



HOME ACCESSIBILITY and REPAIR PROGRAM

# HARP

## GUIDANCE AND PROCEDURES

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## INTRODUCTION

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The purpose of the Home Accessibility and Repair Program (HARP) is to provide grants to income eligible homeowners for professional home rehabilitation, repair, weatherization and assistance with accessibility services (HARP Grants). HARP is delivered by qualified non-profit Community Action Agencies (CAAs) who provide HARP services in their respective areas across the state.

This *Home Accessibility and Repair Program Guidance and Procedures* (HARP Guide) is designed to provide users with information about rules, regulations, policies, and guidance for administering HARP. The HARP Guide has three sections:

[Chapter A: Program Guidance](#), provides information about rules, policies and other guidance for the Program;

[Chapter B: Program Procedures](#), provides procedural guidance on how to administer HARP projects, including accessing and completing Program forms, checklists and other documents referenced in the HARP Guide

[Chapter C: Program Contractors](#), provides instructions on securing MaineHousing approved Contractors.

The HARP Guide is a working tool and will be kept up to date by MaineHousing staff. When guidelines or clarifications are made to HARP, MaineHousing will issue a notification and with specific reference to revised pages and/or sections that were modified, added or replaced in the HARP Guide. When income limits change, new charts will be issued for replacement and made available on MaineHousing's website at <http://www.mainehousing.org/partners/partner-type/community-agencies>.

Every effort should be made to coordinate other programs administered by MaineHousing such as the Weatherization Assistance Program (WAP), Central Heating Improvement Program (CHIP), Home Energy Assistance Program (HEAP), Lead Hazard Reduction Demonstration Grant Program, Maine Lead-Paint Hazard Abatement Program, and Arsenic Remediation Program. Outside sources for additional funding may include, but are not limited to Rural Development and CDBG.

Any questions pertaining to the HARP Guide should be directed to MaineHousing. The primary contact for this Program is Kim Ferenc, Director of Housing and Weatherization at [kferenc@mainehousing.org](mailto:kferenc@mainehousing.org) or at 207-626-4684 (toll free 1800-452-4668) or Maine Relay 711.

**REMINDER:** The HARP Guide will be updated as needed. The most current version of the HARP Guide, with amendments, resides on the CAA Portal.

## CHAPTER A: PROGRAM GUIDANCE

### SECTION A1: DEFINITIONS

<b>Accessibility</b>	Home modifications to assist an occupant or potential occupant(s) with physical disabilities or who are experiencing physical barriers in or around their home.
<b>Annual Gross Household Income</b>	Total annual gross household income from all included sources defined in HARP Guide.
<b>Applicant</b>	Homeowner who is applying for and/or has been deemed eligible for HARP services
<b>Application</b>	Home Accessibility and Repair Program Application
<b>Application Package</b>	Includes the <i>Application</i> , along with a list of items for verification of eligibility, including income, assets, property ownership, etc.
<b>CAA</b>	Community Action Agency
<b>CAA Portal</b>	MaineHousing’s web access for CAAs located at <a href="http://www.mainehousing.org/partners/partner-type/community-agencies/homerepair">http://www.mainehousing.org/partners/partner-type/community-agencies/homerepair</a> .
<b>Certified Firm (Lead)</b>	A firm that has received EPA certification to perform renovations as covered by the 40 CFR 745.82. Firms that perform renovations for compensation must apply to EPA for certification to perform renovations or dust sampling. To apply, a firm must submit to EPA a completed "Application for Firms," signed by an authorized agent of the firm, and pay a fee. To maintain its certification, a firm must be recertified by EPA every 5 years.
<b>Clearance Examinations</b>	Sampling of dust and/or soil for the purposes of ascertaining that no lead hazards exist as a result of renovation, remodeling, interim controls or lead abatement work.
<b>Codes</b>	Regulations or professional standards relating to the uses of materials and the required level of workmanship to install those materials.
<b>Construction Contract</b>	A contract among the CAA, Applicant and contractor describing the work to be performed and upon which the HARP Grant is based.
<b>Construction Escrow Agreement</b>	Agreement among CAA, homeowner, and contractor that governs disbursements to pay repair costs.
<b>Dispute Log</b>	A list of all major disputes between the Applicant and/or contractor and/or CAA that documents the nature of the dispute, contacts made with the parties involved, and actions taken to resolve the dispute.
<b>DOE</b>	Department of Energy
<b>EHS</b>	MaineHousing’s Energy and Housing Services Department
<b>Elderly</b>	60 years of age and older.
<b>Emergency</b>	A housing condition(s) that threatens the health and safety of the homeowner(s) and other household members.
<b>Grant Funding Date</b>	The date MaineHousing funds any HARP Grant pursuant to the Home Accessibility and Repair Program Contract.
<b>HARP</b>	Home Accessibility and Repair Program

