards will be in the form of below-market rate debt. Exceptions may be made for transitional and permanent rental housing, single room occupancy units (SROs) and group homes targeted for populations at or below 30 percent of the area median income. Staff may determine limits on the amount of funds available on an annual basis that will be awarded as grants rather than loans for these types of projects. If the majority of HOME/Rental funds are drawn prior to completion and lease-up, guaranties by entities acceptable to MFA will be required.

The HOME Rental Development program includes two components: HOME/LIHTC and HOME/Rental Incentives. HOME/LIHTC funds apply to projects that are simultaneously awarded federal Low Income

Housing Tax Credits (LIHTC) for new construction, acquisition and rehabilitation, or refinancing and rehabilitation of affordable rental housing in MFA's annual competitive round. Projects using HOME funds in conjunction with the tax credit program must meet all the conditions and requirements set forth in the applicable Qualified Allocation Plan (QAP). HOME funds will be awarded on the basis of tax credit scoring until all HOME funds allocated for this purpose have been awarded. Based on availability of funds, HOME/Tax Credit awards may not exceed the lesser of (a) \$15,000 per unit for CHDOs/\$7,500 for non-CHDOs, (b) \$600,000 per project for CHDOs/\$400,000 for non-CHDOs or (c) 80 percent of the project's total development cost. To obtain an award under the above CHDO limits the CHDO must agree to conform to HUD's CHDO Set-Aside regulations. Otherwise a CHDO would only qualify for a non-CHDO award. Award amounts and payment structures will be determined by the debt capacity of the individual project, and underwriting terms used to determine principal and payment amounts will meet the standards adopted for the LIHTC and HOME programs. Preference will be given to projects having a CHDO as developer, owner or sponsor.

A separate pool of HOME funds, HOME/Rental Incentives, cannot be used for projects that receive a competitive allocation of tax credits, although projects receiving tax credits associated with private activity bond volume cap (*i.e.* four percent credits) are eligible. Based on availability of funds, HOME/Rental Incentive awards may not exceed the lesser of (a) \$12,500 per unit for CHDOs/\$7,500 for non-CHDOs, (b) \$600,000 per project, or (c) 80 percent of the project's total development cost. The primary mortgage may be derived from tax-exempt bonds, 501(c)3 bonds, conventional loans or other sources, and award amounts and payment structures will be determined by the debt capacity of the individual project. Applications for these HOME funds will be accepted and reviewed on a continuous basis until all HOME funds allocated for this purpose have been awarded. Preference will be given to projects having a CHDO as developer, owner or sponsor.

## **TECHNICAL ASSISTANCE**

The MFA will allocate resources toward developing the capacity of local partners to produce more affordable units. MFA General Funds will be allocated to increase capacity in several areas. In 2013, funds will be allocated to improve MFA partners' capacity to: 1) develop affordable single family housing; 2) improve capacity statewide to provide owner-occupied rehabilitation; 3) support a statewide permanent supportive housing developer; 4) increase partners' capacity to produce multifamily rental housing; and 5) provide management and organizational development.

Additionally, funds will be allocated to help local governments produce housing plans. These funds will be used to provide training, to contract with experts to work closely with partners in developing housing and housing plans and where appropriate, to enter into contracts with partners for services they provide. MFA is committed to continue identifying or increasing the capacity of local non-profit organizations to administer rehabilitation projects and to undertake small development projects.

## **D.2. DFA RESOURCE USE**

Several resources are available through the CDBG and Section 108 Loan Guarantee Program.

### **CDBG**

The CDBG program requires that assistance be made available for activities that address at least one of the following: benefit principally low and moderate income families (up to 80 percent of area median income); aid in the prevention or elimination of slums or blight; or meet other community development



needs of recent origin having a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community where other financial resources are not available to meet such needs.

Under the CDBG program eligible applicants can apply for one of the following categories; community infrastructure, housing, public facility capital outlay, economic development, emergency, colonias, or planning.

CDBG community infrastructure funds can be used for eligible activities that may include, but are not limited to, the following: real property acquisition, construction or rehabilitation of the following, water systems, sewer systems, municipal utilities, roads, streets, highways, curbs, gutters, sidewalks, storm sewers, street lighting, traffic control devices, parking facilities or solid waste disposal facilities. Local governments, excluding the entitlement areas can apply once a year for up to \$500,000 in CDBG infrastructure funds.

CDBG eligible housing activities may include, but are not limited to, the following: real property acquisition; rehabilitation, clearance, demolition and removal of privately-owned or acquired property for use or resale in the provision of assisted housing, provision of public facilities to increase housing opportunities; financing the repair, rehabilitation and in some cases reconstruction of privately-owned residential or other properties through either loan or grant programs; certain types of housing modernization, temporary relocation assistance; code enforcement; or historic preservation activities not to exceed sixty five thousand dollars (\$65,000) for home rehabilitation/repair activities. Local governments, excluding the entitlement areas can apply throughout the year for up to \$500,000, as long as funds are available.

CDBG public facility eligible activities may include, but are not limited to, such items as real property acquisition; construction or improvement of community centers, senior citizen centers, nonresidential centers for the handicapped such as sheltered workshops; other community facilities designed to provide health, social, recreational or similar community needs. Local governments, excluding the entitlement areas can apply once a year for up to \$500,000 for CDBG public facilities.

CDBG economic development funds can be used to assist communities in the promotion of economic development. Eligible economic development activities may include, but are not limited to, acquisition of real property; construction, reconstruction rehabilitation, or installation of public facilities; site improvements; utilities; commercial or industrial buildings or structures; other commercial or industrial real property improvements or planning. Local governments, excluding the entitlement areas can apply throughout the year for up to \$500,000 for CDBG economic development funds, as long as funds are available.

CDBG emergency funds provide funding for emergency projects that address life-threatening situations resulting from disasters or imminent threats to health and safety and are of recent origin when other financial resources are not available to meet such needs. Local governments, excluding the entitlement areas can apply throughout the year for up to \$500,000 for CDBG emergency funds, as long as funds are available.

CDBG planning funds may include, but are not limited to, items like consolidated plan and special studies such as base mapping, aerial photography, geographic information systems, or global positioning; satellite studies; improvement of infrastructure capital improvement plans and individual project plans; development of codes and ordinances that further refine the implementation of the

comprehensive plan; climate change mitigation and adaptation plans; preliminary engineering reports (according to USDA/RUS guidelines); related citizen participation or strategic planning processes; or other functional or comprehensive planning activities; asset management plans or regionalization of infrastructure and service delivery. Applicants may apply for up to \$50,000 for CDBG planning funds throughout the year, as long as funds are available.

An application workshop will be held in October 2013 for all eligible applicants with the application submission due in January of 2014. DFA will review CDBG applications on the rating and ranking criteria identified in the CDBG Rules and Regulations. Once the rating and ranking is complete, a recommendation is submitted to the CDC. Qualified applicants are allowed to speak on behalf of their applications and answer any questions before the CDC at a scheduled application hearing. With the recommendations from staff and the information provided at the hearing, the CDC allocates CDBG funds in an open public meeting. The Section 108 Loan Guarantee will use a method of distribution similar to the CDBG program.

DFA will ensure that at least 70 percent of CDBG funds are used for activities that benefit low to moderate income persons.

Up to ten percent of the annual CDBG allocation will be set-aside for colonias areas. Specific colonias activities include water, sewer and housing improvements, which are the three conditions that qualify communities for designation to be carried out in areas along the US - Mexican border. Colonias eligible applicants are municipalities and counties located within 150 miles of the US - Mexico border. Colonias must be designated by the municipality or county in which they are located.

Two percent plus \$100,000 for administration, and one percent for technical assistance (TA) of the annual CDBG allocation will be set-aside. Technical Assistance is provided to grantees in order to increase capacity of grantees carrying out eligible CDBG activities. Technical assistance visits to CDBG grantees help avoid problems and improve performance. Technical assistance ranged from project file set up and pre-construction conference attendance as well as one-on-one CDBG implementation training and preparation for the CDBG applications. DFA staff also provides in-house TA.

Program income is no longer applicable for CDBG. Any remaining balances are allocated at the discretion of the Community Development Council (CDC) for planning, housing, economic development and/or emergency projects.

## **SECTION 108 LOAN GUARANTEE PROGRAM**

Section 108 is the loan guarantee provision of the CDBG program. Section 108 Loan Guarantee Program provides communities with a source of financing for economic development, housing rehabilitation, public facilities, and large-scale physical development projects. Activities eligible for Section 108 Loan Guarantee Program financing include: economic development activities eligible under CDBG, acquisition of real property, rehabilitation of publicly owned real property, housing rehabilitation eligible under CDBG, construction, reconstruction, or installation of public facilities (including street, sidewalk, and other site improvements), related relocation, clearance, and site improvements, payment of interest on the guaranteed loan and issuance costs of public offerings, debt service reserves, public works and site improvements in colonias; and in limited circumstances, housing construction as part of community economic development, Housing Development Grant, or Nehemiah Housing Opportunity Grant programs.



For purposes of determining eligibility under the Section 108 Loan Guarantee Program, the CDBG rules and requirements apply. As with the CDBG program, all projects and activities must either principally benefit low and moderate income persons, aid in the elimination or prevention of slums and blight, or meet urgent needs of the community.

The principal security for the loan guarantee is a pledge by the state of its current and future CDBG funds. Additional security will also be required to assure repayment of guaranteed obligations. The additional security requirements will be determined on a case-by-case basis, but could include assets financed by the guaranteed loan.

The maximum repayment period for a Section 108 Loan Guarantee Program is 20 years. HUD has the ability to structure the principal amortization to match the needs of the project and borrower. Each annual principal amount will have a separate interest rate associated with it.

### **NSP-3**

The NSP-3 program is administered by the Kaspia Group. NSP-3 funds the purchase and rehabilitation of foreclosed, single-family properties. After rehabilitation, the homes are sold to families whose incomes are below 120 percent of area median income ("AMI"). NSP-3 eligible homebuyers can be assisted in the form of a "soft second" mortgage loan which is calculated using the homebuyer's income, previously agreed upon closing costs, and up to one half of the down payment. All benefits are based on the homebuyer's finances to determine the assistance needed to purchase a home.

The NSP-3 program will also be used to provide homebuyer counseling for any eligible NSP-3 homebuyers. During the counseling, some of the items discussed are preparing for homeownership, how to obtain a mortgage, how to negotiate a purchase, the closing process and maintaining the home after purchase.

## **E. INVESTMENT OF HUD RESOURCES IN 2014**

Over the upcoming five-year planning cycle, and initiating in plan year 2014, the following represents how both the MFA and DFA will allocate its resources. However, because nearly all the HUD HOME and CDBG program activities are based upon a competitive process, with the financed projects being selected through a competitive bidding process, precise descriptions are not yet possible. However, the following narrative provides some indications as to how the upcoming geographic ranking will be accomplished.

### **E.1. DFA METHODOLOGY FOR ADMINISTERING CDBG PROGRAM RESOURCES IN 2014**

The Community Development Council (CDC) and DFA have developed rating and ranking criteria for evaluation of CDBG projects. The selection criteria in the rating and ranking system will give priority to projects that firmly demonstrate the following: need, appropriateness, impact, and benefit to low and moderate income persons. Rating and ranking criteria can be found in Rule 2.110.2 of the New Mexico Administrative Code.

### **E.2. MFA METHODOLOGIES FOR ADMINISTERING HOME PROGRAM RESOURCES IN 2014**

The MFA has updated its set of ranking criteria to reflect the most current data available. Down payment assistance will continue on a first-come, first-served basis and colonias and Native American

trust lands will be assigned extra points in all competitive grant applications. Furthermore, developers of any new construction will be made aware of the construction accessibility requirements of both the federal Fair Housing Act and Section 504 of the Rehabilitation Act of 1973. MFA is not investing HOME funds in ways other than those allowed in 24 CFR 92.205(b).

The 2014 project categories are:

- Homebuyer Assistance
- Owner-Occupied Rehabilitation
- New Single Family Development
- Rental Acquisition and Rehabilitation
- New Rental Construction
- CHDO Operating Funds

Ten percent of HOME funds are designated for administrative fees, including subgrantee administrative costs for the owner occupied rehab and lead-based paint remediation activities.

## **F. OBSTACLES IN MEETING UNDERSERVED NEEDS**

Even though there are a variety of resources available, they are insufficient to address the degree of housing and community development needs in the state of New Mexico. The state has many high-poverty, low-employment areas with aging and substandard housing stock and many infrastructure needs. Meeting the needs in the colonias, in particular, remains especially difficult, due to the significant lack of even minimal infrastructure capacity. Additionally, using federal funds on tribal lands presents its own set of unique challenges, including having a clear title to land, placing encumbrances on land, and working with a number of tribal entities and political systems. Land grant communities face the same obstacles as tribal lands because the land is not owned by individuals. Finally, there is a lack of capacity or a distribution network in many rural New Mexico communities, which makes it difficult to deliver services where they are needed.

## **IV. HOUSING AND COMMUNITY DEVELOPMENT STRATEGIES**

### **A. 2011-2015 HOUSING AND COMMUNITY DEVELOPMENT PLAN SUMMARY**

The following list presents the overriding strategies and goals of the New Mexico Five-Year Consolidated Plan for Housing and Community Development, including selected performance criteria associated with each strategy and goal. Furthermore, there may be a need to direct such housing resources by use of project selection criteria, which may be updated annually, based upon year-to-year need and local circumstances.

The strategies the state will pursue over the next five years are as follows:

- Expand the supply of quality affordable housing
  - Provide multifamily rental new construction
  - Finance multifamily acquisition and rehabilitation
  - Enhance homeowner new construction
- Increase opportunities for homeownership
  - Provide financial assistance to prospective homeowners
  - Assist with single-family acquisition/rehabilitation
- Preserve the state's existing affordable housing stock
  - Provide resources for owner-occupied homeowner housing rehabilitation
  - Finance multifamily rehabilitation
- Provide housing for special needs populations, including persons with HIV/AIDS
  - Encourage the development of special needs housing with services
  - Expand housing opportunities and access for special needs populations
  - Fund non-profit entities providing housing and related services for persons living with HIV/AIDS
- Reduce the incidence of homelessness
  - Increase the number of available living environments, primarily transitional and permanent housing situations
  - Increase the level of services provided to the homeless and persons at risk of homelessness
- Enhance the quality of New Mexico's infrastructure and public facilities
  - Fund improvements to non-CDBG entitlement area water/wastewater systems and streets
  - Fund infrastructure improvements in the colonias
  - Enhance the accessibility and usefulness of public facilities
  - Encourage planning that includes comprehensive planning, asset management, preliminary engineering reports and any other studies or plans listed in rules and regulations
  - Encourage more housing-related activities
  - Encourage more economic development projects

Each of the strategies identified above, as well as the objectives consistent with each strategy are discussed in greater detail below. Performance measurement criteria are presented at the end of each strategy narrative.

## **STRATEGY 1: EXPAND THE SUPPLY OF QUALITY AFFORDABLE HOUSING**

The population throughout New Mexico continues to increase, and this growth is occurring more quickly in the urban areas and more slowly in the rural areas of the state. The demand for quality affordable homeowner and rental housing will continue to rise along with population, but at different rates depending on the local community's economic, demographic and housing market conditions. The goal of the MFA's housing programs is to serve low and moderate income households while distributing program resources equitably and in response to specific needs around the state. The MFA will also continue to work with CHDOs, for-profits, nonprofits, regional and local housing authorities, tribal housing entities, lenders, cities, municipalities, counties and other state agencies to facilitate new homeownership and rental housing development.

### **OBJECTIVES**

#### **Provide Multifamily Rental Housing New Construction**

Because New Mexico's population is expanding but a portion of the population may not be ready for homeownership, there remains a need to provide affordable new construction for rental opportunities. The new construction needs to be handled in a thoughtful manner that takes into consideration the issues of the entire community.

This objective can be accomplished through the following goals:

- Encouraging leveraging of federal resources to generate multifamily rental housing new construction
- Facilitating CHDO set-aside resources for multifamily new construction
- Funding new multifamily rental construction
- Funding energy efficient rental construction

#### **Conduct Multifamily Acquisition and Rehabilitation**

Because New Mexico's population is expanding and persons still may prefer to rent rather than own, there remains a need to acquire additional and suitable rental opportunities.

This objective can be accomplished through the following goals:

- Encouraging leveraging of federal resources to stimulate multifamily rental housing acquisition and rehabilitation
- Facilitating CHDO set-aside resources for multifamily acquisition and rehabilitation
- Funding multifamily acquisition and rehabilitation

#### **Enhance Homeowner New Construction**

Because New Mexico's population is expanding and many people wish to have the financial capability to be homeowners, there remains a need to provide affordable new construction for single family homeownership. Recognizing the current market conditions, new construction needs to be handled in a thoughtful manner that takes into consideration the issues of the entire community.

This objective can be accomplished through the following goals:

- Assuring that mortgage funding is available to prospective eligible homeowners, with such new homes defined as new construction and new manufactured housing installations on permanent foundations
- Funding energy efficient residential development
- Facilitating the donation of state and local land, buildings, infrastructure or cash resources for the development of affordable housing single family projects

#### **PERFORMANCE MEASUREMENT CRITERIA**

##### **Provide Rental Housing New Construction:**

*Availability/Accessibility:* The number of eligible households that benefit from new rental construction

*Affordability:* The number of affordable rental housing units that have been built

*Sustainability:* The number of affordable rental housing units that have been added to the affordable rental housing stock

##### **Conduct Multifamily Acquisition and Rehabilitation**

*Availability/Accessibility:* The number of eligible households that benefit from multifamily acquisition and rehabilitation

*Affordability:* The number of multifamily rental units that have been acquired, rehabilitated, and are affordable

*Sustainability:* The number of multifamily rental units that have been acquired, rehabilitated and added to the affordable rental housing stock

##### **Enhance Homeowner New Construction:**

*Availability/Accessibility:* The number of eligible households that benefit from new construction

*Affordability:* The number of affordable single family units that have been built for homeownership

*Sustainability:* The number of affordable single family units that have been added to the stock affordable housing units

## **STRATEGY 2: INCREASE OPPORTUNITIES FOR HOMEOWNERSHIP**

MFA and its service partners are committed to enhancing opportunities for homeownership to Income eligible citizens.

#### **OBJECTIVES**

##### **Provide Financial Assistance to Income Eligible Homebuyers**

This objective can be accomplished through the following goals:

- Furnishing homebuyer education classes, financial counseling and post-purchase educational opportunities
- Providing loans, financing and access to credit to income qualified buyers
- Providing down payment assistance, providing closing cost assistance, reducing the principal loan amount, or buying down the interest rate

##### **Assist with Single Family Acquisition and Rehabilitation**

This objective can be accomplished through the following goals:

- Funding owner-occupied rehabilitation
- Redeveloping owner-occupied home sites with homes that are unsuitable for rehabilitation
- Providing emergency repair, weatherization or accessibility improvements to owner-occupied housing units
- Funding home loans for the acquisition and rehabilitation of existing housing units

#### **PERFORMANCE MEASUREMENT CRITERIA**

##### **Provide Financial Assistance to Income Eligible Homebuyers:**

*Availability/Accessibility:* The number of eligible households that have received educational training, financial counseling or post-purchase educational opportunities

*Affordability:* The number of eligible households that have been able to purchase their first home

*Sustainability:* The number of affordable units that have been acquired by homebuyers through MFA assistance

##### **Assist with Single Family Acquisition and Rehabilitation:**

*Availability/Accessibility:* The number of homeowner households that have benefited from acquisition and rehabilitation

*Affordability:* The number of affordable units that have undergone acquisition and rehabilitation

*Sustainability:* The number of affordable units that have been rehabilitated and added to the stock of affordable housing units

### **STRATEGY 3: PRESERVE THE STATE'S AFFORDABLE HOUSING STOCK**

The state of New Mexico has many housing units that are indicative of key cultural and societal values, but at the same time these units are in need of repair and maintenance. Furthermore, some areas of the state are growing slowly or even losing population, thereby affecting demand for existing structures in need of upkeep. It is the position of the MFA that efforts need to be taken to preserve properties suitable for repair as well as those properties with historic, architectural or cultural value for future generations.

#### **OBJECTIVES**

##### **Conduct Owner-Occupied Homeowner Housing Rehabilitation**

This objective can be accomplished through the following goals:

- Facilitating owner-occupied housing rehabilitation
- Redeveloping owner-occupied home sites having homes that are unsuitable for rehabilitation
- Providing emergency repair, weatherization or accessibility improvements to owner-occupied units
- Funding home loans for the acquisition and rehabilitation of existing housing units

## **Implement Rental Rehabilitation**

This objective can be accomplished through the following goals:

- Encouraging leveraging federal resources to stimulate rental housing acquisition and/or rehabilitation
- Facilitating CHDO set-aside resources for rental rehabilitation
- Funding rental rehabilitation

### **PERFORMANCE MEASUREMENT CRITERIA**

#### **Conduct Owner-Occupied Homeowner Housing Rehab:**

*Availability/Accessibility:* The number of eligible homeowner households that have received such rehabilitation

*Affordability:* The number of affordable housing units that have been repaired

*Sustainability:* The number of affordable homeowner units that have been rehabilitated and remain affordable

#### **Implement Rental Rehabilitation:**

*Availability/Accessibility:* The number of eligible households that have benefited from multifamily rehabilitation

*Affordability:* The number of rental units that have undergone rehabilitation and remain affordable

*Sustainability:* The number of units that have been rehabilitated and become additions to the affordable rental housing stock

## **STRATEGY 4: PROVIDE HOUSING FOR SPECIAL NEEDS POPULATIONS, INCLUDING HIV/AIDS**

Throughout the state of New Mexico, there remain a number of groups with developmental, physical and other disabilities that are in need of housing and housing-related services, including persons living with HIV or AIDS. Furthermore, areas of the state have these needs in varying degrees.

