

Grantee: Gwinnett County, GA

Grant: B-11-UN-13-0005

July 1, 2011 thru September 30, 2011 Performance Report

Grant Number:

B-11-UN-13-0005

Obligation Date:**Grantee Name:**

Gwinnett County, GA

Award Date:**Grant Amount:**

\$2,065,581.00

Contract End Date:

03/04/2014

Grant Status:

Active

Review by HUD:

Reviewed and Approved

QPR Contact:

Zoe Smith

Disasters:**Declaration Number**

NSP

Narratives**Summary of Distribution and Uses of NSP Funds:**

Using the scores provided in the HUD Foreclosure Needs website, project areas were chosen with scores of 17 or greater, where supplemental data showed a high number of foreclosures within the last year and a high percentage of homes financed by high cost primary mortgages. The County foreclosure rate, according to HUD provided data, is 10.3 per cent. The Census Tracts in which the target area is located had a foreclosure rate of 25.1%. In addition, the mortgage payment delinquency rate is high according to the HUD data. The County delinquency average at 6.9%, while the Census Tracts in which the target area is located is had a rate of 8.8%. In addition to the scores, the area was selected based on its access to public transportation, community facilities and employment, as depicted in the attached maps.

Funds will be used to purchase foreclosed residential units, including single family, duplexes and other multiple family units to sell or rent to low-income families, including financial assistance to homebuyers.

How Fund Use Addresses Market Conditions:

The purchase, rehabilitation and sale of homes to purchasers willing to make a long term investment into their homes, along with aggressive code enforcement, crime prevention, home improvements to existing homes, and strengthened neighborhood associations will be a major step toward stabilizing housing prices, improving the character of the neighborhood and stabilizing the social fabric of the target area. Working together, the Gwinnett Neighborhood Stabilization Program, the City of Lawrenceville, the Lawrenceville Housing Corporation, the Gwinnett County HOME Program, the Gwinnett County Homeowner Housing Rehabilitation Program and the selected Asset Manager(s) can make a major impact in the target area.

Ensuring Continued Affordability:

Gwinnett County will assure long-term affordability by incorporating the use of promissory notes and deeds to secure debt that contain recapture clauses and the use of shared equity loans.

Long-term affordability is provided to the homebuyer through a "soft second" loan. The terms are \$14,500 for five (5) years or \$22,500 for ten (10) years at zero (0%) interest rate with no scheduled payments, and with the principal being reduced proportionally each year starting in the first year. At any time during the loan period, if the house is no longer occupied by the homebuyer's at his/her principal place of residence, any remaining principal must be repaid to the County.

Upon the occasion of the sale or transfer of ownership of the property by the Asset Manager, the Asset Manager(s) will repay the NSP program. This and any other funds realized from the sale of the property will be Program Income, with no less than 90% of income being used to for NSP 3 eligible activities. Not more than 10% of the Program Income will be used to administer NSP 3.

Rental housing will be provided by an Asset Manager(s) selected by Gwinnett County. The GCNSP will loan the Asset Manager(s) the funds to purchase and rehabilitate rental units, including initial capitalization funds. The loan(s) will be backed by promissory notes, security deeds and land use restrictions that set forth the responsibility of the Asset Manager(s) to provide housing for low-income households during the affordability period for each respective property. These documents will have reversion provisions if the Asset Manager(s) does not provide the housing as set forth in the documents.

Definition of Blighted Structure:

The City of Lawrenceville Codes do not use the term "blighted structure," but does define Nuisances in Chapter 33 of the City Code of Ordinances. Nuisances include "buildings, dwellings, or structures which are dangerous or injurious to the health, safety or morals of the occupants of such dwellings, buildings or structures . . ." The City of Lawrenceville will use this "Nuisance" definition from its Code of Ordinance as its "blighted structure" definition for the NSP 3 project:

>&ldquo33-101 Definitions

>For the purpose of the Chapter, the following words shall have the meanings respectively ascribe below:

>a. Nuisance . Anything which causes hurt, inconvenience, or damage to another, provided that the hurt, inconvenience or damage complained of shall not be fanciful or such as would affect only one of fastidious taste, but rather such as would affect an ordinary reasonable man; and the fact the act done may otherwise be lawful shall not keep it from being a nuisance.

>b. Nuisance, per se. An act, occupation or structure which is a nuisance at all times and under any circumstances, regardless of location or surroundings.

>c. Private Nuisance. A nuisance limited in its injurious effect to one of a few individuals.