<b>HARP Grant</b>	The Home Accessibility and Repair Program Grant being used to fund the project as determined by the CAA.
<b>HARP Guide</b>	<i>Home Accessibility and Repair Program Guidance and Procedures</i>
<b>HEAP Wx</b>	Home Energy and Assistance Program for Weatherization
<b>HUD</b>	U.S. Department of Housing and Urban Development
<b>IRS Regulations</b>	See <a href="http://www.irs.org">www.irs.org</a> for guidance.
<b>Liquid Assets</b>	Defined as cash, or assets easily converted into cash such as bank deposits, money market funds, or US Treasury bills that are available to meet the immediate and urgent needs of the household.
<b>MaineHousing</b>	Maine State Housing Authority
<b>Manufactured Home</b>	Manufactured home (also referred to as “mobile home”) means a residence which is constructed at a manufacturing facility on a permanent chassis (i.e. the wheel assembly necessary to transport the residence is removable, but the steel undercarriage remains intact as a necessary structural component) and is transportable in one or more sections, which in traveling mode is 12 body feet or more in width and as erected on site is 600 or more square feet.
<b>Monitor Report</b>	A written report generated by MaineHousing as the result of a monitoring visit. The Monitor Report informs the CAA as to the nature of any deficiencies.
<b>MUBEC</b>	Maine Uniform Building and Energy Code
<b>PASS</b>	Plan to Attain Self-Sufficiency (administered by the Social Security Administration)
<b>Phase 1</b>	Refers to the project activity that must take place prior to the commencement of work on a project and/or in conjunction with the CAAs submission of an invoice to MaineHousing for payment of the Phase 1 activity.
<b>Phase 2</b>	Refers to the project activity that needs to take place prior to submitting a final invoice and supporting documents to MaineHousing for review/payment. Phase 2 is also referred to as “contract closeout” activity.
<b>Priority Waitlist</b>	An <i>Eligibility Priority Waitlist</i> is a spreadsheet maintained by each CAA that provides scored priority based on income, liquid assets, age of household members, health and safety threats to the household and the need for assistive services. Each category is assigned a weighted score. The Priority Waitlist template is provided and can be found at <a href="http://www.mainehousing.org/partners/partner-type/community-agencies/homerepair">http://www.mainehousing.org/partners/partner-type/community-agencies/homerepair</a> .
<b>Punch List</b>	A detailed list of all items remaining to be completed on a project.
<b>Qualified Contractors</b>	Contractors who have undergone a prescreening process and approved by MaineHousing to be eligible to preform work for the Program.

<b>Rehab Tech</b>	A person who is employed by a CAA who has been trained in and whose primary function is to meet with the homeowner at their home to determine what items of rehabilitation must be done to the home to meet applicable project standards. The Rehab Tech is responsible for work write-ups and specifications, inspections of work in progress and delivery of applicable disclosures.
<b>Rehabilitation Standards</b>	Written benchmark standards set forth in Job Standards and Specifications, Appendix A to the Construction Contract.
<b>Renovation, Repair &amp; Painting (RRP) Certified</b>	A contractor or individual who has successfully completed an accredited EPA Lead course.
<b>RRP Rule</b>	Effective April 22, 2010, all covered renovations must be performed by Renovation, Repair & Paint Rule Certified Firms, using Certified Renovators and other trained workers.
<b>ShareFile</b>	A web-based secure platform used to upload documents without restriction to file size, format or frequency.
<b>Subgrantee Contract</b>	A Home Accessibility and Repair Program contract between each CAA and MaineHousing setting forth agreed upon conditions for administering the Program.
<b>VA</b>	Veterans Affairs Administration
<b>WAP</b>	Weatherization Assistance Program that includes funding for the DOE and/or HEAP Wx
<b>Weatherization Supplemental</b>	A component of HARP that provides WAP-eligible households with home repairs that need to be completed before a dwelling can receive comprehensive WAP services.
<b>WSD</b>	Warm, Safe and Dry

