

# NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

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CHAPTER Cdfa 300 COMMUNITY DEVELOPMENT BLOCK GRANT RULES

REVISION NOTE:

Effective 7-1-03, Chapter 319:14 of the Laws of 2003 transferred the rules Pln 300 governing the Community Development Block Grant (CDBG) program from the Office of State Planning to the Community Development Finance Authority (CDFA). Chapter 319:13 of the Laws of 2003, effective 7-1-03, inserted RSA 162-L:11-19 relative to the CDBG program, including rulemaking authority under RSA 162-L:16, subsequently amended by Chapter 104:1 of the Laws of 2004, effective 7-16-04. The CDFA adopted and filed amendments to Pln 300, as an interim rule under Document #8254, effective 1-12-05. The CDFA subsequently adopted and filed Cdfa 300 in Document #8387, effective 6-29-05, which was a readoption with amendments and renumbering of Chapter Pln 300, and which also made extensive changes to the wording and format. Document #8387 supersedes all prior filings for Chapter Pln 300. The prior filings affecting rules in Chapter Pln 300 include the following:

|                     |                    |
|---------------------|--------------------|
| #2537, eff 11-10-83 | #5388, eff 5-4-92  |
| #2550, eff 12-6-83  | #6065, eff 7-25-95 |
| #3156, eff 12-10-85 | #6736, eff 4-24-98 |
| #4355, eff 1-20-88  | #6970, eff 3-30-99 |
| #4734, eff 1-22-90  | #7498, eff 5-25-01 |
| #5050, eff 1-21-91  | #8254, eff 1-12-05 |

PART Cdfa 301 PURPOSE AND SCOPE

Cdfa 301.01 CDBG Program Structure; Role of the Community Development Finance Authority.

(a) In accordance with RSA 162-L:16, IV, the Community Development Finance Authority is responsible for adopting rules pursuant to RSA 541-A relative to: the application process, the criteria and procedures for evaluating applications submitted by eligible municipalities, procedures for the administration of program activities and funds for community development block grants that are applied for and awarded to eligible municipalities, and procedures for monitoring grantees and hearings.

(b) The purpose of this chapter is to implement the Housing and Community Development Act of 1974, as amended, codified at 42 U.S.C. 5301 et seq. and the federal regulations accompanying it in 24 CFR Part 570 and 24 CFR Part 91.

Source. (See Revision Note at chapter heading for Cdfa 300)  
#8387, eff 6-29-05

PART Cdfa 302 CHAPTER DEFINITIONS

Cdfa 302.01 "Action Plan" means the state's annual submission to HUD required by 24 CFR Part 91.

Cdfa 302.02 "Applicant" means the municipality or county applying for a CDBG grant.

Cdfa 302.03 "Application and Program Guide" means the instructions for completing an application for CDBG grants and information on the review and scoring of applications.

Cdfa 302.04 "Authority" means the community development finance authority.

Cdfa 302.05 "CDBG" means community development block grant.

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Cdfa 302.06 "Chief executive officer" means "chief executive officer" as defined in RSA 162-L:11, II.

Cdfa 302.07 "Committee" means the community development advisory committee.

Cdfa 302.08 "Community development grant" means a CDBG grant in either subcategory of housing or public facilities.

Cdfa 302.09 "Consolidated Plan" means the State's planning document submitted to HUD every 5 years required under 24 CFR Part 91. It describes needs, resources, priorities and proposed activities to be undertaken with respect to HUD's CPD formula programs, including CDBG.

Cdfa 302.10 "Economic development grant" means the awarding of CDBG funds to create or retain employment for low and moderate income persons, by business financing techniques, acquisition of land and buildings, construction of commercial buildings, purchase of machinery and equipment, employee training, and public facilities improvements .

Cdfa 302.11 "Entitlement Community" means the municipalities which receive funds directly from HUD under 42 U.S.C. 5306 (b) of the federal act, or any other newly designated community by HUD.

Cdfa 302.12 "Entity" means a distinct governmental unit.

Cdfa 302.13 "Executive director" means the executive director of the community development finance authority.

Cdfa 302.14 "Family" means all persons living in the same household who are related by birth, marriage or adoption.

Cdfa 302.15 "Feasibility grant" means a CDBG grant to determine whether or not a proposed CDBG project is feasible and/or to recommend specific action(s) to be undertaken to support feasibility of a project.

Cdfa 302.16 "Federal act" means Title I of the Housing and Community Development Act of 1974, as amended, codified at 42 U.S.C. 5301 et seq.