### **OBJECTIVES**

#### **Encourage the development of special needs housing with services**

This objective can be accomplished through the following goals:

- Providing grants for pre-development costs for special needs housing development
- Providing low-interest loans to make accessibility improvements for people with disabilities
- Providing financial incentives for supportive housing for the elderly, persons with mental or physical disability, and other special needs populations

#### **Expand housing opportunities and access for special populations.**

This objective can be accomplished through the following goals:

- Providing funds to make accessibility improvements to existing rental housing for people with

disabilities

- Providing financial incentives for the development of rental housing supportive services for the elderly, persons with physical or mental disability and other special needs populations
- Provide rental assistance for persons with special needs
- Provide basic information about fair housing rights, reasonable accommodations and modifications processes to all community partners involved with MFA's Special Needs (SN) Housing program

**Fund entities providing housing and related services for persons with special needs, including HIV positive persons and persons living with AIDS.**

This objective can be accomplished through the following goal:

- Providing funds to non-profit organizations that serve people with special needs, including those who are HIV-positive and/or are living with AIDS, such as short-term rent, mortgage and utility payments, continued rental assistance for low income households, and related supportive services
- Promote the leveraging of CDBG, ESG, HOME, McKinney-Vento Continuum of Care, HUD's special voucher programs and state Housing and Services funds, with new funding sources
- Support the development of supportive housing units for extremely low income households (30 percent of AMI or below) and households with incomes below the poverty line

**PERFORMANCE MEASUREMENT CRITERIA**

**Encourage the development of special needs housing with services:**

*Availability/Accessibility:* The number of persons served with housing or with housing-related services; the number of households served with housing or with housing-related services

*Affordability:* The number of housing units that have been made available for the special needs populations

*Sustainability:* The number of units that have been made available for the special needs populations and added to the affordable housing stock

**Expand housing opportunities and access for special needs populations:**

*Availability/Accessibility:* The number of special needs persons served; the number of households served with housing or with housing-related services, the number of affordable rental units that have been made accessible for the special needs populations

*Affordability:* The number of rental units that have been created or modified for accessibility and that remain affordable

*Sustainability:* The number of units that have been made accessible and added to the affordable housing stock

**Fund entities providing housing and related services for persons with special needs, including HIV-positive persons and persons living with AIDS.**

*Availability/Accessibility:* The number of HIV/AIDS households served with housing without related services; the number of HIV/AIDS households served with housing and related services

*Affordability:* The number of HIV/AIDS households that were assisted without services; the number of HIV/AIDS households that were assisted with services



*Sustainability:* The number of HIV/AIDS households that were added to the HIV/AIDS available stock of units

## **STRATEGY 5: REDUCE THE INCIDENCE OF HOMELESSNESS**

While the population is continuing to grow, the incidence of homelessness remains a troublesome difficulty for the state. The MFA is committed to reducing the incidence of homelessness throughout New Mexico.

### **OBJECTIVES**

#### **Increase the level of services provided to people experiencing homelessness:**

This objective can be accomplished through the following goals:

- Enhancing homeless prevention activities, to include counseling and other training opportunities
- Expanding rapid re-housing activities to include rental assistance and stabilization services

#### **Increase the number of available living environments**

This objective can be accomplished through the following goals:

- Improving the data collection methods for determining homeless populations, especially in rural areas
- Expanding the supply of transitional housing units for people experiencing homelessness
- Expanding the supply of permanent supportive housing for people experiencing homelessness

### **PERFORMANCE MEASUREMENT CRITERIA**

#### **Increase the level of services provided to people experiencing homelessness:**

*Availability/Accessibility:* The number of homeless persons provided with services; the number and types of services provided to persons experiencing homelessness

*Affordability:* The number of persons who gained a stable transitional or permanent housing situation

#### **Increase the number of available living environments:**

*Availability/Accessibility:* The number of homeless persons using a transitional housing unit; the number of homeless persons placed in permanent supportive housing units

*Affordability:* The number of transitional housing units created; the number of permanent supportive housing units created

*Sustainability:* The number of previously homeless persons in transitional housing; the number of previously homeless persons placed in permanent supportive housing

## **STRATEGY 6: ENHANCE THE QUALITY OF INFRASTRUCTURE, PUBLIC FACILITIES AND HOUSING**

DFA has the responsibility of administering the state's CDBG Program. This program is directed outside of the state's CDBG entitlement communities.

This strategy will include a focus on providing a suitable living environment through:

- Water, wastewater and streets: Funds will be allocated to improve the infrastructure for low and moderate income persons and priority will be given to those projects that are shovel-ready.
- Colonia: Funds will be allocated to improve the infrastructure and housing needs in the colonias and priority will be given to those projects that are shovel-ready.
- Public facilities: Funds will be allocated to projects that support human service needs through funding emergency services, special needs groups, seniors, elderly and disabled individuals in order to be supportive of communities in the state and service low and moderate income persons; priority will be given to those projects that are shovel-ready.
- Planning: Funds will be allocated to communities that update their comprehensive plans, new comprehensive plans, asset management plans, preliminary engineering reports, and other plans and studies identified in rules and regulations.

The strategy will also focus on providing decent housing through allocating funding to projects related to housing activities for low to moderate income persons and priority will be given to housing rehabilitation projects. Expanding economic opportunities will be achieved through allocating funds to projects that improve economic opportunity for low and moderate income persons and priority will be given to projects that create and/or retain jobs. Provide emergency funding to those projects that address life-threatening situations resulting from disasters or imminent threats to health and safety.

## **OBJECTIVES**

### **Enhance the quality of New Mexico's Infrastructure, Public Facilities, and Housing**

This objective can be accomplished through the following goals:

- Funding improvements to non-CDBG entitlement area water/wastewater systems and streets
- Funding infrastructure improvements in the colonias
- Enhancing the accessibility and usefulness of public facilities
- Encourage planning that includes comprehensive planning, asset management, preliminary engineering reports, and any other studies or plans listed in rules or regulations
- Encourage more economic development projects
- Funding emergency projects that address life-threatening situations from disasters or imminent threats to health and safety.

## **PERFORMANCE MEASUREMENT CRITERIA**

### **Enhance the quality of New Mexico's Infrastructure, Public Facilities and Housing:**

*Availability/Accessibility:* The number of water or wastewater projects and streets completed; the number of colonias projects completed, by type of project; the number of planning projects that will provide readiness; the number of housing units produced and/or rehabilitated

*Affordability:* The number of eligible persons assisted with new water or wastewater systems; the number of persons within colonias assisted with water/wastewater or other infrastructure projects; the number of eligible persons who the improved facilities will serve

*Sustainability:* The economic development benefits imparted to each community receiving the enhanced infrastructure investments, including the colonias; the economic development benefits imparted to each community whose public facilities have been improved

## **B. ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

In exchange for federal funds, the state of New Mexico is required to submit to the U.S. Department of Housing and Urban Development (HUD) certification that it is affirmatively furthering fair housing. This certification has three elements and requires that the state:

- Complete an Analysis of Impediments to Fair Housing Choice (AI);
- Take actions to overcome the effects of any impediments identified through the analysis; and
- Maintain records reflecting the actions taken in response to the analysis.

HUD defines impediments to fair housing choice in terms of their applicability to local, state and federal law. In New Mexico, barriers would include:

- Any actions, omissions or decisions taken because of race, color, religion, national origin, sex, familial status, mental or physical disability, ancestry, sexual orientation, gender identity, and spousal affiliation (protected classes) which restrict housing choices or the availability of housing choice.
- Any actions, omissions or decisions which have the effect of restricting housing choices or the availability of housing choice on the protected classes previously listed.

### **B.1. FAIR HOUSING CERTIFICATION**

In accordance with the applicable statutes and regulations governing the Consolidated Plan, the MFA and DFA certify that they will affirmatively further fair housing. This means that the MFA and DFA have conducted an Analysis of Impediments (AI) within the state, will take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis. To that end, the following Affirmative Marketing policy was adopted by MFA.

#### **Affirmative Marketing Procedures**

MFA and all local units of government and CHDOs that participate in or receive HOME funds to assist five or more units must comply with 24 CFR Part 92 Subpart H 92.351. In order to comply, affirmative marketing procedures and requirements must be adopted.

Each grant recipient must display in public view, English and Spanish version posters affirming Equal Housing Opportunity as amended under the Fair Housing Amendments Act of 1988.

MFA certifies that HOME program funds will be awarded in accordance with the non-discrimination and equal opportunity requirements set forth in the program regulations. MFA will provide the recipients with all applicable non-discrimination laws. Recipients will be provided with procedures outlining corrective action for non-compliance. The Minority Business Directory can be obtained by accessing the MFA website at <http://www.housingnm.org/relevant-federal-regulations>.

MFA will require grant recipients to establish appropriate procedures and requirements to affirmatively market units in the HOME projects and to assess the results of their efforts in accordance with the HOME program regulations. Procedures and requirements must include the following:

- The methods for informing the public, owners, and potential tenants about the federal fair

housing laws and the grant recipient's affirmative marketing policy.

- The requirements and practices for owners to follow in complying with the grant recipient's affirmative marketing procedures and requirements.
- The special outreach procedures to be used by owners to inform and solicit applications from persons in the housing market area who would not otherwise apply. The owner may wish to use community organizations, places of worship, employment centers, fair housing counseling agencies, social service centers, and other resources for this outreach.
- The owner must maintain a listing of all tenants residing in each unit at the time of application submittal through the end of the compliance period.
- The owner must maintain a file containing all marketing efforts (i.e. copies of newspapers, calls, letters, etc.).
- Records must be kept on file describing efforts and results of grant recipients and owners in affirmatively marketing units.
- Owner advertisement of vacant units must contain the fair housing opportunity logo or statement.

DFA implements the following actions to reduce the barriers to affirmatively further fair housing:

- DFA provides fair housing training to all grantees during the yearly implementation workshop. The training covers additional laws of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 and provides awareness of the fair housing complaint system.
- DFA requires all grantees to conduct a fair housing self-analysis, develop a fair housing resolution or proclamation and conduct a fair housing activity annually. Examples of fair housing activities include; coloring contests, community housing fairs, etc.
- Each grantee must display in public view, English and Spanish version posters affirming Equal Housing Opportunity as amended under the Fair Housing Amendments Act of 1988.
- NSP-3 program requires developers to submit an affirmative fair housing marketing plan. The plan specifically targets potential tenants and homebuyers who are least likely to apply for NSP housing, in order to make them aware of available affordable housing opportunities.

## **B.2. A SUMMARY OF THE 2010 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

The 2010 Analysis of Impediments for the state of New Mexico uncovered several issues that can be considered barriers to affirmatively furthering fair housing and, consequently, impediments to fair housing choice. These issues are as follows:

- Lack of understanding of fair housing, including:
  - Lack of knowledge of fair housing laws by both housing consumers and providers;
- Lack of awareness and use of fair housing complaint system;
- Lack of understanding of differences between affirmatively furthering fair housing, affordable housing production, and rights and responsibilities in the landlord/tenant transaction.
- Discrimination in the rental markets, particularly against the following protected classes:
  - Disability, especially in the form of failure to make reasonable accommodation;
  - Race;
  - National origin;
- Familial status.
- High loan denial rates for racial and ethnic minorities as well as a greater proportion of high

- interest rate loans for racial and ethnic minorities, leading to greater risk for foreclosure.
- Limited role of the New Mexico Human Rights Bureau.
- Land use and development practices may leave units of local government open to criticism for not operating in the spirit of affirmatively furthering fair housing.

## **SUGGESTED ACTIONS TO CONSIDER**

In response to these listed impediments, MFA and DFA will consider taking the following actions:

Enhance understanding of fair housing by:

- Orchestrating fair housing education opportunities such as online presentations or seminars for the following groups:
  - Housing consumers and the general public
  - Housing stakeholders such as property managers, lenders and others involved with the provision of housing
- Increasing awareness of the complaint system through distribution of flyers or brochures to include information regarding:
  - Protected classes under state and federal law
  - Types of discriminatory issues
  - How to file a complaint
- Enhancing understanding of what constitutes affirmatively furthering fair housing by organizing required training for:
  - Representatives of MFA and DFA
  - Representatives of MFA and DFA HOME and CDBG grantees
- Improve understanding of credit markets through enhanced homebuyer training. Topics should include:
  - How to establish and keep good credit
  - How to recognize the attributes of a predatory loan
- To address the perception of local land use and development practices that may not be in the spirit of affirmatively furthering fair housing, prepare a selection of “best practices” to be distributed to grantees of all housing-related activities. Then, open a dialogue with grantees about this particular issue.

## **B.3. ACTIONS MFA WILL TAKE IN 2014**

During the 2014 program year, MFA will take the following actions in regard to its certification to affirmatively further fair housing:

- Enhance knowledge of fair housing law and issues that are illegal and who is protected under state and federal law, particularly for members of minority racial and ethnic groups.
- Enhance knowledge and use of complaint systems and where to turn in case of alleged fair housing violation, particularly for members of minority racial and ethnic groups and areas of high concentration of lower income households.
- Enhance understanding of credit markets, how to establish and keep good credit, and the attributes of a predatory loan, particularly for lower income resident and minority racial groups that have higher denial rates and originated loans that have higher interest rate terms.
- Provide basic information about fair housing rights, reasonable accommodations and modifications processes to all community partners involved with MFA’s Special Needs (SN) Housing program

These activities will be implemented in such a fashion to ensure that those who tend to be most affected by fair housing violations, such as racial and ethnic minorities, particularly lower income persons and renters, will have an enhanced understanding of fair housing. MFA has established a line item in its budget to track fair housing related expenses in order to report to HUD on expenditures. We have also added to our Personnel Activity Report, or PAR, a line to track the time spent by MFA staff on fair housing related activities.

#### **B.4. ACTIONS DFA WILL TAKE IN 2014**

During the 2014 program year, DFA will take the following actions in regard to its certification to affirmatively further fair housing:

- Enhance knowledge of fair housing laws and issues that are illegal and clarify who is protected under state and federal law, particularly for members of minority racial and ethnic groups by distributing information through flyers and handouts. DFA will also conduct trainings annually on fair housing laws.
- Require all CDBG grantees to develop and adopt a fair housing resolution or proclamation annually.
- Require all CDBG grantees to conduct a fair housing activity annually.
- Require all CDBG grantees to conduct a fair housing self-assessment to better assess the fair housing needs in their community.

#### **C. BARRIERS TO AFFORDABLE HOUSING**

A number of barriers to affordable housing exist in the state of New Mexico. In the north central and middle Rio Grande regions, high land costs are a barrier to affordability. It has been stated that anti-growth initiatives, impact fees and zoning, subdivision and building codes further increase costs. When median income does not increase as quickly as housing costs, many families qualify for housing assistance but cannot afford to live in the available housing. This results in families living long distances from their place of employment, creating bedroom communities that strain the existing infrastructure and disrupt the social fabric of some of New Mexico's oldest communities.

In the very rural areas of the state, the lack of a housing market, i.e., lack of supply, lack of management entities in those areas, and/or no comparison sales, creates large barriers to buying and selling housing and even financing rehabilitation of existing units. Rural areas also often lack sites zoned for multifamily rental housing and the administrative capacity to develop affordable housing. In the remainder of the state, barriers include household credit issues, diminished construction lending, lack of financial knowledge, lack of building contractors, and lack of basic physical infrastructure.

Many of these issues—poor credit histories, scarce comparables and the lack of a construction workforce—are exacerbated in Lea County as a result of the oil industry. Lea County is experiencing a housing shortage, as high oil prices and energy-related economic development drive population growth. Despite high wages, oil field workers in particular face challenges in obtaining mortgage financing due to poor credit histories and gaps in credit counseling. The relatively transient nature of their work also makes them more likely to rent. Higher construction costs exist because high wages in the oil fields result in a dearth of employees in other lower-paying sectors, including construction, causing construction workers to be imported from other areas. Finally, housing prices and comparables in rural areas of Lea County continue to reflect previous “bust” periods rather than current demand due to the

low number of recorded home sales. Investors have therefore been cautious to develop in these areas and perceptions of low housing values persist.

The greatest barriers to homeownership are lack of verifiable income and little or bad credit of potential borrower households. A large number of these are working poor with sufficient income to purchase housing but who lack medical insurance and as a result have unpaid medical bills. In addition, there is a general lack of knowledge about the home buying process, financial management and the real estate market. Lack of knowledge is a significant barrier for a number of New Mexico households who are recent immigrants, have limited English proficiency, general lack of education or live in colonias or on tribal lands.

These populations are particularly vulnerable to predatory lending and other predatory practices such as illegal land sales and subdivisions. Households that lack knowledge are also more likely to purchase manufactured housing or land with higher financing costs. Unique barriers exist on Native American trust lands including an inability to prove income due to artisan cash trade and continuing challenges of financing on trust lands. For people with disabilities, the lack of available affordable and accessible or adaptable housing units is a barrier.

The rural nature of the state makes it difficult to develop and maintain a construction industry outside of the metropolitan areas. The lack of a construction industry in small town New Mexico is a barrier to affordable housing in that it results in higher material and labor costs and restricts housing supply. This changed somewhat due to the slump in new housing construction during this economic downturn, when more firms became willing to work on affordable housing projects in rural areas. The lack of available contractors threatens the state's ability to preserve existing affordable housing units. Further, there is a shortage of the necessary skill sets among those contractors, such as lead-based paint abatement certification. This drives the costs of preserving existing housing even higher.

There are a number of additional challenges to affordable housing construction in the state including new codes that were effective as of July, 2008, differences in code interpretation among jurisdictions, rising insurance costs, liability and a large number of substandard manufactured housing units that cannot be rehabilitated. Leveraging of resources to perform rehabilitation creates complexity in terms of regulations, additional contracts and environmental reviews. A large challenge is the HOME regulations which prevent accessibility modifications without bringing the entire unit up to code.

Local jurisdictions largely determine land use, zoning, growth limits, fees and charges that affect the return on residential investment in New Mexico. Residential development in many areas of the state is constrained by water supply. Some communities in New Mexico have adopted strategies to limit or slow growth. These areas are generally high-cost communities, where the return on residential investment is generally high. Slow and no-growth policies in areas where demand for housing is strong are likely to contribute to increasing housing costs.

As previously noted, MFA's single family mortgage program has historically been funded through the issuance of tax exempt mortgage revenue bonds. However, due to the volatility in the bond market and historically low mortgage rates, the program has become increasingly difficult to fund in a manner that provides a low interest rate subsidy to low income, first-time homebuyers. As an alternative source of funding for this program, MFA has been utilizing the TBA (To Be Announced) market whereby the mortgage loans are sold into the secondary market. However, this source of program funding also experiences market volatility. MFA's dependency on capital markets to fund its single family mortgage program creates challenges that must be managed on a day-to-day basis through the setting of



mortgage rates, tracking of bond yields and available TBA pricing.

MFA and the state of New Mexico will take the following actions to remove barriers to affordable housing:

- Strengthen delivery channels and build capacity to develop and rehab housing in underserved areas;
- Increase the capacity of current organizations to provide housing counseling and homebuyer education around the state; and
- Encourage universal design or adaptability in new construction of single family and multifamily homes.

#### **D. LEAD-BASED PAINT HAZARDS**

Housing units built before 1940 are most likely to contain lead-based paint. Units built between 1940 and 1978 have a lesser risk (lead was removed from household paint after 1978), with many older units having few if any problems depending on construction methods, renovation and other factors.

According to the 2011 American Community Survey, there were 908,168 housing units in the state of New Mexico. Of the 762,285 occupied units, 244,281 were occupied by renters and 523,004 by home owners. The remainder, 140,883, was vacant. However, of the roughly 908,168 housing units counted in the 2011 American Community Survey, approximately 49 percent were constructed prior to 1980, as noted in Table IV.1 below, a period of time when lead-based paint was common.

<b>Table IV.1</b>	
<b>Housing Units by Tenure in the State of New Mexico</b>	
2011 American Community Survey 1-Year Estimates	
Occupied Housing Units	767,285
Owner-Occupied	523,004
Renter-Occupied	244,281
Vacant Housing Units	140,883
<b>Total Housing Units</b>	<b>908,168</b>

In fact, the risks to renters and homeowners vary significantly by tenure and by year. Using HUD's estimates of the proportion of housing units at risk of lead-based paint hazards by tenure and vintage, Table IV.2, below, indicates that more than 437,737 housing units are at risk of lead-based paint hazards, or more than 57.05 percent of the occupied housing stock (767,285 total occupied units).