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## SECTION A2: HARP OVERVIEW

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### A. In General

HARP Grants can be used to make essential improvements, including energy-related repairs or improvements, to make improvements necessary to permit use by persons with disabilities or who are experiencing physical barriers living at the home, to repair or replace major housing systems in danger of failure. HARP Grant amounts represent the maximum MaineHousing investment, not necessarily the total costs to complete a project. When funds are leveraged, the project costs may exceed the maximum MaineHousing investment.

There are six components to the HARP Program:

- (1) Home Repair;
- (2) Elderly Home Repair;
- (3) Emergency Home Repair;
- (4) Emergency Manufactured Home Repair;
- (5) Accessibility; and
- (6) Weatherization Supplemental.

### B. Home Repairs

- (1) **Home Repair** funds of up to \$30,000 may be provided to single-family households owned and occupied by persons with total household incomes at or below 80% AMI.
- (2) **Elderly Home Repair** funds of up to \$30,000 may be provided to single-family households owned and occupied by persons with total household incomes at or below 80% AMI for Applicants over the age of 60 as of the date of *Application*.
- (3) Home Repair and Elderly Home Repair funds may be used to make essential improvements, including:
  - a. to repair or replace major housing systems in danger of failure; and
  - b. to address a severe housing condition threatening the health and safety of the homeowner(s) with repair(s) as appropriate.
- (4) A HARP Grant cannot be used to complete a shell home.
- (5) The home must be an existing and habitable structure to be eligible for rehabilitation.
- (6) The rehabilitation work must meet or exceed local and state code and be conducted in accordance with written *Job Standards and Specifications*.
- (7) The entire building must meet Warm, Safe, Dry Standards (WSD) after completion of rehabilitation work for all projects receiving Home Repair and/or Elderly Home Repair funds. See [Section A9\(A\), Job Standards and Specifications](#).

### C. Emergency Repairs

- (1) **Emergency Home Repair** funds of up to \$15,000 may be provided to eligible single-family households, including manufactured homes that are 19 years or newer, for emergency repairs.
- (2) **Emergency Manufactured Home Repair** funds of up to \$15,000 may be provided to eligible single-family households for emergency repairs. Only manufactured homes that are 20 years or older as of the date of the *Application* are eligible for emergency repairs through the Emergency Manufactured Home Repair component of the HARP Grant.

- (3) For repairs to be classified as an “emergency” the home’s current condition(s) must threaten the occupant’s health or safety in some way. The following conditions constitute an emergency:
- a. No heat in the winter;
  - b. Dangerous electrical system;
  - c. Inoperable toilet and leaking waste pipes;
  - d. Severe roof leak; and/or
  - e. Lack of potable water supply.

**NOTE:** For repairs to be classified as an “emergency” the home’s current condition(s) must threaten the health and safety of the occupants in some way.

See [Section A9\(B\), Eligible Improvements](#) for more information.

#### **D. Accessibility**

- (1) Accessibility funds of up to \$15,000 may be provided to eligible single-family households with an occupant or occupants with physical disabilities or who are experiencing physical barriers in their homes.
- (2) Accessibility improvements such as ramps; installation of handrails and grab bars; replacement of bathtubs with wheel-in showers; lowering of items such as sinks, electrical switches, and cupboards; widening of doorways; and provision of bathroom or bedroom space on the first floor level of the dwelling. See [Section A9\(B\), Eligible Improvements](#) for more information.

#### **E. Weatherization**

- (1) Supplemental Weatherization funds of up to \$10,000 may be provided to Weatherization Assistance Program (WAP) eligible households where the Applicant is 55 years of age or older for eligible home repairs that need to be completed before a dwelling can receive comprehensive WAP services.
- (2) A WAP energy assessment must have been performed and WAP *Deferral of Services Notice* must be dated and signed before an Applicant can be considered for Supplemental Weatherization. See [Section A4, Priority for Assistance](#).
- (3) Only home repair deficiencies identified on the WAP *Deferral of Services Notice* deemed necessary to prepare a dwelling for WAP services are considered eligible home repair measures. See [Section A9\(B\), Eligible Improvements](#) for more information.