Cdfa 302.17 "Governing body" means the city council or board of alderman of a city or the board of selectmen or town council of a town or the county delegation of a county.

Cdfa 302.18 "Grantee" means a municipality or county that has been awarded CDBG funds or is a recipient of such funds.

Cdfa 302.19 "Household" means all the people who occupy a housing unit. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers, is also counted as a household.

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Cdfa 302.20 "Housing grant" means a CDBG grant awarded to acquire, expand, or improve housing in the community.

Cdfa 302.21 "Housing unit" means a single room, an apartment, cooperative or condominium, a single family home or a residential unit which forms part of an independent group residence, congregate housing or shared housing.

Cdfa 302.22 "HUD" means the U.S. Department of Housing and Urban Development.

Cdfa 302.23 "Implementation guides" means the authority publications which explains and recommends ways to administer a community development block grant award and lists the applicable state and federal laws, regulations and rules.

Cdfa 302.24 "Income" means all wages and salaries, interest, social security, pensions, net business income, rental income, transfer, welfare payments, veterans' benefits, educational assistance and alimony received, but not alimony paid of adults living in the same family or household.

Cdfa 302.25 "Low income households" means those households having an income equal to or less than the Section 8 Very Low Income limit (50% of the area median income) as established by HUD

Cdfa 302.26 "Low and moderate income households" means family or household annual income less than the Section 8 Low Income Limit, generally 80 percent of the area median income, as established by HUD.

Cdfa 302.27 "Low or moderate income person" means an individual or a member of a family whose income is equal to or less than the Section 8 Very Low Income limit (50% of the area median income) as established by HUD

Cdfa 302.28 "Moderate income person" means an individual or a member of a family whose income is equal to or less than the Section 8 Low Income limit (80% of area median income) established by HUD, but greater than the Section 8 Very Low Income limit (50% of area median income) established by HUD.

Cdfa 302.29 "Municipality" means "municipality" as defined in RSA 162-L:11, VIII, and includes a county consisting of its non-entitlement areas and its unincorporated areas, if any.

Cdfa 302.30 "Non-entitlement area" means "non-entitlement area" as defined in 42 U.S.C. 5302(a)(7) of the federal act.

Cdfa 302.31 "OMB" means the U.S. Office of Management and Budget.

Cdfa 302.32 "Program income" means "program income" as defined in 24 CFR 570.489(e).

Cdfa 302.33 "Public facilities grant" means a CDBG grant to provide a public service or acquire, construct, reconstruct, rehabilitate, or install:

- (a) Water and sewer systems;

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- (b) Public property such as streets, sidewalks, parks, historic sites, open space and recreation areas; or
- (c) Homeless shelters and neighborhood or community centers in which to offer or provide public services.
- (d) Any other public infrastructure the Authority deems eligible.

Cdfa 302.34 "Public services" means those activities which provide or improve some aspect of a community's welfare or needs. These include, but are not limited to, the operation of child day care, elderly and handicapped activities, recreation, health programs and educational programs on health, substance abuse, energy conservation and crime prevention.

Cdfa 302.35 "Recipient" means the grantee.

Cdfa 302.36 "Regular funding competition" means the annual application process for CDBG grants.

Cdfa 302.37 "Section 8" means that section of the United States Housing Act of 1937, as amended, codified at 42 U.S.C. 1401 et seq.

Cdfa 302.38 "Serious and immediate threat" means that the condition proposed to be corrected with CDBG funds will be a detriment to the health and welfare of the community if not corrected, that no other funds are available, and that the unforeseeable condition became critical within the most recent 18 months.

Cdfa 302.39 "Service area" means the geographic area served by a water or sewer public facilities grant.

Cdfa 302.40 "Slum" means "slum" as defined in RSA 204-C:1, XXVI.

Cdfa 302.41 "Subrecipient" means a village district, school district, housing, for-profit or nonprofit organization or corporation which receives CDBG funds from the grantee to implement the project for which the funds were awarded.

Cdfa 302.42 "Substandard housing unit" means a residential housing unit which does not meet physical condition standards for HUD housing that is decent, safe, sanitary and in good repair as defined in 24 CFR 5.703.

Cdfa 302.43 "Urgent Need" means a CDBG grant awarded in response to unpredictable events or circumstances that affect the health or welfare of citizens.

#### PART Cdfa 303 GRANT AWARD PROCEDURE

##### Cdfa 303.01 Role of the Executive Director and Staff.

(a) Under RSA 162-L:16, the authority shall be responsible for the administration of the New Hampshire CDBG Program.