Table IV.2				
Lead-Based Paint Risks to Occupied Housing Units in the State of New Mexico				
2011 American Community Survey 1-Year Estimate, 5-Year Estimate				
Year Built	Owner-Occupied	Renter-Occupied	Total Occupied Housing Units	Total Housing Units (Including Vacant)
Built 1939 or Earlier	23,535	11,481	35,016	40,868
Built 1940 to 1959	74,790	39,085	113,875	135,317
Built 1960 to 1979	142,257	78,414	220,671	261,552
<b>Total Housing Units</b>				
Built 1979 or Earlier	240,582	128,980	369,562	437,737

To overcome these prospective hardships, the MFA works in partnership with the regional Environmental Protection Agency office, DFA, Public Housing Authorities and other local partners to increase the number of trained, licensed and certified personnel able to determine the risks of lead hazards and any corresponding remediation measures of pre-1978 housing in New Mexico. Although housing rehab activities are underway and MFA applies the Lead-Safe Housing Rule uniformly, there still appear to be insufficient personnel trained in lead-safe work practices, licensed risk assessors and abatement contractors available in the state to perform remediation.

MFA will again set aside a portion of the state's formula HOME administrative allocation for eligible lead-based paint assessment and remediation activities. This effort to make available additional funds for lead hazard remediation and abatement has encouraged additional businesses and organizations to receive appropriate training in order to provide these remediation services. Additionally, MFA will continue to train its partners throughout the state in the Lead-Safe Housing Rule and encourage sub-grantees and professionals statewide to receive formal training and any applicable lead-based paint certifications in an effort to improve the efficiency of the rehabilitation services delivery system.

Prior to NSP properties being acquired for rehabilitation, a Lead-Based Inspection is conducted on houses built prior to 1978. Only certified abatement contractors are used to stabilize the surfaces containing lead-based paint. During re-sale of NSP homes, lead-based paint pamphlets are provided to homeowners and a lead-based paint disclosure is executed by both parties acknowledging if there was the presence of lead-based paint on that the property.

## **E. ANTI-POVERTY STRATEGY**

The role the MFA performs in reducing poverty is to foster and promote self-sufficiency and independence. To better empower individual and families toward this goal, the following strategies will be implemented:

- Promote sustainable economic development through affordable housing and other community development activities;
- Assist households in achieving housing stabilities, which in turn reduces the likelihood of poverty;
- Encourage rental projects to provide services to tenants, including financial literacy;
- Maintain a strong relationship with the New Mexico Coalition to End Homelessness to enhance

and promote stabilization of homeless individuals and families and encourage transition to stable, permanent housing situations;

- Enhance efforts to educate the public and interested persons about available supportive services that foster self-sufficiency and independent living arrangements; and
- Assist low income households in reducing energy costs.

## **F. ANTI-DISPLACEMENT POLICY**

Displacement occurs when a person moves as a direct result of federally-assisted acquisition, demolition, conversion, or rehabilitation activities, because he or she is:

- Required to move, or
- Not offered a decent, safe, sanitary and affordable unit in the project, or
- Treated “unreasonably” as part of a permanent or temporary move.

The term *displaced person* means any person that moves from real property or moves his or her personal property from real property permanently as a direct result of one or more of the following activities:

- Acquisition of or written notice of intent to acquire, or initiation of negotiations to acquire, such real property, in whole or in part, for a project.
- Rehabilitation or demolition of such real property for a project.
- Rehabilitation, demolition, or acquisition (or written notice of intent) of all or a part of other real property on which the person conducts a business or farm operation, for a project.

A person may also be considered displaced if the necessary notices are not given or provided in a timely manner and the person moves for any reason.

When a substantial number of persons will be displaced from their dwellings, the MFA and DFA ask owners to encourage the residents and community organizations in the displacement area to form a relocation committee. The committee shall include, when applicable, residential owner occupants, residential tenants, business people, and members of existing organizations within the area. In lieu of initiating a new process of citizen participation, public entities, which have conducted or are conducting a citizen participation process as part of an existing development program, will be utilized and committees they formed may be substituted if the goals of citizen participation will be reached.

During the relocation planning process the MFA and DFA will, at a minimum, guarantee the following:

- Timely and full access to all documents relevant to the relocation program.
- The provision of technical assistance necessary to interpret elements of the relocation plan and other pertinent materials.
- The right to submit written or oral comments and objections, including the right to submit written comments on the relocation plan and to have these comments attached to the plan when it is forwarded to the local legislative body or the head of the state agency for approval.
- Prompt written response to any written objections or criticisms.
- Assurances that families living in the project area will be given the opportunity, if feasible, to return to the project area after completion of project activities.

The following narrative describes the activities that the state of New Mexico will undertake for each of

the formula grant programs to which it receives funding: the HOME, CDBG, ESG, HPRP, NSP and HOPWA programs.

DFA requires grantees to adopt by resolution an Anti-Displacement and Relocation Plan annually regardless of whether the grantee is undertaking relocation activities.

This plan includes a description of the proposed activity, the location on a map and approximate number of units described by size that will be demolished, a time schedule for commencement and completion of the demolition or conversion, the number of dwelling units described by size (number of bedrooms) that will be provided as replacement dwelling units, the sources of funding and time schedule for the provision of replacement units, and the basis for concluding that each replacement unit will remain a low or moderate dwelling unit for 10 years from the date of initial occupancy.

The plan describes a displacement strategy, which includes steps to minimize or prevent displacement, actions to assist displaced persons to remain in their present neighborhoods, and actions to otherwise mitigate adverse effects of displacement. The plan complies with Section 104(d) of the Housing and Community Development Act of 1974.

## **V. ONE YEAR ACTION PLAN**

### **A. MFA ADMINISTERED HOME PROGRAM**

HOME funds will be invested, at a minimum, as a zero percent interest due-on-sale loan for all activities except CHDO operating expenses. Rental projects that provide transitional and permanent rental housing, SROs (Single Resident Occupancy units) and group homes targeted for populations at or below 30 percent of the area median income may receive a grant instead of a loan.

#### **A.1. MFA RESOURCES TO BE APPLIED IN 2014**

When necessary, HOME funds will be recaptured due to a unit's noncompliance with HOME affordability requirements. Affordability is ensured through the recordation of restrictive covenants accompanied by a lien filed on the property. To ensure affordability, MFA has chosen the recapture provision over the resale option as discussed in HOME Investment Partnerships Program found in 24 CFR 92.254(a)(5).

#### **RESALE AND RECAPTURE GUIDELINES**

In general, all HOME activities require the borrower or beneficiary to execute, at a minimum, a Restrictive Covenants Agreement. All loans are due upon sale, transfer or refinance of the property. In the case of the DPA program, mortgage liens are placed in second position behind MFA's first time homebuyer mortgage backed security (MBS) program loans. In MFA's Owner-Occupied Rehabilitation program, these liens can assume a variety of positions, including first. Finally, in the case of MFA's Rental New Construction and Rehabilitation programs, a Land Use Restriction Agreement is executed along with the note and mortgage to ensure long term compliance with HUD guidelines. All guidelines under which repayment must be made are spelled out in the note, mortgage and/or restrictive covenant documents, depending upon the activity.

For Rental Projects, the length of the affordability period is based on the amount of HOME funds invested in the property, as well as on the nature of the activity funded.

Activity	Average Per-Unit HOME	Minimum Period	Affordability
Rehabilitation or Acquisition of Existing Housing	<\$15,000 15,000 - \$40,000 >\$40,000	5 years 10 years 15 years	
Refinance of Rehabilitation Project	Any dollar amount	15 years	
New Construction or Acquisition of New Housing	Any dollar amount	20 years	

In the case of foreclosure on the property during the period of affordability, MFA files an answer and monitors the foreclosure. If there are any excess funds at the foreclosure sale, MFA will file a claim for those funds. This demonstrates that MFA has made every effort to recover the HOME funds on behalf of HUD. After the period of affordability, MFA files a disclaimer to the property.

In the case of a bankruptcy during the period of affordability, MFA files an answer and proof of claim on the property thus establishing MFA's interest in the property. After the period of affordability, a disclaimer is filed.

## Recapture guidelines:

Down Payment Assistance Program, Single Family Development Program (Recapture): Notes and mortgages are executed by the borrower for these loans. If the property is sold, refinanced or transferred and any or all of the loan is unpaid and outstanding, and the net proceeds, from the sale, refinance or transfer are equal to or greater than the total amount of borrower's investment (down payment or equity), plus the balance due on the loan, then borrower will pay to lender the entire balance due on the loan including any accrued and unpaid interest. However, if the net proceeds from the sale, refinance or transfer of the property are less than the total amount of borrower's investment plus the balance due on the loan, borrower and lender will share the net proceeds of such sale, refinance or transfer, and will divide such proceeds pursuant to the following mathematical formula:

$$\frac{\text{Balance due on the Loan}}{\text{Balance due on the Loan} + \text{Borrower Investment}} \times \text{Net Proceeds} = \text{HOME (Loan) Amount Recaptured by MFA}$$

$$\frac{\text{Borrower Investment}}{\text{Balance due on the Loan} + \text{Borrower Investment}} \times \text{Net Proceeds} = \text{Amount to Borrower}$$

For the purposes of this mortgage, the term "Net Proceeds" means the sales price of the property, less the amount necessary to repay any superior loans secured by the property, with the exception of the loan secured by this mortgage and less any closing costs associated with such sale, refinance or transfer.

Rental New Construction and Rehabilitation: Any unpaid balance of these loans is due in full during the period of affordability or upon the sale or transfer to an ineligible party.

## HOME MATCH

Match requirements of the HOME program will be met by three primary sources: resources committed by grantees and local governments, proceeds from mortgage revenue bonds and MFA general fund interest subsidy. MFA qualifies for a 50% match reduction granted by HUD for FY 2013. This reduction was based on the comparison of the state's percentage of families in poverty of 13.7% being greater than 12.4% - or 125% of the average national rate for families in poverty of 9.9% (numbers on the ACS 2005-2009 5-Year Estimates from Census), effective March 20, 2013.

## REFINANCE OF EXISTING DEBT

MFA may, at its discretion, use HOME funds for refinancing only when needed in order to permit or continue affordability of single family and rental units when rehabilitation is the primary activity. MFA's underwriting standards for an initial investment of HOME funds would apply: adequacy of management and owner, feasibility of project to meet operational and debt service requirements, consistency with market, and review of total development costs and sources available to meet these needs. The required period of affordability will be consistent with the HOME regulations based on the activity and the HOME per unit subsidy. This would be available jurisdiction-wide. The HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.

## **B. LOW INCOME HOUSING TAX CREDIT PROGRAM**

The New Mexico LIHTC Qualified Allocation Plan (QAP) is drafted on an annual basis to be consistent with the state of New Mexico Consolidated Plan and Annual Action Plans. The QAP supports the development of affordable housing by setting priorities for those rental development projects that target the highest levels of affordability, for the longest period of time, in areas the rental housing is most needed and for the populations in most need of housing. Point categories are reviewed annually. The Qualified Allocation Plan Draft for 2014 is available on MFA's website at <http://www.housingnm.org/publications>. It outlines the point categories, with the specific ranking criteria, as presented in Appendix B to this Plan.

## **C. HOMELESS STRATEGIC PLAN AND COORDINATION WITH THE CONTINUUMS OF CARE**

A number of resources are expected to be available to address homeless needs in the state. These include Emergency Solution Grants, competitive Continuum of Care (CoC) Grants and state Homeless Assistance funds. The MFA provides resources from its General Fund to support activities of the New Mexico Coalition to End Homelessness.

In New Mexico, two CoCs address homeless needs in different regions of the state. These regions are depicted geographically in Map V.1, on the following page. The New Mexico Coalition to End Homelessness (NMCEH) coordinates both CoCs, but separate staff and offices are responsible for the Albuquerque and Balance of State CoCs. The Albuquerque CoC is coordinated by staff in Albuquerque under the direction of the City of Albuquerque Department of Family and Community Services, which is the applicant. A separate office located in Santa Fe coordinates the Balance of State CoC. The idea of merging the two CoC's was explored in the past year, but those involved in both CoC's came to the conclusion that it would be best to remain separate.

The New Mexico Coalition to End Homelessness (NMCEH) was founded in 2000 to coordinate statewide efforts to end homelessness. Founded as a partnership between a group of nonprofit agencies and the MFA, it has three major areas of operation: to support homeless service agencies in New Mexico, to educate people in New Mexico about homelessness, and to advocate for solutions to homelessness at the state Legislature and other government bodies.<sup>3</sup> The mission of the New Mexico Coalition to End Homelessness is "to assist communities to create solutions to homelessness from prevention through permanent housing by using action, advocacy, and awareness". In addition to administering both CoCs in New Mexico, NMCEH also offers training and technical assistance to nonprofit agencies and other groups in New Mexico, partners with other organizations to create supportive housing, manages the New Mexico Homeless Management Information System, and is engaged in campaigns to end veteran homelessness and to adequately fund the national and state housing trust funds.

The data shown below was gathered by the NMCEH in its Point in Time count. The purpose of the Point in Time (PIT) Count is to count the number of people who experienced homelessness in the state on one night. This provides a snapshot of how many people experience homelessness at a single point in time. The PIT count also provides an opportunity to collect some basic demographic information about those who experience homelessness in our communities. This information is a critical part of New Mexico's Continuum of Care application to the US Department of Housing and Urban Development for federal funding for programs that serve people experiencing homelessness. This information also provides

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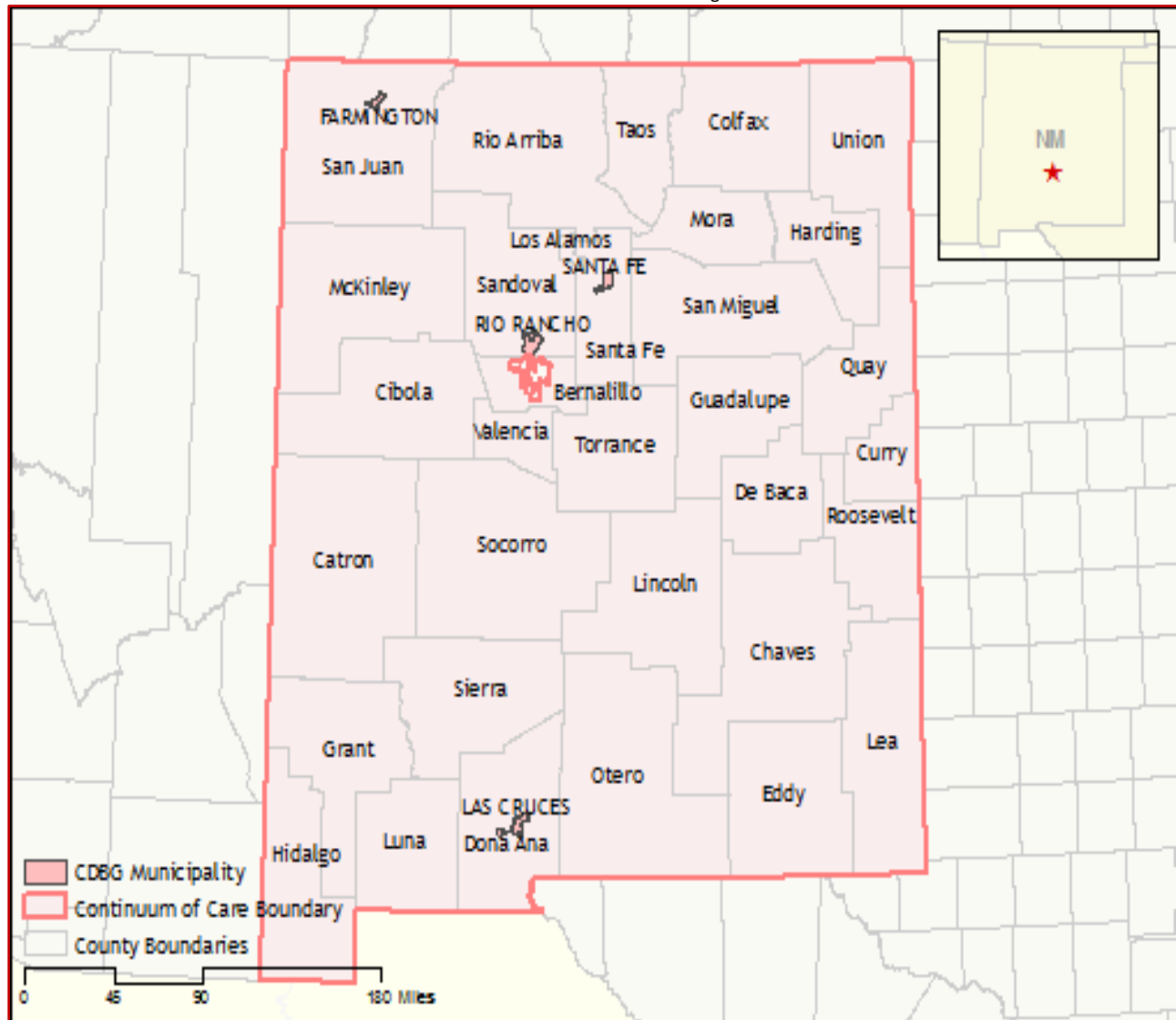
<sup>3</sup> <http://www.nmceh.org/pages/about1.html>

baseline data about the number of people who experience homelessness that can be used when designing policies and programs.

The map below gives illustrates the areas of New Mexico served by both of the Continuums of Care.

**Map V.1**  
**Regions Served by Continuums of Care**

HUD Homelessness Resource Exchange



The 2013 Point-in-Time Counts performed by both CoCs provide a helpful estimation of the homeless population in New Mexico. Combining the counts provided by the two CoCs, it was estimated that 2,818 persons were homeless in the state in 2011, as shown in Table V.1.<sup>3</sup> Counts also identified 404 homeless families with children.

<b>Table V.1</b> <b>Homeless Population</b> State of New Mexico Continuums of Care <sup>4</sup>				
Homeless Population	Sheltered		Unsheltered	Total <sup>5</sup>
	Emergency	Transitional		
Individuals	1,042	308	354	1,704
Persons in Families with Children	453	588	73	1,114
<b>Total</b>	<b>1,495</b>	<b>896</b>	<b>427</b>	<b>2,818</b>
Families with Children	179	186	39	404

The Point in Time Counts also gathered additional data on the ages and of homeless people. Information on ages is presented in Table V.2, below.

<b>Table V.2</b> <b>Characteristics of Albuquerque Homeless Population, by Gender</b> New Mexico 2013 Point in Time Counts		
Ages	#	%
Under 18	723	26%
18 to 24	413	15%
Over 24	1,674	59%
<b>Total</b>	<b>2,818</b>	

Persons interviewed as part of the Point in Time Counts were also asked if they were veterans of the armed services. As seen in Table V.3, below, 14 percent of the persons counted were veterans of the armed services.

<b>Table V.3</b> <b>Veteran Status</b> Statewide + Albuquerque 2013 Point in Time Counts		
	#	%
Veterans	243	9%
Non Veterans	2,575	91%
<b>Total</b>	<b>2,818</b>	

In November of 2012 the New Mexico Coalition to End Homelessness convened a task force to develop a plan as a basis for NMCEH efforts to end homelessness in New Mexico. The task force included state agency personnel, non-profit agency personnel, advocates for the homeless and formerly homeless people. The plan is modeled after the federal plan and has the following overall goals with comments about how they will be implemented in New Mexico:

- Build the community and political will needed to end homelessness.
  - Building community and political will require community education.
  - The Albuquerque Mayor's initiative, "Heading Home" and his continuing support is an example of political will.

<sup>4</sup>The numbers provided in the table are exact sums of numbers provided by each of the CoCs in their Gaps Analysis Charts. As such, errors or discrepancies in the numbers provided in the individual charts are repeated in the population summary.



- Another example is the creation of the New Mexico Housing Trust Fund.
- Increase access to stable and affordable housing.
  - Two common barriers to increased housing access are domestic violence and a history of evictions.
  - Obtaining more funding to build more supportive housing is crucial for this goal.
  - For many homeless people to stabilize their lives it is necessary to have supportive services coupled with housing; housing alone is not enough.
- Increase economic security.
  - Education, training, and literacy programs are important to increasing economic security.
- Improve health and stability.
  - The scope of this category includes physical health, behavioral health, and substance abuse treatment and prevention.
- Rebuild the homeless crisis response system.
  - The system must include prevention and follow-up as well as response to an immediate crisis.

#### **D. EMERGENCY HOMELESS ASSISTANCE (EHAP)**

The MFA administers the Emergency Homeless Assistance Program which is funded through HUD's Emergency Solutions Grant (ESG) program and an appropriation of the state of New Mexico to the state Homeless Program. This program continues funding for emergency shelter operations and provides certain essential services to individuals with an increased emphasis on local collaboration to maximize all resources, with a federal goal of reducing lengths of homeless episodes and reducing new and return entries into homelessness.

Emergency Homeless Assistance uses ESG and state homeless funds for homeless assistance to carry out activities such as emergency shelter operations, essential services and data collection using the Homeless Management Information System, or HMIS. Qualifying individuals must meet HUD's definition of homelessness.

All funds are distributed on a competitive basis to eligible local governments, tribal entities, and nonprofit organizations. Funds will be renewed annually with periodic requests for proposals to identify new providers. Restrictions on funding amounts include:

- No organization will receive more than 15 percent of the total funds available.
- Limits to activities under Emergency Homeless Assistance will be in place.
- Administrative awards are issued to units of local government including local Public Housing Authorities.
- Tribal entities and regional housing authorities are not eligible to receive federal ESG funds and will receive only state homeless funds.