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**SECTION A3: SERVICE AREAS**

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CAAs are assigned specific geographical areas (by County) in which they will deliver HARP services:

<b>Agency</b>	<b>County</b>
<b>Aroostook County Action Program</b>	<ul style="list-style-type: none"><li>• Aroostook</li></ul>
<b>Community Concepts, Inc.</b>	<ul style="list-style-type: none"><li>• Androscoggin</li><li>• Cumberland</li><li>• Oxford</li></ul>
<b>Downeast Community Partners</b>	<ul style="list-style-type: none"><li>• Hancock</li><li>• Washington</li></ul>
<b>Kennebec Valley Community Action Program</b>	<ul style="list-style-type: none"><li>• Kennebec</li><li>• Lincoln</li><li>• Sagadahoc</li><li>• Somerset</li></ul>
<b>Penquis Community Action Program</b>	<ul style="list-style-type: none"><li>• Knox</li><li>• Penobscot</li><li>• Piscataquis</li></ul>
<b>Waldo Community Action Partners</b>	<ul style="list-style-type: none"><li>• Waldo</li></ul>
<b>Western Maine Community Action</b>	<ul style="list-style-type: none"><li>• Franklin</li></ul>
<b>York County Community Action Corp.</b>	<ul style="list-style-type: none"><li>• York</li></ul>

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## SECTION A4: PRIORITY FOR ASSISTANCE

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### A. Priority Waitlist

The CAA will receive and review *Applications* for assistance and will prioritize servicing eligible Applicants as detailed below.

- (1) CAA must maintain a waitlist and service Applicants based on priority ranking established by the priority ranking score on the *Eligibility Priority Waitlist* found at on MaineHousing's CAA Portal at <http://www.mainehousing.org/partners/partner-type/community-agencies/homerepair> (Priority Waitlist).
- (2) The Priority Waitlist provides scored priority based on income, liquid assets, age of household members, health and safety threats to the household and the need for assistive services. Each category is assigned a weighted score.

**NOTE:** HARP Grant recipients may only receive one Home Repair or Elderly Home Repair HARP Grant in their lifetime.

### B. Home Repair and Elderly Home Repair

- (1) Only Applicants on the Priority Waitlist can be considered for HARP Home Repair and/or Elderly Home Repair services.
- (2) Households must receive HARP services in order of ranking according to the Priority Waitlist maintained by the CAA. Households with the highest priority ranking score have the highest priority.
- (3) CAAs may move up an eligible household's priority based on geographic considerations (*e.g.*, if a high priority HARP project is out of town, another dwelling with a lower priority ranking in the same area may also receive HARP services during the same time period to save on travel costs) or because the CAA is funding the project with additional other resources.
- (4) HARP Grant recipients may only receive one Home Repair or Elderly Home Repair HARP Grant in their lifetime

### C. Emergency Repairs and Accessibility

- (1) Emergency Home Repair, Emergency Manufactured Home Repair, and/or Accessibility funds may be used to address eligible improvements on an as needed basis without pre-approval from MaineHousing.
- (2) Applicants receiving Emergency Home Repair, Emergency Manufactured Home Repair, and/or Accessibility funds can be placed on the Priority Waitlist and rated accordingly for future service to address home repair needs outside the scope of emergency repairs. See [Section A9B, Eligible Improvements](#).

### D. Weatherization Supplemental

#### 1. Priority 1

The *WAP Deferral of Services Notice* must be dated and signed **prior to June 30, 2019**.

#### 2. Priority 2

A *WAP Deferral of Services Notice* must be dated and signed **after July 1, 2019**.

#### 3. Conditions



- a. The Applicant's HEAT Enterprise<sup>1</sup> record must contain the signed/dated *WAP Deferral of Services Notice*.
- b. Only items listed on the *Deferral of Services Notice* are eligible for repairs using Weatherization Supplemental funds.
- c. The Applicant must be WAP-eligible on the date the HARP *Grant Agreement* is signed.
- d. If the WAP energy assessment is older than six months from the date HARP services would be provided, the WAP energy auditor must re-assess the home to confirm that the items listed on the *Deferral of Services Notice* exist and that no other conditions would prevent future weatherization of the dwelling. The WAP energy auditor may issue a revised *Deferral of Services Notice* at the time of re-assessment to document any addition HARP improvements needed to make the home eligible for weatherization through WAP.
- e. Applicants receiving Weatherization Supplemental funds can be placed on the Priority Waitlist and rated accordingly for future service to address home repair needs, in addition to what is addressed as eligible improvements for the project. See [Section A9B, Eligible Improvements](#).