>33-104 Findings Regarding Unsafe Unsanitary or Abandoned Buildings, Dwellings or Structures.

>Under the authority of O.C.G.A. §41-2-9, the Mayor specifically adopt by incorporation herein by reference the provisions of O.C.G.A. §§ 41-2-7, 41-2-8, 41-2-9, 41-2-10, 41-2-11, 41-2-12, 41-2-13, 41-2-14, 41-2-15, 41-2-16, and 41-2-17. These provisions are adopted as an official Ordinance of the City of Lawrenceville as if specifically set forth herein their entirety.

>33-105 Duties of Director of Planning, Zoning and Inspections

>Pursuant to the authority of O.C.G.A. § 41-2-10, the Mayor and City Council of the City of Lawrenceville hereby designate the Director of Planning, Zoning and Inspections as the public officer with the authority to enforce the provisions of § 33-104 of the City of Lawrenceville Code of Ordinances. The Director of Planning, Zoning and Inspections may determine, under existing Ordinances, that dwellings, buildings or structures are unfit for human habitation or are unfit for its current commercial, industrial or business use if he finds that conditions exist in such buildings, dwellings or structures which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or structure; of the occupants of neighborhood dwellings, buildings, or structures; or of other residences of this municipality. Such conditions may include the following (without limiting the generality of the foregoing):

>(1) Defects therein increasing the hazards of fire, accidents, or other calamities;

>(2) Lack of adequate ventilation, light or sanitary facilities;

>(3) Dilapidation;

>(4) Disrepair;

>(5) Structural defects; and

>(6) Uncleanliness.

>The public officer designated by this Ordinance may determine, under existing Ordinance, that a dwelling, building or structure is vacant, dilapidated and being used in connection with the commission of drug crimes upon personal observation or report of a law enforcement agency and evidence of drug crimes being committed.

>Within the context of this Ordinance, the public official shall utilize the existing codes of the City of Lawrenceville to the standard for satisfaction of the provisions of this Ordinance including but not limited to the electrical code, building codes and the fire codes previously adopted by the City of Lawrenceville.

>Related Official Code of Georgia

>&ldquoOfficial Code of Georgia Annotated, 41-2-7:

>§ 41-2-7. Power of counties and municipalities to repair, close, or demolish unfit buildings or structures; health hazards on private property; properties affected

(a) It is found and declared that in the counties and municipalities of this state there is the existence or occupancy of dwellings or other buildings or structures which are unfit for human habitation or for commercial, industrial, or business occupancy or use and not in compliance with the applicable state minimum standard codes as adopted by ordinance or operation of law or any optional building, fire, life safety, or other codes relative to the safe use of real property and real property improvements adopted by ordinance in the jurisdiction where the property is located; or general nuisance law and which constitute a hazard to the health, safety, and welfare of the people of this state; and that a public necessity exists for the repair, closing, or demolition of such dwellings, buildings, or structures. It is found and declared that in the counties and municipalities of this state where there is in existence a condition or use of real estate which renders adjacent real estate unsafe or inimical to safe human habitation, such use is dangerous and injurious to the health, safety, and welfare of the people of this state and a public necessity exists for the repair of such condition or the cessation of such use which renders the adjacent real estate unsafe or inimical to safe human habitation. Whenever the governing authority of any county or municipality of this state finds that there exist in such county or municipality dwellings, buildings, or structures which are unfit for human habitation or for commercial, industrial, or business uses due to dilapidation and not in compliance with applicable codes; which have defects increasing the hazards of fire, accidents, or other calamities; which lack adequate ventilation, light, or sanitary facilities; or where other conditions exist rendering such dwellings, buildings, or structures unsafe or unsanitary, or dangerous or detrimental to the health, safety, or welfare, or otherwise inimical to the welfare of the residents of such county or municipality, or vacant, dilapidated dwellings, buildings, or structures in which drug crimes are being committed, power is conferred upon such county or municipality to exercise its police power to repair, close, or demolish the aforesaid dwellings, buildings, or structures in the manner provided in this Code section and Code Sections 41-2-8 through 41-2-17.

(b) All the provisions of this Code section and Code Sections 41-2-8 through 41-2-17 including method and procedure may also be applied to private property where there exists an endangerment to the public health or safety as a result of unsanitary or unsafe conditions to those persons residing or working in the vicinity. A finding by any governmental health department, health officer, or building inspector that such property is a health or safety hazard shall constitute prima-facie evidence that said property is in violation of this Code section and Code Sections 41-2-8 through 41-2-17.