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(b) The authority staff shall rank and rate the applications and make recommendations to the executive director according to the Application and Program Guide.

(c) The executive director then shall determine which applicants will receive grant awards and at what funding level. In determining final grant awards, the director shall use the same eligibility and scoring criteria as used by the staff to rank all applications.

(d) The consent of the community development advisory committee and the approval of the governor and council shall be necessary for federal funds to be granted pursuant to RSA 162-L:16.

(e) This process shall continue until all available funds in each grant category have been successfully awarded.

(f) Pursuant to RSA 162-L:18, I, the authority shall terminate or limit the availability of payments, in accordance with contract provisions, in those cases, after notice and hearing, where a grant recipient has been determined to have failed to comply substantially with applicable state and federal laws, rules and regulations.

Cdfa 303.02 Duties of the Community Development Advisory Committee. As provided in RSA 162-L:15 and RSA 162-L:16, and as described in Cdfa 303.01(d), the function of the committee shall be to provide advice and consent to the executive director and the authority in awarding grants, in adopting application rules and procedures and in developing criteria for awarding the federal funds provided.

Cdfa 303.03 Community Development Advisory Committee Meetings. All community development advisory committee meetings shall be subject to RSA 91-a.

Cdfa 303.04 Role of Governor, Attorney General and Executive Council. Pursuant to RSA 162-L:16, following the executive director's determination of final grant awards and the committee's consent, the approval of the governor and council shall be required. A contract between the applicant and the authority shall then be signed. In order for funds to be released, the contract shall be approved by the governor, attorney general and executive council.

PART Cdfa 304 GENERAL INFORMATION FOR GRANT APPLICATIONS AND AWARDS

Cdfa 304.01 Five Year Consolidated Plan and Annual Action Plan

(a) In accordance with 24 CFR Part 91 of the Federal Regulations a Five-Year Consolidated Plan and Annual Action Plan are required by the U. S. Department of Housing and Urban development in order for the State to receive HUD grants, including the Community Development Block Grant.

(b) The Annual Action Plan will include a Method of Distribution for the use of State CDBG funds in accordance with the requirements of 24 CFR 91.320(k)(1)(i) and 24 CFR 570.490(a)(2). The Method of Distribution will contain a summary description of all criteria that CDFA will use to select applications from local governments, and a description of how the details of the application process and funding criteria will be promulgated. The Method of Distribution will also include how all CDBG resources will be allocated among funding categories and the threshold factors and grant size limits that are to be applied.

CDFA 304.02 Housing and Community Development Act Objectives.

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(a) To carry out the primary objectives specified in 42 U.S.C. 5301(c) of the federal act, community development activities shall address at least one of the following broad national objectives specified in 42 U.S.C. 5304(b) of the federal act:

- (1) Benefit to low and moderate income families;
- (2) Aid in the prevention or elimination of slums and blight; and
- (3) 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.

Cdfa 304.03 Types of Grants. To accomplish the national and state objectives, there shall be the following grant categories:

- (a) Housing Grants
- (b) Public facilities Grants
- (c) Economic Development Grants
- (d) Feasibility Grants
- (e) Urgent Need Grants
- (f) Other grant categories as deemed critical in a community, are consistent with the Housing and Community Development Act, and are identified as a priority in the annual Action Plan.

Cdfa 304.04 Application Deadlines

- (a) The Authority will establish deadlines for submission of applications for Housing, Public Facilities, and Feasibility grants in the annual Action Plan.
- (b) The Authority will accept applications for Economic Development, and Urgent Need Grants at any time during the year.

Cdfa 304.05 Eligibility of Applicant.

- (a) All incorporated cities and towns, except for the entitlement municipalities, shall be eligible to apply for funding under the CDBG program.
- (b) All 10 counties in New Hampshire shall be eligible to apply for CDBG funding for projects within their non-entitlement area.

Cdfa 304.06 CDBG Activities.

- (a) Eligible federal activities shall be those activities which are listed as eligible in 42 U.S.C. 5305(a) of the federal act and RSA 162-L:13.

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(b) Ineligible activities shall be those activities which are not authorized in the list of eligible activities in 42 U.S.C. 5305(a) of the federal act.