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<sup>1</sup> HEAT Enterprise is MaineHousing's system of record for all weatherization jobs funded through WAP and where energy audits are required to upload the *Deferral of Services Notice* for the Applicant.

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## SECTION A5: ELIGIBILITY REQUIREMENTS

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### A. Income Eligibility

#### 1. In General

Applicant household incomes must be at or below 80% of the Area Median Income (AMI) as established and published annually by The United State Department of Housing and Urban Development (HUD) based on the Applicant's location and adjusted for the size of the household as of the date of the *Application*.

- a. Annual gross household income is the aggregate annual gross income for all household members for whom income is counted according to the definitions of this HARP Guide. To determine annual gross household income, refer to the [Section B2\(E\), Determine Applicant's Income Eligibility](#). Household size will affect maximum eligible income.
- b. CAAs must examine and maintain source documents evidencing the household's annual gross income (*e.g.*, wage statement, interest statement, un-employment compensation statement, etc.).
- c. To assess a household's income eligibility, CAA shall consider three factors:
  - i. annual gross household income (*see* [Section B2\(E\), Determine Applicant's Income Eligibility](#) for definitions of inclusions and exclusions);
  - ii. household size; and
  - iii. HUD 80% AMI limits.
- d. For approved Applicants, upon selection from the Priority Waitlist, if more than 120 days has elapsed from the date of *Application*, the household's income and household composition will need to be re-verified by the CAA.
- e. Income documentation cannot be more than 120 days old from the date of *Application* to the date the project is submitted to MaineHousing for initial approval and/or payment (Phase 1).

#### 2. Weatherization Supplemental

Applicant household's income must meet the DOE and/or HEAT Wx (WAP) income eligibility and must be eligible for WAP services on the date the HARP *Grant Agreement* is signed.

### B. Property Eligibility

HARP Grants will not be considered or awarded to homeowners who are currently selling or planning to sell their home and/or property or the property is undergoing active foreclosure.

A property may be deemed eligible for a HARP Grant under the following conditions:

#### 1. Single Family Homes

Owner occupied single-family stick built home.

**NOTE:** HARP Grants will not be considered or awarded to homeowners who are currently selling or planning to sell their home and/or property or the property is undergoing active foreclosure.

## 2. Manufactured Homes

### a. *In General*

All manufactured housing must meet the following criteria to be eligible for a HARP Grant:

- i. The home must be permanently attached or anchored to the land with anchors manufactured for that purpose in accordance with manufacturer's specifications and underpinned on all sides of the unit.
- ii. The home must be fully skirted and permanently connected to water, sewerage, electric, fuel, and similar facilities or utilities.
- iii. The wheels, axles, and hitch must be detached.

### b. *Manufactured homes 19 years or newer*

Manufactured homes must be built within 19 years of the date of *Application* and the anticipated costs of repairs may not exceed 50% of the home's assessed value as determined by the municipality to be eligible for the HARP Grant.

**NOTE:** Applicants in homes that have private water sources may be eligible for arsenic testing.

### c. *Manufactured homes 20 years or older*

Manufactured homes that are 20 years or older as of the date of the *Application* are eligible for repairs on an emergency basis only through the Emergency Manufactured Home Repair component of the HARP Grant.

## 3. Commercial Activity

Properties with an on-site trade or business may be eligible if no more than 15% of the use of the residence is being used in the trade or business as defined below. The area of the residence includes square footage of the total area of all buildings, including accessory buildings, but does not include land.

