

Funding Approval and HOME Investment Partnerships Agreement

Title II of the National Affordable Housing Act

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

Attachment 1
OMB Approval No. 2501-0013
(Exp. 11/30/2001)

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

The HOME statute imposes a significant number of data collection and reporting requirements. This includes information on assisted properties, on the owners or tenants of the properties, and on other programmatic areas. The information will be used: 1) to assist HOME participants in managing their programs; 2) to track performance of participants in meeting fund commitment and expenditure deadlines; 3) to permit HUD to determine whether each participant meets the HOME statutory income targeting and affordability requirements; and 4) to permit HUD to determine compliance with other statutory and regulatory program requirements. This data collection is authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act or related authorities. Access to Federal grant funds is contingent on the reporting of certain project-specific data elements. Records of information collected will be maintained by the recipients of the assistance. Information on activities and expenditures of grant funds is public information and is generally available for disclosure. Recipients are responsible for ensuring confidentiality when public disclosure is not required.

1. Participant Name and Address		2. Participant Number	
		3. Tax Identification Number	
4a. HUD Geographic Locator Code Number	5. Appropriation Number	6. Funding Approval Number	7. FY (yyyy)
b. County Code			
8. Previous Obligation			\$
a. Formula Funds			\$
b. Community Housing Development Organization Competitive Reallocation			\$
9. Current Transaction (+ or -)			\$
a. Formula Funds (Show distribution below)			
1. CHDO		\$	
2. Non-CHDO		\$	
b. Community Housing Development Organization Competitive Reallocation			\$
10. Revised Obligation			\$
a. Formula Funds (Show distribution below)			
1. CHDO		\$	
2. Non-CHDO		\$	
b. Community Housing Development Organization Competitive Reallocation			\$
11. Special Conditions (check applicable box)		12. Congressional Release Date	
<input type="checkbox"/> Not applicable		(This is the Date of Obligation) (mm/dd/yyyy)	
<input type="checkbox"/> Attached			

This agreement between the Department of Housing and Urban Development (HUD) and

(the Participating Jurisdiction/Entity) is made pursuant to the authority of the Home Investment Partnerships Act (42 U.S.C. 12701 et seq.). The Participating Jurisdiction's/Entity's approved Program Description/Application and the HUD regulations at 24 CFR Part 92 (as now in effect and as may be amended from time to time) and this Home Investment Partnership Agreement, form HUD-40093, including any special conditions, constitute part of this agreement. Subject to the provisions of this agreement, HUD will make the funds for the Fiscal Year specified, available to the Participating Jurisdiction/Entity upon execution of this agreement by the parties. All funds for the specified Fiscal Year provided by HUD by formula reallocation are covered by this agreement upon execution of an amendment by HUD, without the Participating Jurisdiction's execution of the amendment or other consent. HUD's payment of funds under this agreement is subject to the Participating Jurisdiction's/Entity's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502. To the extent authorized by HUD regulations at 24 CFR Part 92, HUD may, by its execution of an amendment, de-obligate funds previously awarded to the Participating Jurisdiction/Entity without the Participating Jurisdiction's/Entity's execution of the amendment or other consent. The Participating Jurisdiction/Entity agrees that funds invested in affordable housing under 24 CFR Part 92 are repayable when the housing no longer qualifies as affordable housing. Repayment shall be made as specified in 24 CFR Part 92. The Participating Jurisdiction agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR

For HUD and Department of Housing and Urban Development (Name)	Signature	Date (mm/dd/yyyy)
Title		
For Participating Jurisdiction/Entity (Name of Authorized Official)	Signature	Date (mm/dd/yyyy)
Title of Authorized Official		

Instructions for Completing the Funding Approval and HOME Investment Partnerships Agreement, form HUD-40093

Five (5) copies of this Agreement (HUD-40093) should be signed as originals by the appropriate HUD official. One (1) copy should be held by the Community Planning and Development Division for informational purposes, one (1) copy should be sent to the CFO National Accounting Center for recording the obligation, and three (3) copies should be sent to the jurisdiction (or entity) for signature. The jurisdiction (or entity) should be requested to sign all copies and keep one (1) copy for its records and to return two (2) copies signed as originals to the HUD Field Office. One (1) of the signed copies should be sent to the CFO National Accounting Center for recording the contract and one (1) should be kept for the CPD office files.