(c) Activities not authorized shall include, but not be limited to, the following:

- (1) General expense of conducting government;
- (2) Political activities;
- (3) New housing construction except as provided under the last resort housing provisions set forth in 24 CFR 49;
- (4) Buildings for the general conduct of government, such as city halls, courthouses, or other local government office buildings;
- (5) Expense of operating and maintaining public facilities such as water and sewer systems and public property, except for the limited costs for public services as described in Cdfa 306.05(a)(1); and
- (6) Purchase of equipment, furnishings, motor vehicles and other personal property, except for purchases and costs related to administration of the CDBG grant in accordance with 2 CFR Part 200.
- (7) Any other expense that Authority deems ineligible.

(d) The ineligibility of (c)(4) above shall not apply where the activity shall only provide elderly and handicapped access to such buildings.

(e) Activities which are eligible may be undertaken by the grantee/recipient through:

- (1) Its employees; or
- (2) Agreements with a contractor or subrecipient through procurement procedures governed by 2 CFR Part 200.

Cdfa 304.06 Financial Assistance. Subject to the specific requirements of each type of grant or subcategory, the following use may be made of CDBG funds:

- (a) A direct grant to a grantee;
- (b) Grants, loan guarantees, interest rate subsidies or loans to an eligible individual or sub recipient by the grantee;
- (c) Interest rate subsidies or other favorable terms from a bank participating in the project with the grantee; or
- (d) Any other innovative financing used either singly or in combination with those described in (a) through (c) above.

## PART Cdfa 305 APPLICATION PROCESS

### Cdfa 305.01 Application Contents

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(a) The Authority will publish and make available to the public the required contents of an application for a CDBG grant in the Application and Program Guide.

Cdfa 305.02 Threshold Application Requirements.

a) All applicants shall document in their application compliance with the statutory requirements of RSA 162-L:14, prior to the application deadline by providing the following:

- (1) Evidence of authorization by local governing body to apply for a CDBG grant;
- (2) Evidence of compliance with statutory public notice and hearing requirements; and
- (3) Evidence of authorization by the relevant governing body to its chief executive officer to apply.

(b) Evidence of compliance for (a)(2) shall include, at a minimum, documentation of the following:

- (1) Proper notice;
- (2) Posting;
- (3) Publication; and
- (4) Minutes of at least one public hearing held to provide citizens with information and an opportunity for oral and written comment.
- (5) The applicant shall document compliance with 42 U.S.C. 3531, the HUD Reform Act of 1989.

(c.) Applicants shall comply with all Federal Regulations in 24 CFR Part 570 and all other applicable federal and state regulations, laws, and overlay statutes and regulations.

(d.) The Authority will publish any other threshold application requirements in the Application and Program Guide.

Cdfa 305.03 Evaluating Applications.

(a) The authority shall evaluate applications prior to scoring using the criteria in (c) through (k) below.

(b) The evaluation shall result in one or more of the following actions:

- (1) A request for clarifying information;
- (2) Limited modifications to the proposed project;
- (3) Reduced funding;
- (4) Elimination of activities that do not meet the national objective described in Cdfa 305.01 (a) and (b) or are ineligible;
- (5) Elimination of activities that do not support the principal activity;
- (6) Denial of funding for the project for clear failure to comply with one or more of the criteria listed in paragraphs (c) through (m); or
- (7) Scoring of the application.

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(c) All projects shall conform to the goal of the state enabling legislation described in RSA 162-L:12 and to the primary objective as described in 42 U.S.C. 5301(c) of the federal act, which is to benefit mainly low and moderate income persons and households without excluding low income persons and households.

(d) Such projects may also, but shall not be required to, meet the other 2 national objectives and the other state objectives listed in Cdfa 305.01.

(e) To determine whether an activity meets a national objective, the criteria in 24 CFR 570.483 shall be used.

(f) To evaluate an applicant's capacity and performance to carry out a proposed community development project, the Authority will undertake a risk assessment taking into account performance in prior grants and the nature of the proposed new activity. The Authority will also consider an applicant's compliance with applicable laws, rules and regulations, including actions taken to clear the authority's monitoring findings in accordance with 24 CFR 570.492 and audit findings in accordance with 24 CFR 570.493; and

(g) Where the authority does not have the expertise, other state agencies or private consultants hired by the authority shall be requested to perform a technical review of the application.

(h) Site visits may be made with the applicant to further verify and evaluate the information contained in an application.

(i) Grant funds requested shall be sufficient, either alone or in combination with other funding sources, to complete the intended activities within the grant period. The applicant shall identify the sources and amounts of other funds as well as their proposed use.