#### **E. RENTAL ASSISTANCE PROGRAM (RAP)**

The MFA administers the Rental Assistance Program (RAP) which is funded through HUD's Emergency Solutions Grant (ESG) and an appropriation of the state of New Mexico to the state Homeless Program. The Rental Assistance Program (RAP) uses ESG and state homeless funds for to carry out activities such as homeless prevention assistance and rapid re-housing assistance which fall within ESG's eligible activities of housing relocation and stabilization services and rental assistance. Qualifying households

must be at or below 30 percent AMI, meet HUD's definition of homelessness or be at imminent risk of homelessness, and must have the means to achieve sustainable housing following program assistance as demonstrated through a housing stability plan. The local agency determines the length of assistance to be provided in its jurisdiction; however, ESG rental assistance may not exceed 24 months of assistance within three years.

ESG funds are distributed on a competitive basis to eligible local governments, tribal entities, and nonprofit organizations. Tribal entities and regional housing authorities are not eligible to receive federal ESG funds and will receive only state homeless funds.

Match requirements of the ESG program will be met by sub grantees in an amount at least equal to their approved ESG funding amounts for eligible activities. Matching funds must be contributed to the ESG program and expended for the recipient's or subrecipient's allowable ESG costs. Matching funds are derived primarily using five sources and will vary depending on the agency: fund raising or cash, in-kind donations, non-profit grants including the United Way, and other federal funds, which may or may not pass through the state of New Mexico.

#### **F. CONTINUUM OF CARE PERFORMANCE PROGRAM (CoC)**

The Continuum of Care Performance Program (CoC) uses state homeless funds and is operated in conjunction with the local CoC renewal process. Funds are awarded through limited source procurement to agencies renewing CoC awards, based on HUD performance measures and an adjustment factor to transition from the current program structure to the new program structure. State funds to address homelessness are used to provide incentives for agencies to meet and exceed HUD's performance measures for CoC programs, targeting these resources to where they can be most effective. Agencies may use funds for a variety of eligible activities tied to operating a CoC program, including supportive services, operations of supportive housing programs, new construction, and rehabilitation.

#### **G. HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM**

The objective of the Housing Opportunities for Persons with AIDS (HOPWA) formula grant program is to address the high incidence of immunodeficiency syndrome cases that may cause low income persons in New Mexico to become homeless by providing housing assistance and related supportive services for said persons and their families. MFA is the state formula grantee for the HUD HOPWA formula grant program, which includes both the City of Albuquerque allocation and the New Mexico nonentitlement allocation.

Funding under the HOPWA program will be available to units of local government and non-profit organizations that serve people who are HIV-positive and/or are living with AIDS to provide short-term rent, mortgage and utility payments (STRMU) to prevent the homelessness of the tenant or owner of a dwelling, to provide continued tenant based rental assistance (TBRA) for low income households, permanent housing placement for deposits or to secure permanent housing and to provide supportive services including, case management, drug and alcohol abuse treatment and counseling, day care, personal assistance, nutrition services, intensive care when required, and assistance in gaining access to local, state and federal government benefits and services. Supportive services also include health/medical services such as assistance with medical premiums, medical care while the client is waiting to get on insurance, medical copays, eye exams and glasses and dental treatment for health costs that are not covered under state compensation programs, an insurance policy or federal or state

health benefits health benefits program. Health services may only be provided to individuals with AIDS or related diseases and not to their family members.

A percentage of the HOPWA grant is allocated for administrative funds which will be divided between MFA and sub grantees for program administration. The specific allocation is determined annually but will not exceed any statutory limit. HOPWA funding is allocated to sub-grantees based upon a competitive RFP including a renewal option. Funding for HIV/AIDS service provision and delivery is currently allocated to three regional Health Management Alliances (HMAs). The HMA agencies and HOPWA providers provide a high level of coordinated services. However, they face the obstacle of providing these services across a broad, rural area, where transportation and accessibility of other care is limited.

## **H. NEIGHBORHOOD STABILIZATION PROGRAM (NSP)**

In 2009 the US Department of Housing and Urban Development (HUD) awarded the state of New Mexico \$19.6 million for the Neighborhood Stabilization Program (NSP-1) provided through HUD's Community Development Block Grant (CDBG) Program as authorized by the US Housing and Economic Recovery Act of 2008 (HERA). HUD established NSP-1 to provide emergency assistance to state and local governments to assist in the redevelopment of foreclosed and abandoned properties that might otherwise become sources of abandonment and blight within their communities and to respond to declining home values. The state of New Mexico retained \$392,000 to administer the program and awarded NSP1 funds as follows: City of Albuquerque \$7 million, City of Santa Fe \$2million, City of Las Cruces \$1.5million, and MFA \$8,7million. The NSP-1 program is reaching its conclusion.

The NSP-3 program is funded by a HUD grant awarded to DFA. The Kaspia Group, Inc. administers the NSP-3 federal grant, which funds the purchase and rehabilitation of foreclosed, single-family properties. After rehabilitation, the homes are sold to families whose incomes are below 120 percent of AMI. NSP-3 also funds certain financing assistance to eligible homebuyers.

### **Terms of NSP-3 Financing Assistance**

Each homebuyer must obtain a mortgage loan from a private mortgage lender. To further increase the affordability of an NSP-3 home purchase, NSP-3 makes available to eligible homebuyers financing assistance in the form of a soft second mortgage loan, down payment assistance, and/or closing costs assistance. The total amount of NSP-3 assistance provided to a homebuyer will be secured by a promissory note (NSP-3 note) and mortgage with restrictive covenants (NSP-3 mortgage), and is provided as a zero percent loan, forgivable after the homebuyer has fulfilled the applicable affordability period.

### **Affordability Period**

The NSP-3-funded financing will be forgivable at the end of the term of five, 10, or 15 years, based on the amount of the NSP-3 assistance provided to the homebuyer. If the homebuyer receives assistance in an amount exceeding \$40,000, such amount is forgiven at a rate of 6.67 percent per year on the anniversary date of the NSP-3 note for 15 years. If the homebuyer receives assistance in an amount equal to or exceeding \$15,000 but less than or equal to \$40,000, such amount is forgiven at the rate of 10percent of the principal balance per year on the anniversary date of the NSP-3 note for 10 years. If the homebuyer receives assistance in an amount less than \$15,000, such amount is forgiven at the rate of 20percent of the principal balance per year on the anniversary date of the NSP-3 note for five years.

Grant Amount Per Home	Minimum Period of Affordability
Under \$15,000	5 years
\$15,000 to \$40,000	10 years
Over \$40,000	15 years

Resale during Affordability Period: If a homebuyer sells, refinances, or otherwise arranges for an ineligible transfer of the property, prior to the end of the affordability period, NSP-3 funds will be **recaptured** by the DFA out of the net proceeds of the sale in accordance with HUD regulations and the NSP-3 note and NSP-3 mortgage. The NSP-3 note does not have a prepayment penalty.

### **Other NSP3 Requirements**

- Homebuyers must occupy the home as their primary residence.
- A homebuyer's private mortgage loan (i.e.—first mortgage) debt to income ratio must be in line with FHA standard guidelines.
- Homebuyers must obtain a mortgage loan with a 15 or 30-year fixed rate, fully amortizing term.
- Homebuyers must complete eight hours of homebuyer counseling from a HUD-approved certified counseling agency.

## **I. DFA ADMINISTERED CDBG PROGRAM**

The Community Development Council (CDC) is responsible for allocating grants under the CDBG program to assist local communities with basic infrastructure and community development needs.

The CDBG Rules and Regulations govern the CDBG appropriation from the HUD. As part of their administrative responsibility, the CDC and DFA continue to provide technical assistance to prospective applicants and grantees. The nature of these programs requires a thorough outreach effort to ensure that units of local government are aware of program requirements. The CDC and DFA assure local entities and citizens of the state of New Mexico that public comment will be solicited should the council choose to make any substantial changes to these application regulations. These hearings are held annually.

In 2012, allocation of the largest HUD block grants was severely curtailed. CDBG saw a massive decrease of approximately 35percent. DFA anticipates the same level of reduced funding for the next few years.

### **Administration**

DFA staff provides technical assistance (TA) to grantees in order to increase capacity of grantees carrying out eligible CDBG and NSP activities. Technical assistance visits to CDBG and NSP grantees help avoid problems and improve performance. Technical assistance ranged from project file set up and pre-construction conference attendance as well as one-on-one CDBG implementation training and preparation for the CDBG applications. DFA staff also provides in-house TA.

DFA provides the following training to CDBG grantees in addition to technical assistance:

- Conduct two large workshops every year – CDBG Application Workshop and CDBG Implementation Workshop. The Application Workshop includes but is not limited to the following items; national objectives, survey methodology, asset management, environmental,

citizen participation, and ethics in the workplace. The Implementation Workshop includes but is not limited to the following items: program administration, property acquisition, anti-displacement and relocation, financial administration, citizen participation, fair housing, environmental review, public works projects, basic CDBG, monitoring and closeout, labor standards, Section 3, engineering agreements, architect agreements, public improvements and bid documents.

- Provide support and presentations at the state's annual Infrastructure Finance Conference.

Additional administrative duties for the CDBG program are as follows:

- DFA staff rate and rank all CDBG applications every December-February
- DFA staff prepare award letters and grant agreements
- DFA staff review all federal regulations including citizen participation, anti-displacement-relocation, fair housing, Section 3, and equal employment opportunity requirements. All contracts are to be reviewed including engineering, architectural, planner and contractor plans and specifications for every CDBG project.
- DFA staff review on a quarterly basis reporting requirements for all grantees.
- Review, approve and complete budget, change of scope of work, and time extension requests for CDBG projects
- Complete audit reviews and archiving Procedures
- Work with counties, municipalities, mayors, county commissioners, grants administrators, non-profits, legislators, and other state agencies on a daily basis.
- DFA staff evaluates and prepares the CDBG Implementation Manual for Grantees.
- DFA staff evaluates and prepares the CDBG Application for Grantees.

## **I. SECTION 108 LOAN GUARANTEE PROGRAM**

According to state and federal law, the maximum amount of loan guarantee commitment that any eligible local government may receive may be limited to \$7million pursuant to 24 CFR 570.705, and the maximum amount of loan guarantee commitments statewide may not exceed an amount equal to five times the amount of the most recent grant received by the State of New Mexico CDBG Program (approximately \$42 million in loan guarantees at the current allocation level). This level of funding allows the local government to participate in larger projects, avoid referendums for infrastructure financing, compete with larger local governments for business relocations, and provide smaller businesses the ability to access funds at approximately corporate AAA bond rates.

HUD requires that underwriting analysis be conducted in accordance with 24 C.F.R. 570.482(e) (2) and Appendix A of 24 C.F.R. Part 570. DFA could require additional underwriting standards, criteria or review as needed.

## **K. MONITORING AND AUDIT REQUIREMENTS**

### **MFA PROCEDURES**

MFA mandates annual monitoring for all programs, whether federal or state funded. MFA's Community Development monitoring staff is highly skilled in monitoring all program requirements, including beneficiary income qualification, habitability standards, financial capability, adherence to program regulations and environmental clearance procedures. In addition to MFA's Community Development department staff, the Asset Management department also assists in conducting unit inspections for HOME, ESG and HOPWA. The staff continues to hone its skills by participating in program specific training provided by HUD. This includes passing scores in the Certified HOME Specialist – Regulations and Certified HOME Specialist - Administration course offered by Community Planning and Development of HUD. MFA has ensured that monitoring requirements are carried out in accordance with the HUD rules for HOME, ESG and HOPWA, by using a database specifically designed for tracking monitoring visits. Annual risk assessments are conducted for all programs. MFA's Community Development staff conducts contract-based program compliance monitoring for HOME, ESG, HOPWA, NSP, and Weatherization programs. Risk assessments are conducted annually by the program managers, with monitoring schedules planned from the results of the assessments.

MFA's Asset Management staff conducts long-term compliance monitoring for HOME-funded single-family and multifamily rentals in accordance with the guidelines set out in 24 CFR Part 92, including income eligibility, certification and recertification, and habitability. The database assists in tracking the timeliness of those monitoring visits so that all monitoring frequency requirements are met.

The goal of the formal annual compliance review is to ensure compliance with and provide technical assistance relating to federal regulations, state policies and program procedures. During the compliance review, the following information is documented:

- Administrative Policies and Procedures
- Financial Records/Program Income
- Beneficiary Selection Policy
- Marketing Plan, Procedures
- Lead-Based Paint Regulations/Health Department Quarterly Reports
- Beneficiary File Reviews
- If required, HQS or UPCS Inspections

MFA provides written compliance reports to each subgrantee following compliance reviews. Reports indicate compliance issues and remedial actions required of the subgrantee. Remedial actions must be documented and reported by the subgrantee in writing to MFA within 30 days of the date of the letter. Subgrantee performance issues and remedial actions are also indicated. Remedies for subgrantee nonperformance and noncompliance status include corrective and probationary action, suspension, and termination. MFA limits funding to entities that indicate successful capacity through adherence to federal regulations and MFA policies and procedures.

### **DFA PROCEDURES**

All CDBG grantees are required to be monitored once a year for the life of the project and each CDBG project has two years to be completed (18 months for planning). NSP grantees are monitored more frequently than once a year. Therefore CDBG and NSP staff conduct both interim monitoring and close

out monitoring to ensure that all federal and state requirements are being followed.

DFA staff monitors grantees for compliance with the CDBG and NSP program requirements. DFA staff conduct both desk reviews and on site monitoring reviews. Desk reviews involve examining information and materials provided by grantees to track performance and identify any potential problem areas. Staff performing desk reviews examine: environmental documentation, construction documents, professional services contracts, request for proposals, progress reports, financial information and any other documents in regards to performance. On-site review involves comprehensive monitoring of overall program administration as well as individual beneficiary information, project files and verification of the project site.

DFA staff applies five basic elements to conducting monitoring visits. Below is a summary of the steps that are taken to conduct on site monitoring visits:

- Grantees are notified in writing of the purpose of the visit, when the planned visit will happen, what time the visit will happen and what areas will be covered during the visit.
- An entrance conference is usually scheduled with the chief elected official of the grantee and DFA to provide a clear understanding of the purpose of the monitoring.
- All necessary documentation is reviewed using a CDBG monitoring checklist (provided to grantees at implementation) in order to gather information to be included in the monitoring letter.
- An exit conference is held at the end of the monitoring visits to discuss the results of the monitoring. Grantees are given 10 days to provide DFA with documentation that may not have been provided during the monitoring visit.
- Within 45 days, DFA provides grantees with a monitoring letter of what was found during the review. Occasionally, monitoring will result in determining that certain activities or the absence of certain activities will raise an issue of concern or violate program or statutory requirements for which a finding or concern is issued. A concern is defined as a deficiency in program performance not based on statutory, regulatory or other program requirements. A finding is defined as a deficiency in program performance based on statutory, regulatory or program requirements for which corrective actions are required.

Depending on the results of the monitoring, DFA will take appropriate actions when performance problems arise. There are three stages of intervention that DFA conducts depending on the seriousness of the problem:

- Low-level intervention: DFA may implement all or some of the following items - identify problem areas and required corrective actions, plan a strategy with grantees that includes technical assistance or training, or require more frequent monitoring.
- Moderate-level intervention: DFA may implement all or some of the following items - restrict payment, disallow certain expenses or require repayment of funding, or require probationary status.
- High-level intervention: DFA may implement all or some of the following items - temporarily suspend the grantee from participating in the CDBG program, terminate grantee for the current program year, or require legal action.

To ensure that projects are completed according to all CDBG requirements, any findings and concerns identified during monitoring must be cleared by DFA in order for grantee to apply for funds in the



future.

DFA requires that all CDBG expenditures be included in the grantee's single audit for each fiscal year in which funds are expended. Grantees are required to conduct an audit performed in accordance with OMB Circular A-133 and submit the audit to the DFA within 30 days of the date the audit approved by the New Mexico State Auditor. If the total amount of federal funds expended exceeds \$500,000, CDBG must be listed as a funding source on the audit. DFA retains the right to recover funds from the grantee for any disallowed costs based on the results of any interim audit or the final audit.

To enable the DFA to adequately evaluate the progress of the grantee project, grantees submit progress reports to the DFA on a quarterly basis. The progress reports contain a description of the work accomplished to date, the methods and procedures used, a detailed budget breakdown of expenditures to date, a statement of the impact of the project, and other information as DFA may require.

All information received through the progress report is entered into the Integrated Disbursement and Information System (IDIS), which is used to generate reports that detail the performance of the grantee in meeting its goals and objectives. For example, a report can be generated giving a percentage of the funds expended. If no funds have been expended, a review of the project will be conducted to determine what measures need to be implemented to move the project forward. The program specialist plays a vital role in knowing the status of the project and identifying potential issues. Once these issues have been identified, the grantee is notified to resolve the issue and move the project forward.

Pay requests are a priority for DFA staff. Pay requests can be submitted to DFA staff under two allowable methods: 1) Requests for Paid Expenditures which allows the grantee to request reimbursement of expenditures it has already paid and 2) Requests for Unpaid Expenditures which allows reimbursement of expenditures that the grantee has incurred but not yet paid. If the grantee is requesting funds for unpaid expenditures, the grantee must disburse funds within three business days of receipt from DFA. There are steps in place to ensure that the pay request is processed for payment in a timely manner. If the pay request is rejected for any reason, the grantee is immediately notified so that he or she can provide the proper documentation. In addition, if there are any issues that come up relating to the project, the program manager is responsible for identifying and resolving the issues in a timely manner. These steps will help to insure compliance with program requirements.

## **L. NEEDS OF PUBLIC HOUSING**

There are a total of 40 Public Housing Authorities (PHAs) in New Mexico, 32 of which are located outside of metropolitan areas and within the jurisdiction of the State Consolidated Plan. Neither the state or MFA operate public housing, therefore neither agency directly plans resident initiatives. Efforts to collaborate more extensively with PHAs are underway through the state's three Regional Housing Authorities (RHAs) which MFA is charged by the state Legislature to oversee for greater financial and operational efficiency. MFA plans to continue its successful partnerships with PHAs on the Section 8 Homeownership initiative. Under this innovative program, MFA provides PaymentSaver funds for down payment and closing cost assistance, called Smart Choice, to complement Section 8 funds so that former public housing residents can purchase their own homes. To the extent possible, MFA will make HOME funding available to PHAs pursuing the redevelopment of foreclosed and older USDA Rural Development properties.



## **M. MINORITY OUTREACH PROGRAM**

MFA maintains a Minority Business Directory on its website to allow subrecipients and other service providers to conduct outreach to such firms during procurement. The directory can be obtained by accessing the website at <http://www.housingnm.org/relevant-federal-regulations>.

MFA will ensure contract provisions included in contracts with subrecipients and other service contracts will include the following recommendations.

### **Contracting with small and minority firms, women's business enterprise and labor surplus area firms.**

The grantee and subgrantee will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps include:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;
- Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
- Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
- Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (e)(2) (i) through (v) of this section.

MFA certifies that HOME program funds will be awarded in accordance with the non-discrimination and equal opportunity requirements set forth in the program regulations. MFA will provide the recipients with all applicable non-discrimination laws. Recipients will be provided with procedures outlining corrective action for noncompliance.

## **APPENDIX A: NEW MEXICO CITIZEN PARTICIPATION PLAN**

### **NEW MEXICO CITIZEN PARTICIPATION PLAN**

#### **Consolidated Plan for Housing and Community Development**

##### **Introduction**

In 1994, the US Department of Housing and Urban Development issued new rules consolidating the planning, application, reporting, and citizen participation processes of four formula grant programs: Community Development Block Grants (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA). The new planning process was intended to more comprehensively fulfill three basic goals: to provide decent housing, to provide a suitable living environment and to expand economic opportunities.

Provision of decent housing may involve assisting homeless persons in obtaining appropriate housing, retaining the affordable housing stock, increasing the availability of permanent affordable housing for low income households without discrimination or increasing supportive housing to assist persons with special needs. Providing a suitable living environment might entail improving the safety and livability of neighborhoods, including the provision of adequate public facilities; deconcentration of housing opportunities and revitalizing neighborhoods; restoring and preserving natural and physical features with historic, architectural, and aesthetic value; and conserving energy resources. Expanding economic opportunities can involve creation of accessible jobs, providing access resources for community development, and assisting low income persons to achieve self-sufficiency.

The Consolidated Plan is actually a three-part planning process required by HUD. It comprises developing a five-year strategic plan, preparing annual action plans and submitting annual performance reports. These three parts are intended to furnish the framework whereby New Mexico can identify its housing, homeless, community, and economic development needs, identify resources that will be tapped and actions to be taken to address the needs, as well as look back and evaluate the state's progress toward achieving its strategic goals. Completing these documents on time and in a manner that is acceptable to HUD ensures program funding.

The precursor to the Consolidated Plan is the Citizen Participation Plan (CPP). The objectives of the CPP are to ensure that the citizens of New Mexico, particularly persons of low and moderate income, persons living in slum and blight areas, units of local government, housing agencies and other interested parties, are provided with the opportunity to participate in the planning and preparation of the Consolidated Plan, including amendments to the Consolidated Plan and the Annual Performance Report. In doing so, the CPP sets forth general policies and procedures for implementing and carrying out the consolidated planning process, such as how the Consolidated Plan will be developed, dates and milestones along which the process will proceed and methods for citizens to offer the state assistance and guidance in the formulation of the Plan. Furthermore, the provisions of the CPP fulfill statutory and regulatory requirements for citizen participation specified in the U.S. Department of Housing and Urban Development's rules for the Consolidated Plan, the HOME Investment Partnerships (HOME) Program, the Community Development Block Grant (CDBG) Program, the Emergency Solutions Grants (ESG) Program and the Housing Opportunities for Persons with AIDS (HOPWA) Program. In New Mexico, the New Mexico Mortgage Finance Authority administers the HOME, ESG and HOPWA funds and the Local Government Division, Community Development Bureau within the Department of Finance and

Administration (DFA) administers the CDBG resources. The MFA is the lead agency for developing the Consolidated Plan.