1. **Participant Name and Address.** Enter the participating jurisdiction's (or entity's) name and address as shown in Item 4 of Standard Form 424.
2. **Participant Number.** Enter the participant number assigned by the HUD Field Office for the participating jurisdiction (or entity). If the participating jurisdiction (or entity) has received funds in a prior year, use the same number, changing only the fiscal year.
3. **Tax Identification Number.** Enter the Tax (Employer) Identification Number (TIN) shown in Item 6 of Standard Form 424. For jurisdictions (or entities) that are already participating in the HOME Program, this must be the TIN associated with the jurisdiction (or entity) for the HOME Program.
4. a. **HUD Geographic Locator Code No.** Enter the appropriate HUD Geographic Locator Code available from the Geographic Codes System Directory (See computer printout D-71AAC). For State participating jurisdictions, leave blank.
b. **County Code.** Enter the appropriate County Code available from the Geographic Codes System Directory (See computer printout D-71AAC). For State participating jurisdictions, leave blank.
5. **Appropriation Number.** Enter the Appropriation Number from the HUD-185.1 sub-assigning funds for the Fiscal Year source of funds for this transaction.
6. **Funding Approval Number.** Enter the appropriate funding approval number starting with "1" for the first funding action and numbering consecutively thereafter. Funding approvals may be for the purpose of processing original obligations, reallocating funds or de-obligating funds.
7. **Fiscal Year.** Indicate the fiscal year (yyyy) source of funds for this transaction. Only funds from this fiscal year are to be included in this transaction. (A separate form will be completed for each FY's funds.)
8. **Previous Obligation.** Enter the total amount of funds that have been previously obligated for this participant for this FY source of funds. If this is the funding approval form for the participant's initial allocation for the fiscal year, the amount previously obligated will be "0." If this is a funding approval form for reallocating or de-obligating funds, enter the amount from line 10 of the previous funding approval form.
 - a. **Formula Funds.** Enter the total amount of funds previously obligated to the participant except for those funds that have been reallocated for Community Housing Development Organizations (item 8 less item 8.b.). If this is the funding approval form for the participant's initial allocation for the fiscal year, the amount will be "0". If this is a funding approval form for reallocating or de-obligating funds, add lines 10.a. 1. & 10.a. 2. of the funding approval form. NOTE: On the 4/93 version of the HUD-40093, Regular Funds were reported on line 10.a.
 - b. **Community Housing Development Organization Competitive Reallocation.** Enter the amount of funds previously obligated to the participating jurisdiction for Community Housing Development Organizations. If this is the funding approval form for the participant's initial allocation for the

fiscal year, the amount will be "0". If this is a funding approval form for reallocating or de-obligating funds previously reallocated for Community Housing Development Organizations, enter the amount from line 10. b. of the previous funding approval form.

9. **Current Transaction.** Enter the total amount of funds for this action. Indicate a de-obligation either by placing parentheses around the amount de-obligated or a minus sign before the amount de-obligated.
 - a. **Formula Funds** Formula funds are CHDO and NON-CHDO funds. Show distribution of the amount of funds indicated in item 9, show distribution in item a.1 CHDO funds or item a.2 Non-CHDO funds. If none, enter "0". **Note:** Competitive reallocations, except for Community Housing Development Organization reallocation funds, are to be reported on line a.1 or a.2. The Field Office is to identify competitive reallocated funds on line 9. b.
 1. **CHDO (Community Housing Development Organization)** Of the amount indicated in item 9, indicate the amount that is CHDO. If none, enter "0" **Note:** If this is a CHDO competitive reallocation, enter the amount in 9.b.
 2. **Non-CHDO** Of the amount indicated in item 9, indicate the amount that is Non-CHDO funds. If none, enter "0"
 - b. **Community Housing Development Organization Competitive Reallocation.** Of the amount indicated in item 9, indicate the amount, if any, that is a reallocation, or a de-obligation of funds previously reallocated, for Community Housing Development Organizations. Community Housing Development Organization reallocations should be reported on this line if it's a reallocation to a participating jurisdiction for Community Housing Development Organizations. **Note:** Community Housing Development Organization Reallocation funds are recaptured by HUD and are available for reallocation if within 24 months of obligation to a participating jurisdiction, at least 15 percent of the participating jurisdiction's allocation is not reserved by written agreement for Community Housing Development Organizations.
10. **Revised Obligation.** Enter the total amount of funds available to the jurisdiction (or entity) after this transaction (Item 8 plus/minus Item 9).
 - a. **Formula Funds** Of the amount of funds indicated in item 10, show distribution in item a.1 CHDO funds or item a.2 Non-CHDO funds. If none, enter "0". **Note:** Competitive reallocations, except for Community Housing Development Organization reallocation funds, are to be reported on line 10.a.1 or 10. a.2. The Field Office is to identify competitive reallocated funds on line 10. b.
 1. **CHDO (Community Housing Development Organization)** Of the amount indicated in item 10., indicate the amount that is CHDO. If none enter "0" **Note:** If this is a CHDO competitive reallocation, enter the amount in 10.b.
 2. **Non-CHDO** Of the amount indicated in item 10, indicate the amount that is Non-CHDO funds. If none, enter "0"
 - b. **Community Housing Development Organization Competitive Reallocation.** Enter the total amount of funds available to the participating jurisdiction as a reallocation for Community Housing Development Organizations after this transaction (Item 8.b plus/minus Item 9.b).
11. **Special Conditions.** Check the appropriate box and, if applicable, attach any special conditions that are part of Agreement.
12. **Congressional Release Date.** Enter the Congressional release date (mm/dd/yyyy) (which **must** be the same date of the letter notifying the participating jurisdiction (or entity) of the award **and** the date the Agreement was signed by HUD).