Examples of commercial activity include use on a regular basis for storage of inventory, providing day care services in accordance with state regulations or other exclusive and regular use of the residence for a trade or business. Foster care is not considered a commercial use. The following method is to be used in determining the percentage of commercial activity. This method takes into consideration the percentage of time and floor space the home is used for commercial purposes using the following formula:

$\frac{\text{Hours of business per week}}{168 \text{ (total hrs/week)}} \times \frac{\text{Square footage of rooms used}}{\text{Total sq. footage of residence}} = \text{Commercial Use}$
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**For example:** Applicant "A" will operate a daycare facility in a 2,500 square foot residence nine hours a day, five days a week for a total of 45 hours a week. The percentage of time the unit is used for daycare services is 26.8% (45 divided by 168 x 100). The Applicant has determined that 1,125 square feet or 45% (1,125 divided by 2,500 x 100) of the total square footage of the residence will be used for daycare. The commercial use of the residence is 12.06% (26.8% x 45% x 100) which complies with the 15% commercial

## 4. Ineligible Property

The following properties are ineligible for a HARP Grant:

- a. Rental properties are not eligible (homes of two (2) units or more).
- b. Rehabilitation and/or site work to land owned by a person other than the Applicant.
- c. HARP Grants will not be considered or awarded to homeowners who are planning to sell or rent their home within three (3) years from the date of the Grant award.

- d. The property is subject to an ongoing foreclosure proceeding.

## C. Ownership and Occupancy

### 1. Proof of Ownership

#### a. *Single Family*

A mortgage/property deed and most recent tax bill are required to verify ownership.

#### b. *Manufactured Homes*

- i. Manufactured home must be owned by the Applicant. The Applicant must present a bill of sale or certificate of title in addition to any property deed and most recent tax bill to document ownership.
- ii. Manufactured homes may be located on rented/leased land or owned land. A lot rental agreement must be submitted for manufactured homes on leased/rented land. When manufactured homes are located on rented/leased land, only the physical structure of the home is eligible for project improvements. In these situations, improvements to areas outside of the home are not eligible for improvements with HARP Grant funds, such as septic systems.

#### c. *Life Estate/Leases*

Life estates/leases are considered eligible proof of occupancy provided the deed or lease agreement clearly states that the Applicant has life rights to the property to be improved. The Applicant in a life estate/lease situation is considered a tenant, if:

- i. the Applicant occupied the home for at least one (1) year prior to HARP *Application*; and
- ii. documentation of the life estate/lease is in effect for one (1) year prior to the HARP *Application* date; and
- iii. a deed or agreement clearly documents the occupancy rule.

#### d. *Restrictions/Encumbrances*

- (1) The property may not have restrictions or encumbrances that would restrict the marketable nature of the owner's interest. Any evidence of outstanding tax liens or wastewater liens must be cleared before a Grant can be approved. Applicants with past due property taxes who provide documentation of a payment plan with their municipality and are current with payments may be eligible for Program services. Properties with past due property taxes without a payment plan can be submitted to MaineHousing for review on a case-by-case basis.

### 2. Occupancy

- a. The Applicant must be the owner of the property who is seeking the assistance and must be living in the home.
- b. The homeowner must have owned and occupied the home for at least one (1) year prior to submitting an *Application*. (Primary Residence)
- c. All individuals listed on the property deed must be willing to sign the HARP project paperwork, whether they live in the home or not.
- d. A homeowner can request HARP Grant funds only for their principal residence. Compliance with this requirement is evidenced by the signing of the HARP *Application* that certifies that the property is the Applicant's principal residence.

**Primary Residence = The homeowner must have owned and occupied the home for at least one (1) year prior to submitting an Application.**

## D. Previous Grant Awards

With the exception of projects funded with the Emergency Home Repair, Emergency Manufactured Home Repair, Accessibility and Weatherization Supplemental components of the HARP Grant, Applicants will not be allowed to receive more than one HARP Grant. Applicants who have previously received services, including a FIX ME, Common Home, MaineHousing Home Repair, or an Elderly Hardship Grant may not be eligible to apply for a HARP Grant. These Applicants, however, may be eligible for other loan or grant programs from funding sources outside of MaineHousing.