In order to ensure maximum participation in the Consolidated Plan process among all populations and needs groups, and in order to ensure that their issues and concerns are adequately addressed, the MFA and DFA will follow the standards set forth in its adopted Citizen Participation Plan during development of its Consolidated Plan, Action Plan and Annual Performance Report.

The term “entitlement area” refers to cities and counties that, because of their size, are able to receive federal funding directly. These areas must complete a Consolidated Plan separately from the state’s to receive funding. For purposes of this report, non entitlement refers to cities and towns that do not file Consolidated Plans individually and are not able to receive funding from the HUD programs directly. Entitlements not covered by the New Mexico Consolidated Plan are City of Albuquerque, City of Las Cruces, City of Santa Fe, City of Farmington, and the City of Rio Rancho. Individuals wishing to contribute to the consolidated planning process in these areas should contact housing and community development specialists in these cities.

### **Encouraging Citizen Participation**

The Consolidated Plan is designed to enumerate New Mexico's overall strategy for coordinating federal and other housing and community development resources to provide decent housing, establish and maintain a suitable living environment, and expand economic opportunities, particularly for low and moderate income persons.

Interested groups and individuals are encouraged to provide input into all aspects of New Mexico's consolidated planning activities, from assessing needs to setting priorities through performance evaluation. By following the CPP, there will be numerous opportunities for citizens to contribute information, ideas and opinions about ways to improve our neighborhoods, promote housing affordability and enhance the delivery of public services to local residents.

It is the policy of MFA to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by MFA programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits. MFA, at no cost to the LEP individuals or families, provides interpreter services to all LEP individuals or families applying for or participating in programs or receiving services/benefits through MFA. The interpreter services are provided in an efficient and timely manner so as not to delay a determination of eligibility for an individual or family, receipt of eligible services/benefits or participation in a MFA-run program beyond that of English speaking individual or family. English and Spanish applications and outreach material are available. Additionally, English and Spanish brochures describing services are available at MFA and at various community events, fairs and speaking engagements.

The state of New Mexico is committed to keeping all interested groups and individuals informed of each phase of the consolidated planning process and of activities being proposed or undertaken under HUD formula grant programs. Opportunities to comment on or participate in planning community development and affordable housing activities and projects will be publicized and disseminated throughout the state.

## Public Hearings and Meetings

DFA and MFA will conduct a minimum of two public hearings to obtain citizens' views and to respond to proposals and questions. The hearings will take place at different stages of the consolidated planning process. At least one will occur prior to development of the Draft Plan and will be intended to solicit public input regarding distinct issues, thereby aiding policy formation. At least one hearing will occur after the Draft Plan has been released for public review, allowing interested parties an opportunity to review the strategies and how they were developed, designed and presented.

Information about the time, location and subject of each hearing will be provided to citizens at least 14 calendar days in advance through adopted public notice and outreach procedures. This notification will be disseminated to local governments and other interested parties. Public notification of the hearings will be published in statewide newspapers of general circulation in hearing location cities or towns and on the MFA and DFA websites. MFA and DFA staff may also attend other meetings and conventions in New Mexico throughout the year, thereby providing an opportunity for additional public information on the Consolidated Plan.

Every effort will be made to ensure that public hearings are inclusive. Hearings will be held at convenient times and locations and in places where people most affected by proposed activities can attend. The MFA and DFA will utilize hearing facilities that are accessible to persons with mobility impairments. If written notice is given at least seven days before a hearing date, the MFA will provide appropriate materials, equipment and interpreting services to facilitate the participation of non-English speaking persons and persons with visual and/or hearing impairments. Interpreters will be provided at public hearings where a significant number of non-English speaking residents can be reasonably expected to participate. All public hearings and public meetings associated with the consolidated planning process will conform to applicable New Mexico open meetings laws.

However, the MFA may, at its discretion, actively solicit input on housing and community development issues during the course of the year with regional forums, town hall meetings and other venues, as they may present themselves.

Applicants must provide opportunities for public participation in the development of community development goals, objectives and applications for funding assistance by undertaking the following activities:

- Provide for and encourage citizen participation within their areas of jurisdiction with particular emphasis on participation by persons of low and moderate income
- Provide citizens with reasonable and timely access to local meetings, information, and records relating to proposed and actual use of funds
- Provide for technical assistance to groups and representatives of low and moderate income persons that request assistance in developing proposals. The level and type of assistance is to be determined by the applicant
- Provide for public hearings to obtain citizen participation and respond to proposals and questions at all stages

Prior to selecting a project and submitting an application for CDBG funding assistance, eligible applicants

must conduct at least one public hearing for the following purposes:

- To advise citizens of the amount of CDBG funds expected to be made available for the current fiscal year
- To advise citizens of the range of activities that may be undertaken with CDBG funds
- To advise citizens of the estimated amount of CDBG funds proposed to be used for activities that will meet the national objective to benefit low and moderate income persons
- To advise citizens of the proposed CDBG activities likely to result in displacement and the unit of local government's anti-displacement and relocations plans
- To obtain recommendations from citizens regarding the community development and housing needs of the community
  - After considering all recommendations and input provided at the public hearing(s), the county commission or city/town/village council must select one project for which to submit an application for funding assistance at an official public meeting
  - The applicant must conduct a second public hearing to review program performance, past use of funds and make available to the public its community development and housing needs including the needs of low and moderate income families and the activities to be undertaken to meet such needs
  - Public hearing notices must be published in the non-legal section of newspapers or posted in a minimum of three prominent places within the project area with reasonable time and public access
  - Evidence of compliance with these regulations must be provided with each application, i.e. hearing notice, minutes of these meetings, list of needs, and activities to be undertaken
  - Amendments to goals, objectives, and applications are also subject to public participation
- Provide for timely written answers to written complaint and grievances within 15 working days where practicable
- Identify how needs of non-English speaking residents will be met in the case of public hearings where a significant number of residents can be reasonably expected to participate

### **Publication of Consolidated Plan Documents**

The MFA will publish the draft Consolidated Plan or Annual Action Plan for public review in a manner that affords citizens, public agencies and other interested parties a reasonable opportunity to examine its contents and submit comments. The Draft Plan will be a complete document and shall include:

- The amount of assistance the state agencies expect to receive and,
- The range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income.

A notice for the release of the Draft Plan will be published in several newspapers of general circulation at the beginning of the public comment period. The release will include a list of the locations where copies of the entire proposed Consolidated Plan may be obtained or examined. The following are among the locations where copies of the public comment draft will be made available for inspection:

- MFA and DFA offices,

- MFA website [www.housingnm.org](http://www.housingnm.org)
- DFA website [local.nmdfa.state.nm.us](http://local.nmdfa.state.nm.us)

Citizens and groups may obtain a reasonable number of free copies of the proposed Consolidated Plan by contacting the MFA at 505-843-6880, or 1-800-444-6880 statewide toll free, or the document may be downloaded from the MFA website, located at <http://www.housingnm.org/publications>.

### **Public Comments on the Draft Consolidated Plan and Annual Action Plans**

The MFA, as lead agency, will receive comments from citizens on its draft plan for a period not less than 30 days prior to submission of the Consolidated Plan or Annual Action Plans to HUD. The drafts will be scheduled for release in early fall of each year.

All comments or views of citizens received in writing during the 30-day comment period will be considered in preparing the final Consolidated Plan or Annual Action Plan. A summary of these comments or views and a summary of any comments or views not accepted and the reasons therefore shall be attached to the final Consolidated Plan or Annual Action Plan.

### **Public Notice and Outreach**

An informed citizenry is critical to effective and responsive housing and community development programs. Efforts to educate residents and empower their participation are an ongoing element of the consolidated planning process.

As the fundamental means of notifying interested citizens about the Consolidated Plan and related activities, such as the Annual Action Plan or the Consolidated Annual Performance and Evaluation Report, the MFA will publish public notices in newspapers of general circulation and on both MFA and DFA web pages. Such notices will be published at least 14 calendar days prior to public hearings. All notices will be written in plain, simple language in English and Spanish and direct efforts will be undertaken to publish and/or post information at locations that will elicit maximum low and moderate income and minority participation.

Public education and outreach will be facilitated through the use of public advertisements that describe the consolidated planning process, opportunities for citizen participation and available funding through the CDBG, ESG, HOME and HOPWA programs. The Consolidated Plan mailing list will likely include social service organizations, local jurisdictions, low income housing consumers, neighborhood groups, previous participants and commentators, and others expected to desire input on the Plan. This list is updated periodically and is available for inspection at the MFA.

### **Technical Assistance**

Groups or individuals interested in obtaining technical assistance to develop project proposals or applying for funding assistance through HUD formula grant programs covered by the Consolidated Plan or Annual Action Plan may contact the staff of the MFA or, in the case of CDBG funding, the Community Development Bureau within DFA. Such assistance may be of particular use to community development organizations, nonprofit service providers, and for-profit and nonprofit housing development groups that serve or represent persons of low and moderate income. Pre-application workshops offer basic

program information and materials to potential project sponsors, and staff from MFA provides in-depth guidance and assistance to applicants and program participants on an on-going basis. Emphasis is placed on capacity development of community-based organizations.

### **Amendments to the Consolidated Plan**

An amendment to the Consolidated Plan is required whenever the jurisdiction determines to:

- Substantially change the allocation priorities or its method of distributing HUD formula grant funds;
- Utilize formula grant funds (including program income) to carry out an activity not previously described in the Action Plan; or
- Change the purpose, scope, location or beneficiaries of an activity.

Such changes, prior to their implementation, are reviewed under various federal or local requirements, particularly rules on procurement and/or policies on the allocation of public resources. Substantial amendments to the Consolidated Plan are, in addition, subject to a formal citizen participation process. Notice and the opportunity to comment will be given to citizens through public notices in local newspapers and other appropriate means, such as direct mail or public meetings. A public comment period of not less than 30 days will be provided prior to implementing any substantial amendment to the Consolidated Plan. MFA staff will prepare a summary of all comments received in writing and, in cases where any citizens' views are not accepted, provide reasons for the decision. This documentation will be attached to the substantial amendment, which will be available to the public and submitted to HUD.

### **Substantial Amendments**

Occasionally, public comments warrant an amendment to the Consolidated Plan. The criteria for whether to amend are referred to by HUD as Substantial Amendment Criteria.

- An administrative decision to reallocate all the funds allocated to an activity in the Action Plan to other activities of equal or lesser priority need level, unless the decision is a result of:
  - Federal government recession of appropriated funds, or appropriations are so much less than anticipated that the state makes an administrative decision not to fund one or more activities, or
  - The governor declares a state of emergency and reallocates federal funds to address the emergency, or
  - A unique economic development opportunity arises where the state administration asks that federal grants be used to take advantage of the opportunity.

### **Citizen Participation in the Event of a Substantial Amendment**

In the event of a substantial amendment to the Consolidated Plan, the MFA or DFA or both, depending on the nature of the amendment, will conduct at least one additional public hearing. This hearing will follow a comment period of no less than 30 days, where the proposed substantially amended Consolidated Plan will be made available to interested parties. Citizens will be informed of the public hearing through newspaper notification and the MFA and DFA websites prior to the hearing and the notice will appear in at least one newspaper that is circulated statewide.



Citizens will be notified of the substantially amended Consolidated Plan's availability through newspaper notification prior to the 30-day comment period. The substantially amended sections of the Consolidated Plan will be available on the MFA website, [www.housingnm.org](http://www.housingnm.org), for the full public comment period.

### **Consideration of Public Comments on the Substantially Amended Plan**

In the event of substantial amendments to the Consolidated Plan, the state will openly consider any comments on the substantially amended Consolidated Plan from individuals or groups. Comments must be received in writing or at public hearings. A summary of the written and public hearing comments on the substantial amendments will be included in the final Consolidated Plan. The final Consolidated Plan will also include a summary of all comments not accepted and their reasons for dismissal.

### **Changes in Federal Funding Level**

Any changes in federal funding level after the Consolidated Plan's draft comment period has expired and the resulting effect on the distribution of funds will not be considered an amendment or a substantial amendment.

### **Standard Amendments**

Standard amendments are those that are not considered substantial in nature and pertain chiefly to minor administrative modifications of the programs. Thus they do not require in-depth citizen participation.

### **Annual Performance Reports**

Performance reports on HOME, ESG and HOPWA programs covered by the Consolidated Plan or Annual Action Plan are to be prepared by the MFA for annual submission to HUD within 90 days of the January 1 start of each program year. Performance reports for CDBG are to be prepared by DFA for annual submission to HUD within 90 days of the January 1 start of each program year. Draft performance reports will be made available upon written request. The draft performance report will be available for comment for no less than 15 days, and any public comments received in writing will be reported in an addendum to the final performance report.

### **Access to Records**

To the extent allowed by law, interested citizens and organizations shall be afforded reasonable and timely access to records covering the preparation of the Consolidated Plan or Annual Action Plan, project evaluation and selection, HUD's comments on the Plan and annual performance reports. In addition, materials on formula grant programs covered by the Consolidated Plan or Annual Action Plan, including activities undertaken in the previous five years, will be made available to any member of the public who requests information from the MFA. A complete file of citizen comments will also be available for review by interested parties. After receiving notice of HUD's approval of its Consolidated Plan or Annual Action Plan, the MFA will inform those on its mailing list of the availability of the final Plan document and of any HUD comments on the Plan.



## **Complaints and Grievances**

Citizens, administering agencies and other interested parties may submit complaints and grievances regarding the programs MFA and DFA administer. Complaints should be in writing, specific in their subject matter, and include facts to support allegations. The following are considered to constitute complaints to which a response is due:

- The administering agency has purportedly violated a provision of this Citizen Participation Plan;
- The administering agency has purportedly violated a provision of federal CDBG, ESG or HOME, or HOPWA program regulations;
- The administering agency, or any of its contractors, has purportedly engaged in questionable practices resulting in waste, fraud or mismanagement of any program funds.

Residents may also present complaints and grievances orally or in writing at the community meetings and/or public hearing. All public comments, including complaints and grievances, made either orally or in writing within the 30-day public comment period, will be included in the final Consolidated Plan or Annual Action Plan. Such complaints or grievances for HOME, HOPWA, or ESG shall be directed to the Consolidated Plan representative at the MFA.

Such complaints or grievances regarding CDBG shall be directed to the Bureau Chief by contacting DFA at 505-827-4972.

## **Timely Response to Complaints or Grievances**

Upon receipt of a written complaint, the designated representative at MFA or DFA shall respond to the complainant within 15 calendar days and maintain a copy of all related correspondence, which will be subject to MFA and DFA review.

Within 15 calendar days of receiving the complaint, the designated MFA or DFA representative shall discuss the matter with the department manager and respond to the complainant in writing. A copy of the MFA's or DFA's response will be transmitted, concurrently, to the complainant and to the MFA and DFA Directors. If, due to unusual circumstances, the designated representative finds that he/she is unable to meet the prescribed time limit, the limit may be extended by written notice to the complainant. The designated representative's notice must include the reason for the extension and the date on which a response is expected to be generated, which may be based on the nature and complexity of the complaint.

Public review materials and performance reports will include data, as appropriate under confidentiality regulations, on any written complaints received and how each was resolved.

## **Activities Exempt from Substantial Amendment Citizen Participation Requirements**

### **Urgent Needs**

It may be necessary to amend the Consolidated Plan or Annual Action Plan in the event of an emergency such as a natural disaster. These amendments may include funding new activities and/or the reprogramming of funds including canceling activities to meet community development needs that have

a particular urgency. Therefore, the state of New Mexico, acting through the MFA may utilize its HOME funds to meet an urgent need without the normal public comment period, which is otherwise required for substantial amendments. DFA, through its Community Development Bureau, may administer the CDBG funds for urgent needs in a similar fashion.

To comply with the national objective of meeting community development needs having a particular urgency, an activity will alleviate existing conditions that the state of New Mexico certifies:

- Pose a serious and immediate threat to the health and welfare of the community;
- Are of recent origin or recently became urgent;
- The state and the MFA or the DFA are unable to finance the activity on its own; or
- Other resources of funding are not available to carry out the activity.

A condition will generally be considered to be of recent origin if it is developed or became critical within 18 months preceding the MFA's or DFA's certification.

### **Availability of the Citizen Participation Plan (CPP)**

Copies of the CPP may be obtained from MFA's website at [www.housingnm.org](http://www.housingnm.org) or from DFA's website at [http://nmdfa.state.nm.us/Community\\_Development\\_Bureau\\_1.aspx](http://nmdfa.state.nm.us/Community_Development_Bureau_1.aspx). Upon request, the MFA or DFA will make the Plan available in an alternative format accessible to persons with disabilities.

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Area identified as an area of need will remain an area of need for a minimum of two years. Counties marked with \* are areas that remain as areas of need for a second year even though they do not meet criteria in current year.

**2014 Demonstrated Rental Need**

County	2013 Census Population <sup>(a)</sup>	2010 Census Population <sup>(a)</sup>	2013 Population Growth	Population Growth > -1.28% average	2013 % Rental Vacancy <sup>(b)</sup>	Rental Vacancy rate below 5%	2013 Determined Need	2014 Determined Need (H = Tier 1, M = Tier 2)
Bernalillo	673,460	662,564	1.64%	Y	6.13%	N	M	M
Catron	3,658	3,725	-1.80%	N	na	N		
Chaves	65,784	65,645	0.21%	N	2.60%	Y	M	M
Cibola	27,334	27,213	0.44%	N	2.10%	Y		M
Colfax	13,223	13,750	-3.83%	N	4.70%	Y	M	M
<b>Curry</b>	<b>49,938</b>	<b>48,376</b>	<b>3.23%</b>	<b>Y</b>	<b>1.70%</b>	<b>Y</b>	<b>H</b>	<b>H</b>
De Baca	1,927	2,022	-4.70%	N	na	N		
<b>Dona Ana</b>	<b>214,445</b>	<b>209,233</b>	<b>2.49%</b>	<b>Y</b>	<b>4.50%</b>	<b>Y</b>	<b>H</b>	<b>H</b>
Eddy	54,419	53,829	1.10%	N	2.50%	Y	M	M
Grant	29,388	29,514	-0.43%	N	1.80%	Y	M	M
Guadalupe	4,603	4,687	-1.79%	N	4.50%	Y		
Harding	707	695	1.73%	Y	na	N		
Hidalgo	4,794	4,894	-2.04%	N	4.70%	Y		
<b>Lea</b>	<b>66,338</b>	<b>64,727</b>	<b>2.49%</b>	<b>Y</b>	<b>4.10%</b>	<b>Y</b>	<b>H</b>	<b>H</b>
Lincoln	20,309	20,497	-0.92%	N	7.80%	N		
Los Alamos	18,159	17,950	1.16%	N	13.10%	N		
Luna	25,041	25,095	-0.22%	N	3.00%	Y	M	M
<b>McKinley</b>	<b>73,016</b>	<b>71,492</b>	<b>2.13%</b>	<b>Y</b>	<b>6.20%</b>	<b>N</b>	<b>H</b>	<b>*H</b>
Mora	4,705	4,881	-3.61%	N	na	N		
<b>Otero</b>	<b>66,041</b>	<b>63,797</b>	<b>3.52%</b>	<b>Y</b>	<b>4.00%</b>	<b>Y</b>	<b>H</b>	<b>H</b>
Quay	8,769	9,041	-3.01%	N	4.90%	Y		
Rio Arriba	40,318	40,246	0.18%	N	3.20%	Y	M	M
<b>Roosevelt</b>	<b>20,419</b>	<b>19,846</b>	<b>2.89%</b>	<b>Y</b>	<b>7.70%</b>	<b>N</b>	<b>H</b>	<b>*H</b>
<b>Sandoval</b>	<b>135,588</b>	<b>131,561</b>	<b>3.06%</b>	<b>Y</b>	<b>2.80%</b>	<b>Y</b>	<b>M</b>	<b>H</b>
San Juan	128,529	130,044	-1.16%	N	5.30%	N	M	*M
San Miguel	28,891	29,393	-1.71%	N	4.90%	Y	M	M
Santa Fe	146,375	144,170	1.53%	Y	5.68%	N		M
Sierra	11,895	11,988	-0.78%	N	5.60%	N		
Socorro	17,603	17,866	-1.47%	N	13.20%	N		
Taos	32,779	32,937	-0.48%	N	2.90%	Y	M	M
Torrance	16,021	16,383	-2.21%	N	na	N		
Union	4,431	4,549	-2.59%	N	4.70%	Y		
Valencia	76,631	76,569	0.08%	N	6.50%	N		
	2,085,538	2,059,179	1.28%					

\*Remains on list for second year

N/A - Data not reported

Sources:

(a) U.S. Census Bureau, 2013 Annual Estimates for the Resident Population for Counties of New Mexico: April 1, 2010 to July 1, 2012

(b) Vacancy Surveys: (1) Performed by BBER May and June, 2013, (2) Apartment Market Survey Summary, May 2013, CB Richard Ellis Multi-Housing Group

## **Appendix C: Publication Certifications**

**Las Cruces Sun News**

**Roswell Daily Record**

**Santa Fe New Mexican**

**San Juan Daily Times**

**Clovis News Journal**

**Albuquerque Journal**

# LAS CRUCES SUN-NEWS

## PROOF OF PUBLICATION

I, being duly sworn, Frank Leto deposes and says that he is the Publisher of the Las Cruces Sun-News, a newspaper published daily in the county of Dona Ana, State of New Mexico; that the notice 53357 is an exact duplicate of the notice that was published once a week/day in regular and entire issue of said newspaper and not in any supplement thereof for 1 consecutive week(s)/day(s), the first publication was in the issue dated September 1, 2013 and the last publication was September 1, 2013

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.