>(c) The exercise of the powers conferred upon counties in this Code section and in Code Sections 41-2-8 through 41-2-17 shall be limited to properties located in the unincorporated areas of such counties.&rdquo

Definition of Affordable Rents:

Gwinnett County defines Affordable Rents as the Fair Market Rents published annually by HUD for the Housing Choice Voucher Program.

Housing Rehabilitation/New Construction Standards:

The Gwinnett County Neighborhood Stabilization Program (GCNSP) has adopted the HOME Program Rehabilitation Standards for NSP 1; and, will continue to use these standards in the implementation of NSP 3. In addition, GCNSP will require the use of energy efficient materials where effective and financially practical and allowed by local code. This includes the use of durable materials, resource efficient materials, heat absorbing materials, solar reflective paving, green roofing and use of local source materials. Healthy Homes practices will also be required where effective and financially practical, including Green Label Certified floor covering, use of alternative healthy floor materials, sealing joints, termite-resistant materials, one-piece tub and shower enclosures. A &ldquoGreen&rdquo maintenance guide will be provided to home buyers, if available, and residents&rsquo orientation will be given.

Vicinity Hiring:

The investment of NSP 3 funds in the target area will generate potential jobs to those living in the target area. The Asset Manager(s) will be required to advertise for workers through ads in publications, mailings, ads on government web sites, posted announcements in community centers, churches and at the NSP 3 job sites. The local office of the Georgia Department of Labor will also be notified. Proof of these actions will be filed with the GCNSP office and records of locally employed persons will be maintained by the Asset Manager(s), with copies provided to the GCNSP office.

Procedures for Preferences for Affordable Rental Dev.:

Rental housing will be provided by a GCNSP selected Asset Manager(s) (a for-profit and/or non-profit contractor or developer) who has experience in the development and operation of rental housing for low-income families. The GCNSP will loan the Asset Manager(s) the funds to purchase and rehabilitate rental units, including initial capitalization funds. The loans will be backed by promissory notes, security deeds and land use restrictions that set forth the responsibility of the Asset Manager(s) to provide housing for low-income families during the affordability period. These documents will have reversion provisions if the Asset Manager(s) does not provide the housing as set forth in the documents.

Grantee Contact Information:

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| Overall | This Report Period | To Date |
|---|--------------------|----------------|
| Total Projected Budget from All Sources | N/A | \$2,065,581.00 |
| Total CDBG Program Funds Budgeted | N/A | \$2,065,581.00 |
| Program Funds Drawdown | \$0.00 | \$0.00 |
| Program Funds Obligated | \$0.00 | \$0.00 |
| Program Funds Expended | \$0.00 | \$0.00 |
| Match Contributed | \$0.00 | \$0.00 |
| Program Income Received | \$0.00 | \$0.00 |
| Program Income Drawdown | \$0.00 | \$0.00 |

Progress Toward Required Numeric Targets

| Requirement | Required | To Date |
|--|--------------|---------|
| Overall Benefit Percentage (Projected) | | 0.00% |
| Overall Benefit Percentage (Actual) | | 0.00% |
| Minimum Non-Federal Match | \$0.00 | \$0.00 |
| Limit on Public Services | \$309,837.15 | \$0.00 |
| Limit on Admin/Planning | \$206,558.10 | \$0.00 |
| Limit on State Admin | \$0.00 | \$0.00 |

Progress Toward Activity Type Targets

| Activity Type | Target | Actual |
|----------------|--------------|--------------|
| Administration | \$206,558.10 | \$206,558.10 |

Progress Toward National Objective Targets

National Objective

NSP Only - LH - 25% Set-Aside

| Target | Actual |
|--------------|--------------|
| \$516,395.25 | \$516,395.25 |

Overall Progress Narrative:

NSP 3 is in it's procurement stage and no funds have been spend as of this quarter.

Project Summary

Project #, Project Title

| Project #, Project Title | This Report Period | To Date | |
|---------------------------|------------------------|------------------------|------------------------|
| | Program Funds Drawdown | Project Funds Budgeted | Program Funds Drawdown |
| 9999, Restricted Balance | \$0.00 | \$0.00 | \$0.00 |
| NSP3 0001, Administration | \$0.00 | \$206,558.10 | \$0.00 |
| NSP3 0003, Housing LH 25% | \$0.00 | \$516,395.25 | \$0.00 |
| NSP3 0003, Housing LMM | \$0.00 | \$1,342,627.65 | \$0.00 |