(k) The applicant shall have no codes, ordinances and written policies which effectively exclude mobile homes or manufactured housing and multi-family housing for low and moderate income households.

Cdfa 305.04 Scoring of Applications

(a) The Authority shall establish and publish a summary of the scoring system in each HUD annual Action Plan and Method of Distribution, and shall publish annually, detailed rating and ranking criteria in the Application and Program Guide.

PART Cdfa 306 GRANT ADMINISTRATION

Cdfa 306.01 Contract Provisions. In accordance with RSA 162-L:16, I, the authority and the grantee shall enter into contractual relationships which shall contain provisions that:

(a) Govern the use of CDBG funds and project activities which shall state that:

- (1) The grantee shall comply with all applicable federal, state and municipal laws, regulations, rules, codes, orders, ordinances or standards issued pursuant to those laws as well as with any lawful direction(s) of a public officer(s);
- (2) The grantee shall require each subrecipient, contractor and/or subcontractor to comply with the requirements in (1);
- (3) In the performance of the project activities, the grantee shall be an independent contractor and shall not be considered by the authority as an agent or employee of the authority;

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- (4) Neither the grantee, its agents or employees, shall be entitled to any benefits, workers compensation or any profit or gain arising from the project;
- (5) The grantee shall provide the personnel needed either to directly perform the project activities or to supervise its:
  - a. Subrecipient(s);
  - b. Contractor(s); and
  - c. Subcontractor(s);
- (6) The grantee shall warrant that such personnel used to perform each activity shall be:
  - a. Professionally competent;
  - b. Qualified; and
  - c. Properly licensed;
- (7) The grantee shall not employ nor shall it permit any subrecipient, contractor or subcontractor to employ, any elected state officials or state employees with project funds;
- (8) The grantee shall include such provisions in the contracts it negotiates with its subrecipient(s) and contractor(s) which are relevant in order to protect the interest of the State of New Hampshire, and/or required by federal or state law, rules or regulations;
- (9) The grantee shall submit a copy of its contract form to be approved by the authority for consistency with all laws, rules and regulations, before executing any contract(s);
- (10) The grantee shall not assign or transfer any interest in the project;
- (11) No data produced in whole or in part with CDBG funds shall be subject to copyright in the United States or in any other country;
- (12) The grantee shall defend, indemnify and hold the state, its officers and employees harmless for any losses suffered or for any claims asserted against the state arising from the acts or omissions of the grantee, its officers, employees or subcontractors;
- (13) If the grantee seeks to change an activity(ies) representing 10 percent or less of the grant's original value, the grantee shall submit a written request for a contract revision to the authority;
- (14) The executive director shall consider the request, as set forth in (13) and shall approve if the benefited cost is eligible under the federal act, federal regulations, state law or state administrative rules or deny the request in writing if it is not eligible;
- (15) If the grantee seeks to change the grant by more than 10 percent of the grant's original value, the chief executive officer of the grantee municipality or county shall submit a written request for a contract amendment to the authority;
- (16) The executive director shall consider the request and shall, in writing, deny the request if the transfer is not eligible under the federal act, federal regulations, state law or state administrative rules or if eligible shall approve a contract amendment;

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(17) If the grantee seeks a contract amendment under (15) that involves more than 25 percent of the grant's original value, the grantee shall hold a public hearing, to solicit public comment on the proposed amendment, in accordance with RSA 162-L:14;

(18) The grantee shall provide a planned payment schedule for:

- a. Project costs;
- b. Progress and financial reports;
- c. Completion, closeout and audit reports; and
- d. Any other provisions which the department of justice shall require;

(19) Cash advances by the authority to a grantee shall be approved only:

- a. To the extent necessary to satisfy the grantee's immediate cash requirements for the project; and
- b. If their timing and amount shall coincide as closely as possible with the grantee's actual disbursements; and

(20) Cash advances by the grantee to a subrecipient or contractor shall conform to the same standards in (19);

(b.) Require grantees and their sub recipients to adhere to the following requirements;

(1) That CDBG grant funds shall not be obligated without the prior written approval of the authority in order to ensure compliance with the federal act;

(2) That grantees shall only use CDBG funds for projects costs deemed allowable in accordance with 2 CFR Part 200;

(3) That non-profit subrecipients shall only use CDBG funds for project costs deemed allowable in accordance with 2 CFR Part 200;

(4) That grantees shall maintain a financial management system which complies with 2 CFR Part 200;

(5) That grantees shall comply with the procurement requirements set forth in 2 CFR Part 200;

(6) That grantees shall comply with the conflict of interest provisions set forth in 2 CFR Part 200 for the procurement of the following:

- a. Supplies;
- b. Equipment;
- c. Construction; and
- d. Services.