Signed

Publisher  
Official Position

STATE OF NEW MEXICO

ss.

County of Dona Ana

Subscribed and sworn before me this

3rd day of September

Angel Ann Solis

Notary Public in and for  
Dona Ana County, New Mexico

April 9, 2017

My Term Expires



New Mexico DRAFT  
Action Plan for Housing and Community  
Development

The New Mexico Mortgage Finance Authority (MFA) and the Department of Finance and Administration, Local Government Division (DFA) are seeking public comment on the DRAFT State of New Mexico 2013 annual Action Plan for Housing and Community Development.

A thirty day public-examination and comment period will begin on September 6, 2013 and end on October 7, 2013. The 2014 Action Plan for Housing and Community Development is the third annual implementation plan under the State of New Mexico 2011-2015 Consolidated Plan for Housing and Community Development. The Consolidated Plan is a five-year strategic plan that governs the administration of federal funding appropriated for housing and community development activities that benefit persons of low- and moderate-income. Such federal funding includes the following programs; HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The 2011-2015 Consolidated Plan represents approximately \$78 million in federal funding, through the four federal programs, over the five-year period. The HOME, ESG and HOPWA programs are administered by the MFA and the CDBG program is administered by DFA.

Citizens, interested agencies, and for-profit and non-profit organizations may attend either of the two (2) Public Hearings at these locations or via webcast at [www.housingnm.org](http://www.housingnm.org) to provide their input in person and provide comments.

# LAS CRUCES SUN-NEWS

September 13, 2013, 10:00 am  
New Mexico Mortgage Finance Authority  
(MFA)  
Board Room  
344 4th Street SW  
Albuquerque, NM 87102

September 25, 2013, 2:00 pm  
City of Las Cruces  
City Hall Conference Room 2007A  
700 North Main Street  
Las Cruces, NM 88001-3512

Written comments may be sent to Debbie Davis, Programs & Initiatives Manager, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 or [ddavis@housingnm.org](mailto:ddavis@housingnm.org) through the close of business on October 12, 2012. All comments received will be responded to in the final version of the 2013 Action Plan. Copies of the Draft 2013 Action Plan will be available for review on the MFA website at [www.housingnm.org/publications](http://www.housingnm.org/publications), or on DFA's website ([http://www.nmdfa.state.nm.us/Local\\_Government.aspx](http://www.nmdfa.state.nm.us/Local_Government.aspx)) beginning September 12, 2012. Printed copies will be made available upon request at:

New Mexico Mortgage Finance Authority  
344 4th Street SW  
Albuquerque, NM 87102

State of New Mexico Department of Finance  
and Administration  
Local Government Division  
Bataan Memorial Building, Suite 202  
Santa Fe, NM 87501

MFA and DFA programs are administered in a nondiscriminatory manner, consistent with equal employment opportunities, affirmative action, and fair housing requirements. Questions, concerns, complaints or requests for information in alternative formats must be directed to the

ADA (504) Coordinator, Debbie Davis, at 800-444-6880. Locations for the public hearings are handicapped accessible.

Nuevo México proyecto de Plan de acción para la vivienda y desarrollo comunitario

La New Mexico Mortgage Finance Authority (MFA) y el Department of Finance and Administration, Local Government Division (DFA) están buscando comentarios públicos sobre el Plan de Acción anual 2013 de Vivienda y Desarrollo Comunitario en el Estado de Nuevo México.

Un período de treinta días de examen público y comentario comenzará el 6 de Septiembre de 2013 y terminará el 7 de Octubre de 2013. El Plan de Acción 2014 para Vivienda y Desarrollo Comunitario es el tercer plan de ejecución anual en el marco del Estado de Nuevo México 2011-2015 Plan Consolidado de Vivienda y Desarrollo Comunitario. El Plan Consolidado es un plan estratégico de cinco años que gobierna la administración de los fondos federales asignados para actividades de vivienda y desarrollo comunitario en beneficio de las personas de bajos y moderados ingresos. Dicho financiamiento federal incluye los siguientes programas; HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Becas Soluciones de Emergencia/Emergency Solutions Grants (ESG) (ESG), y Oportunidades de Vivienda para Personas con SIDA/Housing Opportunities for Persons with AIDS (HOPWA). El Plan Consolidado 2011-2015 representa aproximadamente \$ 78 millones en fondos federales, a través de los cuatro programas federales, durante el período de cinco años. Los programas HOME, ESG y HOPWA son administrados por la MFA y el programa CDBG es administrado por DFA.

Los ciudadanos, agencias interesadas y organizaciones con fines de lucro y sin fines

# LAS CRUCES SUN-NEWS

de lucro pueden asistir a cualquiera de las dos (2) audiencias públicas en estos lugares o a través de webcast en [www.housingnm.org](http://www.housingnm.org) para ofrecer su aportación en persona y proporcionar comentarios.

lugares de las audiencias públicas tienen acceso para discapacitados.

Publication# 53357

Run Date: Sep 1, 2013

13 de Septiembre de 2013, 10:00  
New Mexico Mortgage Finance Authority  
(MFA)  
Sala de Junta  
344 4th Street SW  
Albuquerque, NM 87102

25 de Septiembre de 2013, 2:00  
Ciudad de Las Cruces, Nuevo Mexico  
City Hall, Sala de Junata, 2007 A  
700 Calle Norte Principal  
Las Cruces, NM 88001-3512

Los comentarios escritos pueden enviarse a Debbie Davis, Directora de Programas e Iniciativas, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 o [ddavis@housingnm.org](mailto:ddavis@housingnm.org) antes del cierre de las operaciones el 12 de Octubre de 2013. Todos los comentarios recibidos serán respondidos en la versión final del Plan de Acción 2013. Copias del Proyecto de Plan de Acción de 2013 estarán disponibles para su revisión en el sitio web del MFA en [www.housingnm.org/publications](http://www.housingnm.org/publications), o en la página web de DFA ([http://www.nmdfa.state.nm.us/Local\\_Government.aspx](http://www.nmdfa.state.nm.us/Local_Government.aspx)) a partir de Septiembre 12, 2013. Las copias impresas estarán disponibles bajo petición:

Programas de MFA y DFA se administran de manera no discriminatoria, de conformidad con la igualdad de oportunidades de empleo, la acción afirmativa, y los requisitos de vivienda justa. Preguntas, inquietudes, quejas o peticiones de información en formatos alternativos deben ser dirigidas al (504) coordinador de ADA, Debbie Davis, al 800-444-6880. Los



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AFFIDAVIT OF PUBLICATION  
STATE OF NEW MEXICO

I, Erika Montoya  
Legals Clerk

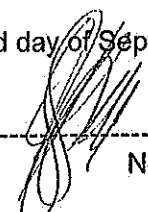
Of the Roswell Daily Record, a daily newspaper published at Roswell, New Mexico do solemnly swear that the clipping hereto attached was published in the regular and entire issue of said paper and not in a supplement thereof for a period of:

One time with the issue dated

September 1, 2013

-----  
  
Clerk

Sworn and subscribed to before me  
this 3rd day of September, 2013

-----  
  
Notary Public

My Commission expires  
June 13, 2014

(SEAL)

Publish September 1, 2013

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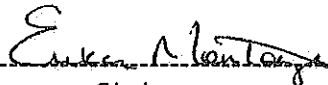
Un período de treinta días de examen público y comentario comenzará el 6 de Septiembre de 2013 y terminará el 7 de Octubre de 2013. El Plan de Acción 2014 para Vivienda y Desarrollo Comunitario es el tercer plan de ejecución anual en el marco del Estado de Nuevo México 2011-2015 Plan Consolidado de Vivienda y Desarrollo Comunitario. El Plan Consolidado es un plan estratégico de cinco años que gobierna la administración de los fondos federales asignados para actividades de vivienda y desarrollo comunitario en beneficio de las personas de bajos y moderados ingresos. Dicho financiamiento federal incluye los siguientes programas: HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Becas Soluciones de Emergencia/Emergency Solutions Grants (ESG) (ESG), y Oportunidades de Vivienda para Personas con SIDA/Housing Opportunities for Persons with AIDS (HOPWA). El Plan Consolidado 2011-2015 representa aproximadamente \$ 78 millones en fondos federales, a través de los cuatro programas federales, durante el período de cinco años. Los programas HOME, ESG y HOPWA son administrados por la MFA y el programa CDBG es administrado por DFA.

Los ciudadanos, agencias interesadas y organizaciones con fines de lucro y sin fines de lucro pueden asistir a cualquiera de las dos (2) audiencias públicas en estos lugares o a través de webcast en [www.housingnm.org](http://www.housingnm.org) para ofrecer su aporte.

clipping notice attached was published in the regular and entire issue of said paper and not in a supplement thereof for a period of:

One time with the issue dated

September 1, 2013

-----  
  
Clerk

Sworn and subscribed to before me

this 3rd day of September, 2013

-----  
  
Notary Public

My Commission expires  
June 13, 2014

(SEAL)

Opportunities for Persons with AIDS (HOPWA). The 2011-2015 Consolidated Plan represents approximately \$78 million in federal funding, through the four federal programs, over the five-year period. The HOME, ESG and HOPWA programs are administered by the MFA and the CDBG program is administered by DFA.

Citizens, interested agencies, and for-profit and non-profit organizations may attend either of the two (2) Public Hearings at these locations or via webcast at [www.housingnm.org](http://www.housingnm.org) to provide their input in person and provide comments.

September 13, 2013, 10:00 am  
New Mexico Mortgage Finance Authority (MFA)  
Board Room  
344 4th Street SW  
Albuquerque, NM 87102

September 26, 2013, 2:00 pm  
City of Las Cruces  
City Hall Conference Room 2007 A  
700 North Main Street  
Las Cruces, NM 88001-3512

Written comments may be sent to Debbie Davis, Programs & Initiatives Manager, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 or [ddavis@housingnm.org](mailto:ddavis@housingnm.org) through the close of business on October 12, 2013. All comments received will be responded to in the final version of the 2013 Action Plan. Copies of the Draft 2013 Action Plan will be available for review on the MFA website at [www.housingnm.org/publications](http://www.housingnm.org/publications), or on DFA's website (<http://www.nmdfa.state.nm.us/LocalGovernment.aspx>) beginning September 12, 2013. Printed copies will be made available upon request at:

New Mexico Mortgage Finance Authority  
344 4th Street SW  
Albuquerque, NM 87102

State of New Mexico Department of Finance and Administration  
Local Government Division  
Bataan Memorial Building, Suite 202  
Santa Fe, NM 87501

MFA and DFA programs are administered in a nondiscriminatory manner, consistent with equal employment opportunities, affirmative action, and fair housing requirements. Questions, concerns, complaints or requests for information in alternative formats must be directed to the ADA (504) Coordinator, Debbie Davis, at 800-444-6880. Locations for the public hearings are handicapped accessible.

#### Nuevo México proyecto de Plan de acción para la vivienda y desarrollo comunitario

La New Mexico Mortgage Finance Authority (MFA) y el Department of Finance and Administration, Local Government Division (DFA) están buscando comentarios públicos sobre el Plan de Acción anual 2013 de Vivienda y Desarrollo Comunitario en el Estado de Nuevo México.

Un período de treinta días de examen público y comentario comenzará el 6 de Septiembre de 2013 y terminará el 7 de Octubre de 2013. El Plan de Acción 2014 para Vivienda y Desarrollo Comunitario es el tercer plan de ejecución anual en el marco del Estado de Nuevo México 2011-2015 Plan Consolidado de Vivienda y Desarrollo Comunitario. El Plan Consolidado es un plan estratégico de cinco años que gobierna la administración de los fondos federales asignados para actividades de vivienda y desarrollo comunitario en beneficio de las personas de bajos y moderados ingresos. Dicho financiamiento federal incluye los siguientes programas: HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Becas Soluciones de Emergencia/Emergency Solutions Grants (ESG) (ESG), y Oportunidades de Vivienda para Personas con SIDA/Housing Opportunities for Persons with AIDS (HOPWA). El Plan Consolidado 2011-2015 representa aproximadamente \$ 78 millones en fondos federales, a través de los cuatro programas federales, durante el período de cinco años. Los programas HOME, ESG y HOPWA son administrados por la MFA y el programa CDBG es administrado por DFA.

Los ciudadanos, agencias interesadas y organizaciones con fines de lucro y sin fines de lucro pueden asistir a cualquiera de las dos (2) audiencias públicas en estos lugares o a través de webcast en [www.housingnm.org](http://www.housingnm.org) para ofrecer su aportación en persona y proporcionar comentarios.

13 de Septiembre de 2013, 10:00  
New Mexico Mortgage Finance Authority (MFA)  
Sala de Junta  
344 4th Street SW  
Albuquerque, NM 87102

26 de Septiembre de 2013, 2:00  
Ciudad de Las Cruces, Nuevo México  
City Hall, Sala de Junta, 2007 A  
700 Calle Norte Principal  
Las Cruces, NM 88001-3512

Los comentarios escritos pueden enviarse a Debbie Davis, Directora de Programas e Iniciativas, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 o [ddavis@housingnm.org](mailto:ddavis@housingnm.org) antes del cierre de las operaciones el 12 de Octubre de 2013. Todos los comentarios recibidos serán respondidos en la versión final del Plan de Acción 2013. Copias del Proyecto de Plan de Acción de 2013 estarán disponibles para su revisión en el sitio web del MFA en [www.housingnm.org/publications](http://www.housingnm.org/publications), o en la página web de DFA (<http://www.nmdfa.state.nm.us/LocalGovernment.aspx>) a partir de Septiembre 12, 2013. Las copias impresas estarán disponibles bajo petición.

Programas de MFA y DFA se administran de manera no discriminatoria, de conformidad con la igualdad de oportunidades de empleo, la acción afirmativa, y los requisitos de vivienda justa. Preguntas, inquietudes, quejas o peticiones de información en formatos alternativos deben ser dirigidas al (504) coordinador de ADA, Debbie Davis, al 800-444-6880. Los lugares de las audiencias públicas tienen acceso para discapacitados.

**SANTA FE**  
**NEW MEXICAN**

Founded 1849

NM MORTGAGE FINANCE AUTHORITY.  
344 4TH ST SW  
ALBUQUERQUE, NM 87103

ACCOUNT: 2041  
AD NUMBER: 0000029255  
LEGAL NO: 95691 P.O. #:  
1 TIME(S) 380.80  
AFFIDAVIT 20.00  
TAX 32.00  
TOTAL 422.80

**AFFIDAVIT OF PUBLICATION**

STATE OF NEW MEXICO  
COUNTY OF SANTA FE

I, K. Salazar, being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the Legal No 95691 a copy of which is hereto attached was published in said newspaper 1 day(s) between 09/04/2013 and 09/04/2013 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 4th day of September, 2013 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/s/

K. Salazar  
LEGAL ADVERTISEMENT REPRESENTATIVE

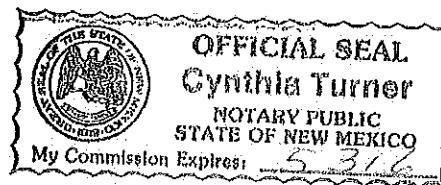
Subscribed and sworn to before me on this 4th day of September, 2013

Notary

Cynthia Turner

Commission Expires:

5 316



THE SANTA FE  
**NEW MEXICAN**  
 Founded 1849

**New Mexico DRAFT  
 Action Plan for  
 Housing and  
 Community  
 Development**

The New Mexico Mortgage Finance Authority (MFA) and the Department of Finance and Administration, Local Government Division (DFA) are seeking public comment on the DRAFT State of New Mexico 2013 annual Action Plan for Housing and Community Development.

A thirty day public examination and comment period will begin on September 6, 2013 and end on October 7, 2013. The 2014 Action Plan for Housing and Community Development is the third annual implementation plan under the State of New Mexico 2011-2015 Consolidated Plan for Housing and Community Development. The Consolidated Plan is a five-year strategic plan that governs the administration of federal funding appropriated for housing and community development activities that benefit persons of low- and moderate-

income. Such federal funding includes the following programs; HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The 2011-2015 Consolidated Plan represents approximately \$78 million in federal funding, through the four federal programs, over the five-year period. The HOME, ESG and HOPWA programs are administered by the MFA and the CDBG program is administered by DFA.

Citizens, Interested agencies, and for-profit and non-profit organizations may attend either of the two (2) Public Hearings at these locations or via webcast at [www.housingnm.org](http://www.housingnm.org) to provide their input in person and provide comments.

September 13, 2013,  
 10:00 am  
 New Mexico  
 Mortgage Finance  
 Authority (MFA)  
 Board Room  
 344 4th Street SW  
 Albuquerque, NM  
 87102

September 25, 2013,  
 2:00 pm  
 City of Las Cruces  
 City Hall Conference  
 Room 2007 A  
 700 North Main Street  
 Las Cruces, NM  
 88001-3512

Written comments may be sent to Debbie Davis, Programs & Initiatives Manager, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 or [ddavis@housingnm.org](mailto:ddavis@housingnm.org) through the close of business on October 12, 2013. All comments received will be responded to in the final version of the 2013 Action Plan. Copies of the Draft 2013 Action Plan will be available for review on the MFA website at [www.housingnm.org/publications](http://www.housingnm.org/publications), or on DFA's website ([http://www.nmdfa.state.nm.us/Local\\_Government.aspx](http://www.nmdfa.state.nm.us/Local_Government.aspx)) beginning September 12, 2013. Printed copies will be made available upon request at:

New Mexico  
 Mortgage  
 Finance Authority  
 344 4th Street SW  
 Albuquerque, NM  
 87102

State of New Mexico  
 Department of  
 Finance and  
 Administration  
 Local Government  
 Division  
 Bataan Memorial  
 Building, Suite 202  
 Santa Fe, NM 87501

MFA and DFA programs are administered in a nondiscriminatory manner, consistent with equal employment opportunities, affirmative action, and fair housing

requirements. Questions, concerns, complaints or requests for information in alternative formats must be directed to the ADA (504) Coordinator, Debbie Davis, at 800-444-6880. Locations for the public hearings are handicapped accessible.

**Nuevo México  
 proyecto de Plan de  
 acción para la  
 vivienda y  
 desarrollo  
 comunitario**

La New Mexico Mortgage Finance Authority (MFA) y el Department of Finance and Administration, Local Government Division (DFA) están buscando comentarios públicos sobre el Plan de Acción anual 2013 de Vivienda y Desarrollo Comunitario en el Estado de Nuevo México.

Un período de treinta días de examen público y comentario comenzará el 6 de Septiembre de 2013 y terminará el 7 de Octubre de 2013. El Plan de Acción 2014 para Vivienda y Desarrollo Comunitario es el tercer plan de ejecución anual en el marco del Estado de Nuevo México 2011-2015. Plan Consolidado de Vivienda y Desarrollo Comunitario. El Plan Consolidado es un plan estratégico de cinco años que gobierna la administración de los fondos federales asignados para actividades de vivienda y desarrollo comunitario en beneficio de las personas de bajos y moderados ingresos. Dicho financiamiento federal incluye los siguientes programas; HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Becas Soluciones de Emergencia/Emergency Solutions Grants (ESG), y Oportunidades de Vivienda para Personas con SIDA/Housing Opportunities for Persons with AIDS (HOPWA). El Plan Consolidado 2011-2015 representa aproximadamente \$ 78 millones en fondos federales, a través de los cuatro programas federales, durante el período de cinco años. Los programas HOME, ESG y HOPWA son administrados por la MFA y el programa CDBG es administrado por DFA.

Los ciudadanos, agencias interesadas y organizaciones con fines de lucro y sin fines de lucro pueden asistir a cualquiera de las dos (2) audiencias públicas en estos lugares o a través de webcast en [www.housingnm.org](http://www.housingnm.org) para ofrecer su aportación en persona y proporcionar comentarios.

13 de Septiembre de 2013, 10:00  
 New Mexico  
 Mortgage Finance  
 Authority (MFA)  
 Sala de Junta  
 344 4th Street SW  
 Albuquerque, NM  
 87102

25 de Septiembre de 2013, 2:00  
 Ciudad de Las Cruces, Nuevo México  
 City Hall, Sala de Junata, 2007 A  
 700 Calle Norte Principal  
 Las Cruces, NM  
 88001-3512

Los comentarios escritos pueden enviarse a Debbie Davis, Directora de Programas e Iniciativas, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 o [ddavis@housingnm.org](mailto:ddavis@housingnm.org) antes del cierre de las operaciones el 12 de Octubre de 2013. Todos los comentarios recibidos serán respondidos en la versión final del Plan de Acción 2013. Copias del Proyecto de Plan de Acción de 2013 estarán disponibles para su revisión en el sitio web del MFA en [www.housingnm.org/publications](http://www.housingnm.org/publications), o en la página web de DFA ([http://www.nmdfa.state.nm.us/Local\\_Government.aspx](http://www.nmdfa.state.nm.us/Local_Government.aspx)) a partir de Septiembre 12, 2013. Las copias impresas estarán disponibles bajo petición:

Programas de MFA y DFA se administran de manera no discriminatoria, de conformidad con la igualdad de oportunidades de empleo, la acción afirmativa, y los requisitos de vivienda justa. Preguntas, inquietudes, quejas o peticiones de información en formatos alternativos deben ser dirigidas al (504) coordinador de ADA, Debbie Davis, al 800-444-6880. Los lugares de las audiencias públicas tienen acceso para discapacitados.