*HARP Grant recipients may only receive one Home Repair or Elderly Home Repair HARP Grant in their lifetime for an eligible property.*

## E. Conflict of Interest

- (1) Any person or persons who exercise or have exercised any responsibilities with respect to activities assisted with HARP funds or who are in a position to participate in decision-making activities or gain inside information with regard to these activities, are ineligible to apply for or obtain a financial interest from a HARP assisted activity.
- (2) MaineHousing requires monthly reporting from all CAAs for CAA personnel who have been approved or denied a HARP Grant. These cases will be subject to high percentage sampling for audit/review by MaineHousing staff.
  - a. CAAs are no longer required to disclose potential conflicts of interest prior to the initiation of services.
  - b. Consistent with previous policy, the CAA must submit a report to MaineHousing's ShareFile>Conflict of Interest subfolder, on or no later than the 20<sup>th</sup> of each month (or first working day following the 20<sup>th</sup> day if the 20<sup>th</sup> day falls on a weekend or a holiday). The CAA shall submit a report each month even if the CAA has no cases to report or there are no additions to the CAA's prior monthly report.
  - c. The report should include any individuals who have received services or benefits funded by HARP. This would be a cumulative report for the contract period, and would identify the person's name, job title or description of their affiliation with the CAA.
  - d. If there are no disclosures in a given month, the CAA shall resubmit the prior month's report or a statement that there have been no potential conflicts of interest.

**REMINDER:** The CAA shall advise MaineHousing if anyone who will be paid for work on HARP projects has business ties, familial relationships, or other close personal relationships with a current MaineHousing employee or commissioner or anyone who was a MaineHousing employee or commissioner within the past two years.

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## SECTION A6: GRANTS AMOUNTS

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HARP Grant maximums represent the maximum MaineHousing investment, not necessarily the total costs to complete a project. When funds are leveraged, the project costs may exceed the maximum MaineHousing investment. Contingent upon funding, CAAs must assign eligible HARP projects to the following HARP Grant funding components:

### A. Home Repair

- (1) Home Repair funds of up to \$30,000 may be provided to an eligible single-family household.
- (2) Applicants may only receive one Home Repair or Home Repair HARP Grant in their lifetime. This does not include projects funded through the Emergency, Accessibility or Weatherization Supplemental components of HARP.

*There are six components to a HARP Grant:*

1. *Home Repair;*
2. *Elderly Home Repair;*
3. *Emergency Home Repair;*
4. *Emergency Manufactured Home Repair;*
5. *Accessibility; and*
6. *Weatherization Supplemental.*

### B. Elderly Home Repair

- (1) Elderly Home Repair funds of up to \$30,000 may be provided to an eligible single-family household owned and occupied by an Applicant who is 60 years of age as of the date of the *Application*.
- (2) Applicants may only receive one Home Repair or Elderly Home Repair HARP Grant in their lifetime. This does not include projects funded through the Emergency, Accessibility or Weatherization Supplemental components of HARP.

### C. Emergency Home Repair

- (1) Emergency Home Repair funds of up to \$15,000 may be provided to an eligible single-family household.
- (2) Applicants may receive multiple Emergency Home Repair HARP Grant funds in their lifetime.
- (3) Applicants may receive Home Repair and/or Elderly Home Repair funding if otherwise eligible.

### D. Manufactured Emergency Home Repair

- (1) Emergency Manufactured Home Repair funds of up to \$15,000 may be provided to an eligible single-family household. Emergency Manufactured Home Repair funds are only available to Applicant-occupied manufactured homes that are 20 years or older as of the date of the *Application*.
- (2) Applicants may receive multiple Emergency Manufactured Home Repair HARP Grant funds in their lifetime for an eligible property.
- (3) Applicants may receive Home Repair and/or Elderly Home Repair funding if otherwise eligible.

### E. Accessibility

- (1) Accessibility funds of up to \$15,000 may be provided to eligible single-family households, with an occupant or occupants with physical disabilities or who are experiencing physical barriers in their homes.
  - a. A minimum of 75% shall be used for accessibility rehabilitation that will improve the quality of life of the resident who has a physical disability or is experiencing physical barriers within the home.

- b. Up to 25% may be used for basic necessary repairs to the home, so long as the accessibility rehabilitation is completed first. A WSD assessment is not required for Accessibility projects. A *Home Accessibility Evaluation Checklist* must be completed.
- (2) Applicants may receive multiple Accessibility HARP Grant funds in their lifetime for an eligible property.
- (3) Applicants may receive Home Repair and/or Elderly Home Repair funding if otherwise eligible.

**F. Weatherization Supplemental**

- (1) Weatherization Supplemental funds of up to \$10,000 may be provided to an eligible single-family household owned and occupied by an Applicant who is 55 years of age as of the date of the HARP *Application*. See [Section 4A, Priority for Assistance](#) and [Section A8, Use of Grant Funds](#) for more information.
- (2) Applicants may receive Home Repair and/or Elderly Home Repair funding if otherwise eligible.