(7) That grantees shall comply with the conflict of interest provisions set forth in 24 CFR 570.489(h) in all other cases not specified in (6), such as, but not limited to:

- a. The acquisition and disposition of real property; and

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b. The provision of CDBG assistance to persons, households or businesses; and

(c) Govern the use of CDBG funds upon completion of the project by requiring the grantee, its subrecipient and the authority to enter into a project closeout agreement pursuant to RSA 162-L:16 which requires that:

- (1) The CDBG grant be closed out;
- (2) Proceeds from the sale of personal property comply with 2 CFR Part 200 for equipment and for supplies;
- (3) Proceeds from the sale of real property comply with 24 CFR 570.489(j) and 2 CFR Part 200;
- (4) Outstanding obligations as of the completion date:
  - a. Be paid or otherwise resolved within 90 days;
  - b. Be related to goods or services provided during the grant period;
  - c. Be for reasonable costs associated with grant closeout, such as audits and final reports; and
  - d. Be eligible to be incurred for up to 90 days after the completion date;
- (5) Disallowed and unspent CDBG funds be awarded to other municipalities or counties as part of the normal competition process, or to those applicants who applied in the same grant year;
- (6) Proceeds from program income comply with 24 CFR 570.489(e);
- (7) Proceeds from any other revenue sources, generated from the project, at a minimum, benefit low and moderate income persons and households; and
- (8) Any other conditions that exists in the contractual relationship that are applicable after completion of the project, be described in the closeout agreement.

PART Cdfa 307 GRANTEE MONITORING

CDFA 307.01 Implementation Guides

- (1) CDFA will publish an Implementation Guides detailing how grantees are to meet the requirements of CDFA 306.
- (2) Grantees will be required to report on performance under the grant contract in a manner set forth in the Implementation Guides.

CDFA 307.02 Monitoring

- (1) CDFA may complete desk review and or on site review of the status of the grant and the records maintained by the grantee as required by the contract.
- (2) CDFA will report any deficiencies in grant compliance to the grantee along with requirements to address the deficiencies.

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- (3) The monitoring results will be made part of the Authority's risk analysis used to evaluate the viability of grantees' future grant applications.

PART Cdfa 308 PROGRAM HEARING PROCEDURES AND ADMINISTRATIVE REVIEWS

Cdfa 308.01 Administrative Review Procedure and Time Limits.

(a) This section shall be applicable to municipalities which have applied for CDBG funds and which were not approved for funds or approved for less funds than requested.

(b) A municipality may apply for an administrative review of the scoring of its application by filing a written request within 15 calendar days of the date the executive director announces which applications have been approved by the committee.

(c) The request for an administrative review shall be signed by the chief executive officer of the municipality and shall contain the reasons for the requested review. The request shall not introduce new information, but shall only explain or clarify information contained in the application submitted.

(d) The executive director shall review the written request and shall also review the evaluation process and award recommendations previously made. Within 15 calendar days of receipt of the request, the executive director, based on the information on the request as well as the scoring criteria, shall recommend to the committee that it affirm or modify its prior decision.

(e) Within 30 days of the executive director's recommendation, the committee shall, based on the executive director's review of the scoring criteria in the published Application and Program Guide, affirm or modify its prior decision

**Appendix 1**

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| <b>Rule</b>                                                                                                                                                                  | <b>Statute Implemented</b>                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| Cdfa 300                                                                                                                                                                     | RSA 162-L:1-18<br>24 CFR Part 570<br>24 CFR Part 91 |
| Cdfa 302.08<br>Cdfa 302.39<br>Cdfa 302.49<br>Cdfa 302.52<br>Cdfa 302.61                                                                                                      | RSA 162-L:17                                        |
| Cdfa 306.02 (a) (1), (k) (1)                                                                                                                                                 | RSA 162-L:17 and 24 CFR Part 5.703                  |
| Cdfa 307.02<br>Cdfa 307.03 (b)<br>Cdfa 310.03 (a)<br>Cdfa 310.04<br>Cdfa 310.05 (a)<br>Cdfa 310.06-310.10<br>Cdfa 310.11 (e)<br>Cdfa 310.13 - 310.14<br>Cdfa 310.16 - 310.17 | RSA 162-L:17                                        |
|                                                                                                                                                                              |                                                     |

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