Legal #95691  
 Published in The Santa Fe New Mexican on September 4, 2013

## AFFIDAVIT OF PUBLICATION

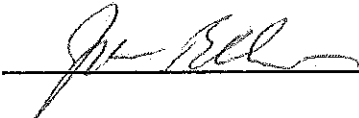
Ad No. 69426

### STATE OF NEW MEXICO County of San Juan:

JOHN ELCHERT, being duly sworn says:  
That HE is the PUBLISHER of THE DAILY TIMES, a daily newspaper of general circulation published in English at Farmington, said county and state, and that the hereto attached Legal Notice was published in a regular and entire issue of the said DAILY TIMES, a daily newspaper duly qualified for the purpose within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico for publication and appeared in the Internet at The Daily Times web site on the following day(s):

Sunday, September 01, 2013

And the cost of the publication is \$307.45

  
ON 9/5/13 JOHN ELCHERT  
appeared before me, whom I know personally  
to be the person who signed the above  
document.





## COPY OF PUBLICATION

### New Mexico DRAFT Action Plan for Housing and Community Development

The New Mexico Mortgage Finance Authority (MFA) and the Department of Finance and Administration, Local Government Division (DFA) are seeking public comment on the DRAFT State of New Mexico 2013 annual Action Plan for Housing and Community Development.

A thirty day public-examination and comment period will begin on September 6, 2013 and end on October 7, 2013. The 2014 Action Plan for Housing and Community Development is the third annual Implementation plan under the State of New Mexico 2011-2015 Consolidated Plan for Housing and Community Development. The Consolidated Plan is a five-year strategic plan that governs the administration of federal funding appropriated for housing and community development activities that benefit persons of low- and moderate- income. Such federal funding includes the following programs; HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The 2011-2015 Consolidated Plan represents approximately \$78 million in federal funding, through the four federal programs, over the five-year period. The HOME, ESG and HOPWA programs are administered by the MFA and the CDBG program is administered by DFA.

Citizens, interested agencies, and for-profit and non-profit organizations may attend either of the two (2) Public Hearings at these locations or via webcast at [www.housingnm.org](http://www.housingnm.org) to provide their input in person and provide comments.

September 13, 2013, 10:00 am  
New Mexico Mortgage Finance Authority  
(MFA)  
Board Room  
344 4th Street SW  
Albuquerque, NM 87102

September 25, 2013, 2:00 pm  
City of Las Cruces  
City Hall Conference Room 2007 A  
700 North Main Street  
Las Cruces, NM 88001-3512

Written comments may be sent to Debbie Davis, Programs & Initiatives Manager, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 or [ddavis@housingnm.org](mailto:ddavis@housingnm.org) through the close of business on October 12, 2012. All comments received will be responded to in the final version of the 2013 Action Plan. Copies of the Draft 2013 Action Plan will be available for review on the MFA website at [www.housingnm.org/publications](http://www.housingnm.org/publications), or on DFA's website at <http://www.nmdfa.state.nm.us/LocalGovernment.aspx> beginning September 12, 2012. Printed copies will be made available upon request at:

New Mexico Mortgage Finance Authority  
344 4th Street SW  
Albuquerque, NM 87102

State of New Mexico Department of Finance  
and Administration  
Local Government Division  
Bataan Memorial Building, Suite 202  
Santa Fe, NM 87501

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Nuevo México proyecto de Plan de acción



1/5

MFA and DFA programs are administered in a nondiscriminatory manner, consistent with equal employment opportunities, affirmative action, and fair housing requirements. Questions, concerns, complaints or requests for information in alternative formats must be directed to the ADA (504) Coordinator, Debbie Davis, at 800-444-6880. Locations for the public hearings are handicapped accessible.

**Nuevo México proyecto de Plan de acción para la vivienda y desarrollo comunitario**

La New Mexico Mortgage Finance Authority (MFA) y el Department of Finance and Administration, Local Government Division (DFA) están buscando comentarios públicos sobre el Plan de Acción anual 2013 de Vivienda y Desarrollo Comunitario en el Estado de Nuevo México.

Un período de treinta días de examen público y comentario comenzará el 6 de Septiembre de 2013 y terminará el 7 de Octubre de 2013. El Plan de Acción 2014 para Vivienda y Desarrollo Comunitario es el tercer plan de ejecución anual en el marco del Estado de Nuevo México 2011-2015 Plan Consolidado de Vivienda y Desarrollo Comunitario. El Plan Consolidado es un plan estratégico de cinco años que gobierna la administración de los fondos federales asignados para actividades de vivienda y desarrollo comunitario en beneficio de las personas de bajos y moderados ingresos. Dicho financiamiento federal incluye los siguientes programas: HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Becas Soluciones de Emergencia/Emergency Solutions Grants (ESG) y Oportunidades de Vivienda para Personas con SIDA/Housing Opportunities for Persons with AIDS (HOPWA). El Plan Consolidado 2011-2015 representa aproximadamente \$ 78 millones en fondos federales, a través de los cuatro programas federales, durante el período de cinco años. Los programas HOME, ESG y HOPWA son administrados por la MFA y el programa CDBG es administrado por DFA.

Los ciudadanos, agencias interesadas y organizaciones con fines de lucro y sin fines de lucro pueden asistir a cualquiera de las dos (2) audiencias públicas en estos lugares o a través de webcast en [www.housingnm.org](http://www.housingnm.org) para ofrecer su aportación en persona y proporcionar comentarios.

13 de Septiembre de 2013, 10:00  
New Mexico Mortgage Finance Authority (MFA)  
Sala de Junta  
344 4th Street SW  
Albuquerque, NM 87102

25 de Septiembre de 2013, 2:00  
Ciudad de Las Cruces, Nuevo México  
City Hall, Sala de Junta, 2007 A  
700 Calle Norte Principal  
Las Cruces, NM 88001-3512

Los comentarios escritos pueden enviarse a Debbie Davis, Directora de Programas e Iniciativas, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 o [ddavis@housingnm.org](mailto:ddavis@housingnm.org) antes del cierre de las operaciones el 12 de Octubre de 2013. Todos los comentarios recibidos serán respondidos en la versión final del Plan de Acción 2013. Copias del Proyecto de Plan de Acción de 2013 estarán disponibles para su revisión en el sitio web del MFA en [www.housingnm.org/publications](http://www.housingnm.org/publications), o en la página web de DFA (<http://www.nmdfa.state.nm.us/LocalGovernment.aspx>) a partir de Septiembre 12, 2013. Las copias impresas estarán disponibles bajo petición.

Programas de MFA y DFA se administran de manera no discriminatoria, de conformidad con la igualdad de oportunidades de empleo, la acción afirmativa, y los requisitos de vivienda justa. Preguntas, inquietudes, quejas o peticiones de información en formatos alternativos deben ser dirigidas al (504) coordinador de ADA, Debbie Davis, al 800-444-6880. Los lugares de las audiencias públicas tienen acceso para discapacitados.

Legal No. 69426 published in The Daily Times on September 01, 2013.

AFFIDAVIT OF LEGAL PUBLICATION

LEGAL #

1540

Copy of Publication

STATE OF NEW MEXICO  
COUNTY OF CURRY:

The undersigned, being duly sworn, says:  
That she is a Legal Clerk of  
The Clovis News Journal, a daily  
Newspaper of general circulation,  
published in English at Clovis,  
said county and state, and that the  
hereto attached

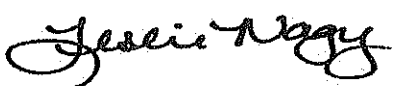
ACTION PLAN TRANSLATION

was published in said Clovis News Journal,  
a daily newspaper duly  
qualified for that purpose within  
the meaning of Chapter 167 of the  
1937 Session Laws of the State of  
New Mexico for 1 consecutive  
days/weeks on the same days as follows:

First Publication: September 1, 2013  
Second Publication:  
Third Publication:  
Fourth Publication:

  
Legal Clerk

Subscribed and sworn to before me  
September 1, 2013



Notary Public



OFFICIAL SEAL  
LESLIE NAGY  
NOTARY PUBLIC - STATE OF NEW MEXICO

My Commission Expires: May 24, 2015

Legal 1540  
September 1, 2013

New Mexico DRAFT Action  
Plan for Housing and  
Community  
Development

The New Mexico Mortgage  
Finance Authority (MFA) and the  
Department of Finance and  
Administration, Local  
Government Division (DFA) are  
seeking public comment on the  
DRAFT State of New Mexico  
2013 annual Action Plan for  
Housing and Community  
Development.

A thirty day public-examination and  
comment period will begin on  
September 6, 2013 and end on  
October 7, 2013. The 2014 Action  
Plan for Housing and Community  
Development is the third annual  
implementation plan under the  
State of New Mexico 2011-2015  
Consolidated Plan for Housing  
and Community Development.  
The Consolidated Plan is a five-  
year strategic plan that governs  
the administration of federal fund-  
ing appropriated for housing and  
community development activi-  
ties that benefit persons of low-  
and moderate-income. Such  
federal funding includes the fol-  
lowing programs: HOME  
Investment Partnerships  
(HOME), Community  
Development Block Grant  
(CDBG), Emergency Solutions  
Grants (ESG), and Housing  
Opportunities for Persons with  
AIDS (HOPWA). The 2011-2015  
Consolidated Plan represents  
approximately \$78 million in fed-  
eral funding, through the four fed-  
eral programs, over the five-year  
period. The HOME, ESG and  
HOPWA programs are adminis-  
tered by the MFA and the CDBG  
program is administered by DFA.

Citizens, interested agencies, and  
for-profit and non-profit organiza-  
tions may attend either of the two  
(2) Public Hearings at these loca-  
tions or via webcast at  
[www.housingnm.org](http://www.housingnm.org) to provide  
their input in person and provide  
comments.

September 13, 2013, 10:00 am  
September 25, 2013, 2:00 pm  
New Mexico Mortgage Finance  
Authority (MFA) City of Las  
Alamos

Coordinator, Debbie Davis, at  
800-444-6880. Locations for the  
public hearings are handicapped  
accessible.

Nuevo México proyecto de Plan de  
acción para la vivienda y desar-  
rollo comunitario

La New Mexico Mortgage Finance  
Authority (MFA) y el Department  
of Finance and Administration,  
Local Government Division (DFA)  
están buscando comentarios  
públicos sobre el Plan de Acción  
anual 2013 de Vivienda y  
Desarrollo Comunitario en el  
Estado de Nuevo México.

Un período de treinta días de ex-  
amen público y comentario  
comenzará el 6 de Septiembre de  
2013 y terminará el 7 de Octubre  
de 2013. El Plan de Acción 2014  
para Vivienda y Desarrollo  
Comunitario es el tercer plan de  
ejecución anual en el marco del  
Estado de Nuevo México 2011-  
2015 Plan Consolidado de  
Vivienda y Desarrollo  
Comunitario. El Plan Consolidado  
es un plan estratégico de cinco  
años que gobierna la adminis-  
tración de los fondos federales  
asignados para actividades de  
vivienda y desarrollo comunitario  
en beneficio de las personas de  
bajos y moderados ingresos.  
Dicho financiamiento federal  
incluye los siguientes programas:  
HOME Investment Partnerships  
(HOME), Community  
Development Block Grant  
(CDBG), Becas Soluciones de  
Emergencia/Emergency  
Solutions Grants (ESG) (ESG), y  
Oportunidades de Vivienda para  
Personas con SIDA/Housing  
Opportunities for Persons with  
AIDS (HOPWA). El Plan  
Consolidado 2011-2015 repre-  
senta aproximadamente \$ 78 mil-  
lones en fondos federales, a  
través de los cuatro programas  
federales, durante el período de  
cinco años. Los programas  
HOME, ESG y HOPWA son  
administrados por la MFA y el  
programa CDBG es administrado  
por DFA.

Los ciudadanos, agencias intere-  
sadas y organizaciones con fines  
de lucro y sin fines de lucro  
pueden asistir a cualquiera de las  
dos (2) audiencias públicas en  
estos lugares o a través de web-  
cast en [www.housingnm.org](http://www.housingnm.org) para  
ofrecer su aportación en persona  
y proporcionar comentarios.

www.housingnm.org to provide their input in person and provide comments.

September 13, 2013, 10:00 am

September 25, 2013, 2:00 pm

New Mexico Mortgage Finance Authority (MFA) City of Las Cruces

Board Room City Hall Conference Room 2007 A

344 4th Street SW 700 North Main Street

Albuquerque, NM 87102

Las Cruces, NM 88001-3512

Written comments may be sent to Debbie Davis, Programs and Initiatives Manager, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 or ddavis@housingnm.org through the close of business on October 12, 2012. All comments received will be responded to in the final version of the 2013 Action Plan. Copies of the Draft 2013 Action Plan will be available for review on the MFA website at [www.housingnm.org/publications](http://www.housingnm.org/publications), or on DFA's website ([http://www.nmdfa.state.nm.us/Local\\_Government.aspx](http://www.nmdfa.state.nm.us/Local_Government.aspx)) beginning September 12, 2012. Printed copies will be made available upon request at:

New Mexico Mortgage Finance Authority

344 4th Street SW

Albuquerque, NM 87102

State of New Mexico Department of Finance and Administration

Local Government Division

Bataan Memorial Building, Suite 202

Santa Fe, NM 87501

MFA and DFA programs are administered in a nondiscriminatory manner, consistent with equal employment opportunities, affirmative action, and fair housing requirements. Questions, concerns, complaints or requests for information in alternative formats must be directed to the ADA (504)

Los ciudadanos, agencias interesadas y organizaciones con fines de lucro y sin fines de lucro pueden asistir a cualquiera de las dos (2) audiencias públicas en estos lugares o a través de webcast en [www.housingnm.org](http://www.housingnm.org) para ofrecer su aportación en persona y proporcionar comentarios.

13 de Septiembre de 2013, 10:00  
25 de Septiembre de 2013, 2:00

New Mexico Mortgage Finance Authority (MFA) Ciudad de Las Cruces, Nuevo México

Sala de Junta

City Hall, Sala de Junata, 2007 A

344 4th Street SW

700 Calle Norte Principal

Albuquerque, NM 87102

Las Cruces, NM 88001-3512

Los comentarios escritos pueden enviarse a Debbie Davis, Directora de Programas e Iniciativas, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 o ddavis@housingnm.org antes del cierre de las operaciones el 12 de Octubre de 2013. Todos los comentarios recibidos serán respondidos en la versión final del Plan de Acción 2013. Copias del Proyecto de Plan de Acción de 2013 estarán disponibles para su revisión en el sitio web del MFA en [www.housingnm.org/publications](http://www.housingnm.org/publications), o en la página web de DFA ([http://www.nmdfa.state.nm.us/Local\\_Government.aspx](http://www.nmdfa.state.nm.us/Local_Government.aspx)) a partir de Septiembre 12, 2013. Las copias impresas estarán disponibles bajo petición:

Programas de MFA y DFA se administran de manera no discriminatoria, de conformidad con la igualdad de oportunidades de empleo, la acción afirmativa, y los requisitos de vivienda justa. Preguntas, inquietudes, quejas o peticiones de información en formatos alternativos deben ser dirigidas al (504) coordinador de ADA, Debbie Davis, al 800-444-6880. Los lugares de las audiencias públicas tienen acceso para discapacitados.



**New Mexico DRAFT Action Plan  
for Housing and Community  
Development**

The New Mexico Mortgage Finance Authority (MFA) and the Department of Finance and Administration, Local Government Division (DFA) are seeking public comment on the DRAFT State of New Mexico 2013 annual Action Plan for Housing and Community Development.

A thirty day public-examination and comment period will begin on September 6, 2013 and end on October 7, 2013. The 2014 Action Plan for Housing and Community Development is the third annual implementation plan under the State of New Mexico 2011-2015 Consolidated Plan for Housing and Community Development. The Consolidated Plan is a five-year strategic plan that governs the administration of federal funding appropriated for housing and community development activities that benefit persons of low and moderate income. Such federal funding includes the following programs: HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The 2011-2015 Consolidated Plan represents approximately \$78 million in federal funding, through the four federal programs, over the five-year period. The HOME, ESG and HOPWA programs are administered by the MFA and the CDBG program is administered by DFA.

Citizens, interested agencies, and for-profit and non-profit organizations may attend either of the two (2) Public Hearings at these locations or via webcast at [www.housingnm.org](http://www.housingnm.org) to provide their input in person and provide comments.

September 13, 2013, 10:00 am  
New Mexico Mortgage Finance Authority (MFA)  
Board Room  
344 4th Street SW  
Albuquerque, NM 87102

September 25, 2013, 2:00 pm  
City of Las Cruces  
City Hall Conference  
Room 2007 A  
700 North Main Street  
Las Cruces, NM 88001-3512

Written comments may be sent to Debbie Davis, Programs & Initiatives Manager, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 or [ddavis@housingnm.org](mailto:ddavis@housingnm.org) through the close of business on October 12, 2013. All comments received will be responded to in the final version of the 2013 Action Plan. Copies of the Draft 2013 Action Plan will be available for review on the MFA website at [www.housingnm.org/publications](http://www.housingnm.org/publications), or on DFA's website ([http://www.nmdfa.state.nm.us/Local\\_Government.aspx](http://www.nmdfa.state.nm.us/Local_Government.aspx)) beginning

September 12, 2012. Printed copies will be made available upon request at:

New Mexico Mortgage Finance Authority  
344 4th Street SW  
Albuquerque, NM 87102

State of New Mexico Department of Finance and Administration  
Local Government Division  
Bataan Memorial Building,  
Suite 202  
Santa Fe, NM 87501

MFA and DFA programs are ad-

# AFFIDAVIT OF PUBLICATION

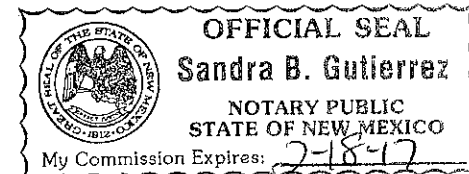
**STATE OF NEW MEXICO**  
**County of Bernalillo**

SS

Linda MacEachen, being duly sworn, declares and says that she is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 1 day of September, 2013, and the subsequent consecutive publications on \_\_\_\_\_, 20\_\_\_\_.

Linda MacEachen

Sworn and subscribed before me, a Notary Public, in and  
for the County of Bernalillo and State of New Mexico this  
1 day of September of 2013.



PRICE 157.74

Statement to come at end of month.

ACCOUNT NUMBER 1011094

Sandra B. Gutierrez

**Published in the Albuquerque Journal on Sunday September 01, 2013**

New Mexico DRAFT Action Plan for Housing and Community Development The New Mexico Mortgage Finance Authority (MFA) and the Department of Finance and Administration, Local Government Division (DFA) are seeking public comment on the DRAFT State of New Mexico 2013 annual Action Plan for Housing and Community Development. A thirty day public-examination and comment period will begin on September 6, 2013 and end on October 7, 2013. The 2014 Action Plan for Housing and Community Development is the third annual implementation plan under the State of New Mexico 2011-2015 Consolidated Plan for Housing and Community Development. The Consolidated Plan is a five-year strategic plan that governs the administration of federal funding appropriated for housing and community development activities that benefit persons of low- and moderate- income. Such federal funding includes the following programs; HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The 2011-2015 Consolidated Plan represents approximately \$78 million in federal funding, through the four federal programs, over the five-year period. The HOME, ESG and HOPWA programs are administered by the MFA and the CDBG program is administered by DFA. Citizens, interested agencies, and for-profit and non-profit organizations may attend either of the two (2) Public Hearings at these locations or via webcast at [www.housingnm.org](http://www.housingnm.org) to provide their input in person and provide comments. September 13, 2013, 10:00 am New Mexico Mortgage Finance Authority (MFA) Board Room 344 4th Street SW Albuquerque, NM 87102 September 25, 2013, 2:00 pm City of Las Cruces City Hall Conference Room 2007 A 700 North Main Street Las Cruces, NM 88001-3512 Written comments may be sent to Debbie Davis, Programs & Initiatives Manager, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 or [ddavis@housingnm.org](mailto:ddavis@housingnm.org) through the close of business on October 12, 2012. All comments received will be responded to in the final version of the 2013 Action Plan. Copies of the Draft 2013 Action Plan will be available for review on the MFA website at [www.housingnm.org/publications](http://www.housingnm.org/publications), or on DFA's website

([http://www.nmdfa.state.nm.us/Local\\_Government.aspx](http://www.nmdfa.state.nm.us/Local_Government.aspx)) beginning September 12, 2012. Printed copies will be made available upon request at: New Mexico Mortgage Finance Authority 344 4th Street SW Albuquerque, NM 87102 State of New Mexico Department of Finance and Administration Local Government Division Bataan Memorial Building, Suite 202 Santa Fe, NM 87501 MFA and DFA programs are administered in a nondiscriminatory manner, consistent with equal employment opportunities, affirmative action, and fair housing requirements. Questions, concerns, complaints or requests for information in alternative formats must be directed to the ADA (504) Coordinator, Debbie Davis, at 800-444-6880. Locations for the public hearings are handicapped accessible. Nuevo Mexico proyecto de Plan de accin para la vivienda y desarrollo comunitario La New Mexico Mortgage Finance Authority (MFA) y el Department of Finance and Administration, Local Government Division (DFA) estn buscando comentarios pblicos sobre el Plan de Accin anual 2013 de Vivienda y Desarrollo Comunitario en el Estado de Nuevo Mexico. Un periodo de treinta das de examen pblico y comentario comenzar el 6 de Septiembre de 2013 y terminar el 7 de Octubre de 2013. El Plan de Accin 2014 para Vivienda y Desarrollo Comunitario es el tercer plan de ejecucin anual en el marco del Estado de Nuevo Mexico 2011-2015 Plan Consolidado de Vivienda y Desarrollo Comunitario. El Plan Consolidado es un plan estratgico de cinco aos que gobierna la administracin de los fondos federales asignados para actividades de vivienda y desarrollo comunitario en beneficio de las personas de bajos y moderados ingresos. Dicho financiamiento federal incluye los siguientes programas; HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), Becas Soluciones de Emergencia/Emergency Solutions Grants (ESG) (ESG), y Oportunidades de Vivienda para Personas con SIDA/Housing Opportunities for Persons with AIDS (HOPWA). El Plan Consolidado 2011-2015 representa aproximadamente \$ 78 millones en fondos

federales, a travs de los cuatro programas federales, durante el periodo de cinco aos. Los programas HOME, ESG y HOPWA son administrados por la MFA y el programa CDBG es administrado por DFA. Los ciudadanos, agencias interesadas y organizaciones con fines de lucro y sin fines de lucro pueden asistir a cualquiera de las dos (2) audiencias pblicas en estos lugares o a travs de webcast en [www.housingnm.org](http://www.housingnm.org) para ofrecer su aportacin en persona y proporcionar comentarios. 13 de Septiembre de 2013, 10:00 New Mexico Mortgage Finance Authority (MFA) Sala de Junta 344 4th Street SW Albuquerque, NM 87102 25 de Septiembre de 2013, 2:00 Ciudad de Las Cruces, Nuevo Mxico City Hall, Sala de Junata, 2007 A 700 Calle Norte Principal Las Cruces, NM 88001-3512 Los comentarios escritos pueden enviarse a Debbie Davis, Directora de Programas e Iniciativas, New Mexico Mortgage Finance Authority, 344 4th Street SW, Albuquerque, NM 87102 o [ddavis@housingnm.org](mailto:ddavis@housingnm.org) antes del cierre de las operaciones el 12 de Octubre de 2013. Todos los comentarios recibidos sern respondidos en la versin final del Plan de Accin 2013. Copias del Proyecto de Plan de Accin de 2013 estarn disponibles para su revisin en el sitio web del MFA en [www.housingnm.org/publications](http://www.housingnm.org/publications), o en la pgina web de DFA ([http://www.nmdfa.state.nm.us/Local\\_Government.aspx](http://www.nmdfa.state.nm.us/Local_Government.aspx)) a partir de Septiembre 12, 2013. Las copias impresas estarn disponibles bajo peticin: Programas de MFA y DFA se administran de manera no discriminatoria, de conformidad con la igualdad de oportunidades de empleo, la accin afirmativa, y los requisitos de vivienda justa. Preguntas, inquietudes, quejas o peticiones de informacin en formatos alternativos deben ser dirigidas al (504) coordinador de ADA, Debbie Davis, al 800-444-6880. Los lugares de las audiencias pblicas tienen acceso para discapacitados. Journal: September 1, 2013

## **Appendix D: State Certifications**

**CDBG**

**HOME**

**ESG**

**HOPWA**

## STATE CERTIFICATIONS

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

**Affirmatively Further Fair Housing** -- The State will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the state, 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 anti-displacement 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.

**Anti-Lobbying** -- To the best of the State'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 paragraphs 1 and 2 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.

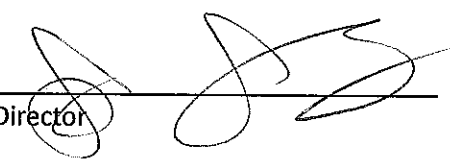
**Authority of State** -- The submission of the consolidated plan is authorized under State law and the State possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

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

**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.

It shall be the policy and commitment of the New Mexico Mortgage Finance Authority to ensure that fair and equal housing opportunities are granted to all persons, in all housing opportunities and development activities funded by the New Mexico Mortgage Finance Authority regardless of race, color, religion, gender, sexual orientation, marital status, lawful source of income, familial status, national origin, ancestry, age or mental or physical disability. This shall be done through a program of education, an analysis of impediments, and designation of a Fair Housing Officer and development of a procedure for complaints of discrimination. This plan will incorporate the directives of State and Federal laws and Executive Orders, including, but not limited to:

- a. Title VI of the Civil Rights Act of 1964
- b. The Fair Housing Act – Title VIII of the Civil Rights Act of 1968, as amended
- c. Executive Order 11063, as amended by Executive Order 12259
- d. Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended
- e. Section 109 of Title I of the Housing and Community Development Act of 1974, as amended
- f. Section 3 of the Housing and Community Development Act of 1968, as amended
- g. Sections 503 and 504 of the Rehabilitation Act of 1973, as amended
- h. The Americans with Disabilities Act of 1990
- i. The Age Discrimination Act of 1975, as amended
- j. Executive Order 11246 (as amended by Executive Orders 12375 and 12086) Equal Opportunity Under HUD contracts and HUD-assisted Construction Contracts
- k. Executive Order 12892, Leadership and Coordination of Fair Housing
- l. New Mexico Human Rights Act Chapter 28, Article 1 NMSA 1978 (§28.1.1 NMSA)

  
\_\_\_\_\_  
Executive Director

3/25/14  
\_\_\_\_\_  
Date

## **Specific CDBG Certifications**

The State certifies that:

**Citizen Participation** -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR §91.115 and each unit of general local government that receives assistance from the State is or will be following a detailed citizen participation plan that satisfies the requirements of 24 CFR §570.486.

**Consultation with Local Governments** -- It has or will comply with the following:

1. It has consulted with affected units of local government in the nonentitlement area of the State in determining the method of distribution of funding;
2. It engages in or will engage in planning for community development activities;
3. It provides or will provide technical assistance to units of local government in connection with community development programs; and
4. It will not refuse to distribute funds to any unit of general local government on the basis of the particular eligible activity selected by the unit of general local government to meet its community development needs, except that a State is not prevented from establishing priorities in distributing funding on the basis of the activities selected.

**Local Needs Identification** -- It will require each unit of general local government to be funded to identify its community development and housing needs, including the needs of low-income and moderate-income families, and the activities to be undertaken to meet these needs.

**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 have been developed in accordance with the primary objectives of Title I of the Housing and Community Development Act of 1974, as amended. (See 24 CFR 570.2 and 24 CFR part 570)

**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) 199 , , and . (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. The state will require units of general local government that receive CDBG funds to certify to the following:

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.

It 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 will require units of general local government that receive CDBG funds to certify that they have adopted and are 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.

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

  
\_\_\_\_\_  
Signature/Authorized Official

Deputy Director

\_\_\_\_\_  
Title

10/16/13  
\_\_\_\_\_  
Date



## STATE CERTIFICATIONS

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

**Affirmatively Further Fair Housing --** The State will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the state, 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 anti-displacement 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.

**Anti-Lobbying --** To the best of the State'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 paragraphs 1 and 2 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.

**Authority of State --** The submission of the consolidated plan is authorized under State law and the State possesses the legal authority to carry out the programs under the consolidated plan 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.

**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.

  
\_\_\_\_\_  
Signature/Authorized Official

10/15/13  
\_\_\_\_\_  
Date

Executive Director  
\_\_\_\_\_  
Title

## Specific HOME Certifications

The State certifies that:

**Tenant Based Rental Assistance** -- If it intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the State's consolidated plan.

**Eligible Activities and Costs** -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through §92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

**Appropriate Financial Assistance** -- Before committing any funds to a project, the State or its recipients will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

  
\_\_\_\_\_  
Signature/Authorized Official

10/15/13  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Title

## ESG Certifications

Each State that seeks funding under the Emergency Solutions Grants Program must provide the following certifications:

**Matching Funds** – The State will obtain any matching amounts required under 24 CFR 576.201 in a manner so that its subrecipients that are least capable of providing matching amounts receive the benefit of the exception under 24 CFR 576.201(a)(2).

**Discharge Policy** – The State will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

**Confidentiality** – The State will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

The State will ensure that its subrecipients comply with the following criteria:

**Major rehabilitation/conversion** – If an emergency shelter's rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

**Essential Services and Operating Costs** – If ESG funds are used for shelter operations or essential services related to street outreach or emergency shelter, the subrecipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the applicant serves the same type of persons (e.g., families with children, unaccompanied youth, veterans, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

**Renovation** – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

**Supportive Services** – The subrecipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for such individuals.

**Homeless Persons Involvement** – To the maximum extent practicable, the subrecipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted ESG.

**Consolidated Plan** – All activities the subrecipient undertakes with assistance under ESG are consistent with the State's current HUD-approved consolidated plan.

  
\_\_\_\_\_  
Signature/Authorized Official

10/15/17  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Title

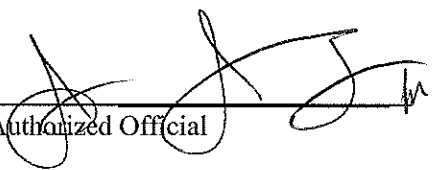
## HOPWA Certifications

The State HOPWA grantee certifies that:

**Activities** -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

**Building** -- Any building or structure assisted under the program shall be operated for the purpose specified in the plan:

1. For at least 10 years in the case of any building or structure purchased, leased, rehabilitated, renovated, or converted with HOPWA assistance,
2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

  
\_\_\_\_\_  
Signature/Authorized Official

10/15/13  
Date

\_\_\_\_\_  
Executive Director

Title

## **APPENDIX TO CERTIFICATIONS**

### **INSTRUCTIONS CONCERNING LOBBYING 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.

**Appendix E: SF424 Forms**

**CDBG**

**HOME**

**ESG**

**HOPWA**



# APPLICATION FOR FEDERAL ASSISTANCE

OMB Approved No. 3076-0006

Version 7/03

<b>1. TYPE OF SUBMISSION:</b> Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		<b>2. DATE SUBMITTED</b> 11/01/2013	Applicant Identifier
Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		<b>3. DATE RECEIVED BY STATE</b> n/a	State Application Identifier
		<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier
<b>5. APPLICANT INFORMATION</b>			
Legal Name: State of New Mexico		<b>Organizational Unit:</b> Department: NM Department of Finance and Administration	
Organizational DUNS: 80-856-1567		Division: Local Government Division	
<b>Address:</b> Street: 407 Galisteo Street Bataan Memorial Building, Rm. 202 City: Santa Fe County: Santa Fe State: New Mexico Zip Code: 87501		<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b> Prefix: First Name: Jolene Middle Name: Last Name: Slowen Suffix:	
Country: United States of America		Email: JoleneM.Slowen@state.nm.us	
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 85-6000565		Phone Number (give area code) 505-827-4974	Fax Number (give area code) 505-827-4948
<b>8. TYPE OF APPLICATION:</b> <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)		<b>7. TYPE OF APPLICANT:</b> (See back of form for Application Types) A. State Other (specify)	
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE (Name of Program): Community Development Block Grants - States Program 14-228		<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> State of New Mexico 2014 Action Plan Community Development Block Grant Program	
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Balance of State of New Mexico		<b>9. NAME OF FEDERAL AGENCY:</b> U.S. Department of Housing and Urban Development	
<b>13. PROPOSED PROJECT</b> Start Date: 1/1/2014 Ending Date: 12/31/2014		<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant NM 3 b. Project NM 1, 2 & 3	
<b>15. ESTIMATED FUNDING:</b>		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>	
a. Federal	\$ 8,975,336.00	a. Yes. <input checked="" type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE: 11/1/2013	
b. Applicant	\$ .00	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
c. State	\$ .00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$ .00	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>	
e. Other	\$ .00	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No	
f. Program Income	\$ .00		
g. TOTAL	\$ 8,975,336.00		
<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>			
<b>a. Authorized Representative</b>			
Prefix	First Name Jolene	Middle Name	
Last Name Slowen	Suffix Ms.		
b. Title Deputy Director	c. Telephone Number (give area code) 505-827-4974		
d. Signature of Authorized Representative	e. Date Signed 9/5/13		

# APPLICATION FOR FEDERAL ASSISTANCE

OMB Approved No. 3076-0006

Version 7/03

<b>1. TYPE OF SUBMISSION:</b> Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		<b>2. DATE SUBMITTED</b> 11/01/2013	Applicant Identifier
Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier
		<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier

<b>5. APPLICANT INFORMATION</b> Legal Name: New Mexico Mortgage Finance Authority Organizational DUNS: 08-321-4742 Address: Street: 344 4th St.SW City: Albuquerque County: Bernalillo State: New Mexico Zip Code: 87102 Country: USA		<b>Organizational Unit:</b> Department: Division: Name and telephone number of person to be contacted on matters involving this application (give area code) Prefix: First Name: Deborah Middle Name: Last Name: Davis Suffix: Email: ddavis@housingnm.org																												
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 85-0252748		Phone Number (give area code) 505-767-2221 Fax Number (give area code) 505-242-2766																												
<b>8. TYPE OF APPLICATION:</b> <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)		<b>7. TYPE OF APPLICANT:</b> (See back of form for Application Types) A. State Other (specify)																												
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE (Name of Program): HOME Investment Partnerships Program <b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Balance of State of New Mexico		<b>9. NAME OF FEDERAL AGENCY:</b> US Department of Housing and Urban Development <b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> State of New Mexico 2014 Action Plan - HOME Program																												
<b>13. PROPOSED PROJECT</b> Start Date: 01/01/2014 Ending Date: 12/31/2014 <b>15. ESTIMATED FUNDING:</b> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">a. Federal</td> <td style="width:10%;">\$</td> <td style="width:10%; text-align: right;">3,597,945</td> <td style="width:10%; text-align: right;">.00</td> </tr> <tr> <td>b. Applicant</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>c. State</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>d. Local</td> <td>\$</td> <td></td> <td>.00</td> </tr> <tr> <td>e. Other</td> <td>\$</td> <td>1,192,746</td> <td>.00</td> </tr> <tr> <td>f. Program Income</td> <td>\$</td> <td>1,000,000</td> <td>.00</td> </tr> <tr> <td>g. TOTAL</td> <td>\$</td> <td>5,790,691</td> <td>.00</td> </tr> </table>		a. Federal	\$	3,597,945	.00	b. Applicant	\$		.00	c. State	\$		.00	d. Local	\$		.00	e. Other	\$	1,192,746	.00	f. Program Income	\$	1,000,000	.00	g. TOTAL	\$	5,790,691	.00	<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant NM 1 b. Project NM 1, 2, 3 <b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b> a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE: b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW <b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b> <input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No
a. Federal	\$	3,597,945	.00																											
b. Applicant	\$		.00																											
c. State	\$		.00																											
d. Local	\$		.00																											
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f. Program Income	\$	1,000,000	.00																											
g. TOTAL	\$	5,790,691	.00																											

<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>		
<b>a. Authorized Representative</b>		
Prefix Mr.	First Name Jay	Middle Name
Last Name Czar		Suffix
b. Title Executive Director		c. Telephone Number (give area code) 505-843-6880
d. Signature of Authorized Representative		e. Date Signed 9/4/13



# APPLICATION FOR FEDERAL ASSISTANCE

OMB Approved No. 3076-0006

Version 7/03

<b>1. TYPE OF SUBMISSION:</b> Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		<b>2. DATE SUBMITTED</b> 11/12/2013	<b>Applicant Identifier</b>	
<b>Pre-application</b> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		<b>3. DATE RECEIVED BY STATE</b>	<b>State Application Identifier</b>	
		<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	<b>Federal Identifier</b>	
<b>5. APPLICANT INFORMATION</b>				
<b>Legal Name:</b> New Mexico Mortgage Finance Authority		<b>Organizational Unit:</b> Department:		
<b>Organizational DUNS:</b> 08-321-4742		<b>Division:</b>		
<b>Address:</b> Street: 344 4th St.SW		<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b>		
<b>City:</b> Albuquerque		<b>Prefix:</b>	<b>First Name:</b> Deborah	
<b>County:</b> Bernalillo		<b>Middle Name</b>		
<b>State:</b> New Mexico		<b>Last Name</b> Davis		
<b>Zip Code</b> 87102	<b>Suffix:</b>			
<b>Country:</b> USA		<b>Email:</b> ddavis@housingnm.org		
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 85-0252748		<b>Phone Number (give area code)</b> 505-767-2221		<b>Fax Number (give area code)</b> 505-242-2766
<b>8. TYPE OF APPLICATION:</b> <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>		<b>7. TYPE OF APPLICANT: (See back of form for Application Types)</b> A. State Other (specify)		
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE (Name of Program): Emergency Shelter Grants Program 14-231		<b>9. NAME OF FEDERAL AGENCY:</b> US Department of Housing and Urban Development		
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Balance of State of New Mexico		<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> State of New Mexico 2014 Action Plan - ESG Program		
<b>13. PROPOSED PROJECT</b> Start Date: 1/1/2014 Ending Date: 12/31/2014		<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant NM 1 b. Project NM 1, 2, 3		
<b>15. ESTIMATED FUNDING:</b>		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>		
a. Federal	\$ 757,993 <sup>00</sup>	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON		
b. Applicant	\$ . <sup>00</sup>	DATE:		
c. State	\$ . <sup>00</sup>	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
d. Local	\$ . <sup>00</sup>	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
e. Other	\$ . <sup>00</sup>	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>		
f. Program Income	\$ . <sup>00</sup>	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
g. TOTAL	\$ 757,993 <sup>00</sup>			
<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>				
<b>a. Authorized Representative</b>				
<b>Prefix</b> Mr.	<b>First Name</b> Jay	<b>Middle Name</b>		
<b>Last Name</b> Czar		<b>Suffix</b>		
<b>b. Title</b> Executive Director		<b>c. Telephone Number (give area code)</b> 505-843-6880		
<b>d. Signature of Authorized Representative</b>		<b>e. Date Signed</b> 9/4/13		

# APPLICATION FOR FEDERAL ASSISTANCE

OMB Approved No. 3076-0006

Version 7/03

<b>1. TYPE OF SUBMISSION:</b> Application		<b>2. DATE SUBMITTED</b> 11/01/2013	<b>Applicant Identifier</b>	
<input type="checkbox"/> Construction	<input type="checkbox"/> Pre-application	<b>3. DATE RECEIVED BY STATE</b>	<b>State Application Identifier</b>	
<input checked="" type="checkbox"/> Non-Construction	<input type="checkbox"/> Construction	<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	<b>Federal Identifier</b>	
<input type="checkbox"/> Non-Construction	<input type="checkbox"/> Pre-application			
<b>5. APPLICANT INFORMATION</b>				
<b>Legal Name:</b> New Mexico Mortgage Finance Authority		<b>Organizational Unit:</b> Department:		
<b>Organizational DUNS:</b> 08-321-4742		<b>Division:</b>		
<b>Address:</b> Street: 344 4th St.SW		<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b>		
<b>City:</b> Albuquerque		<b>Prefix:</b>	<b>First Name:</b> Deborah	
<b>County:</b> Bernalillo		<b>Middle Name</b>		
<b>State:</b> New Mexico	<b>Zip Code</b> 87102	<b>Last Name</b> Davis		
<b>Country:</b> USA		<b>Suffix:</b>		
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 85-0252748		<b>Email:</b> ddavis@housingnm.org		
		<b>Phone Number (give area code)</b> 505-767-2221	<b>Fax Number (give area code)</b> 505-242-2766	
<b>8. TYPE OF APPLICATION:</b> <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/>		<b>7. TYPE OF APPLICANT: (See back of form for Application Types)</b> A. State Other (specify)		
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> 14-241 TITLE (Name of Program): Housing Opportunities for Persons With AIDS (HOPWA)		<b>9. NAME OF FEDERAL AGENCY:</b> US Department of Housing and Urban Development		
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> State of New Mexico		<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> State of New Mexico 2014 Action Plan - HOPWA Program		
<b>13. PROPOSED PROJECT</b> Start Date: 1/1/2014 Ending Date: 12/31/2014		<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant NM 1 b. Project NM 1, 2, 3		
<b>15. ESTIMATED FUNDING:</b>		<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>		
a. Federal	\$ 593,615.00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON		
b. Applicant	\$ .00	DATE:		
c. State	\$ .00	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
d. Local	\$ .00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
e. Other	\$ .00	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>		
f. Program Income	\$ .00	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
g. TOTAL	\$ 593,615.00			
<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>				
<b>a. Authorized Representative</b>				
<b>Prefix</b> Mr.	<b>First Name</b> Jay	<b>Middle Name</b>		
<b>Last Name</b> Czar		<b>Suffix</b>		
<b>b. Title</b> Executive Director		<b>c. Telephone Number (give area code)</b> 505-843-6880		
<b>d. Signature of Authorized Representative</b>		<b>e. Date Signed</b> 5/4/13		