**G. Summary**

Grant/Project Type	Assessment Tool Used	Project maximums*	Eligibility Criteria**
Home Repair	<i>Warm, Safe, Dry (WSD) Property Inspection Form</i>	\$30,000	Eligible owner-occupied single-family homes and manufactured homes 19 years and newer
Elderly Home Repair	<i>Warm, Safe, Dry (WSD) Property Inspection Form</i>	\$30,000	Eligible owner-occupied single-family homes and manufactured homes 19 years and newer. Applicant must be 60 years of age or older at time of <i>Application</i> .
Home Repair- Emergencies	No assessment required	\$15,000	Eligible owner-occupied single-family homes and manufactured homes 19 years and newer that meet definition of emergency as defined in <a href="#">Section A9(B)(3)</a> .
Manufactured Home Emergencies	<i>Emergency Manufactured Home Repair Checklist</i>	\$15,000	Eligible owner-occupied manufactured homes that are 20 years of age or older that meet the criteria of emergency as defined in <a href="#">Section A9(B)(4)</a> .
Accessibility	<i>Home Accessibility Evaluation Checklist</i>	\$15,000	Eligible owner-occupied single-family homes and manufactured homes 19 years and newer with an occupant or occupants with physical disabilities or who are experiencing physical barriers in their homes.
Weatherization	<i>WAP Deferral of Services</i>	\$10,000	WAP eligible Applicants 55 years of age or older that meet the definition of weatherization as defined in <a href="#">Section A9(B)(6)</a> .
* Waivers to exceed HARP Grant maximums for a project will be considered on a case-by-case basis depending on extenuating circumstances and availability of funds. Waivers must be pre-approved before any work commences.			
**Applicant household incomes must be at or below 80% of the Area Median Income (AMI) as established and published annually by The United State Department of Housing and Urban Development (HUD).			

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## SECTION A7: HARP PROJECT FEES

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### A. Administrative Fee

An administrative fee of 20% will be paid on a per job basis. The fee will be paid as follows:

1. **HARP Grants \$15,000.01 or Greater**

- a. 10% of the project total to be paid upon MaineHousing's receipt and approval of a complete Phase 1 invoice submission with required documents.
- b. Remaining 10% to be paid upon MaineHousing's receipt and approval of a complete Phase 2 payment submission with required documents.

2. **HARP Grants \$15,000.00 or Less**

- a. 10% of the project total to be paid upon MaineHousing's receipt of a complete *Application, HARP Project Cover Sheet* and *Phase 1 Invoice*.
- b. Remaining 10% to be paid upon MaineHousing's receipt of the updated *HARP Project Cover Sheet* and *Phase 2 Invoice*.
- c. All required document identified on the Phase 1 and Phase 2 Document Checklist must be retained by the CAA in the Applicant's project file and are subject to inspection by MaineHousing at MaineHousing's discretion.

3. **Change Orders**

Approved *Change Order* costs must be entered on the *Change Order Invoice* and submitted to MaineHousing as part of the CAA's Phase 2 submission for payment. The administrative fee will be adjusted accordingly. See [Section B8\(D\), Change Orders](#).

*Only HARP Grants \$15,000.01 or greater require MaineHousing pre-approval for Change Orders.*

### B. Application Fee

An application fee cannot be assessed to Applicants who receive HARP Grants.

### C. Dust Wipe Fee

CAA will receive reimbursement for dust wipes when wipes are required on a home repair project with a lead component.

### D. Water Test Kits

- (1) CAAs will receive flat fee for conducting well tests at Applicant homes as follows:
  - a. \$50.00 for CCI, WMCA and YCCAC; and
  - b. \$70.00 for ACAP, DCP, KVCAP, PCAP and WCAP<sup>2</sup>.
- (2) The Water Test Kits fee is a flat fee and will not be included in the calculation of the 20% administrative fee described above. Results from the water tests are to be issued to the homeowner and MaineHousing.

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<sup>2</sup> The higher fee for select CAAs is due to the State Lab's requirement that test samples must be overnighted from these locations, resulting in a higher postage fee.



## **E. Walk Aways**

In instances when CAA staff conduct an initial inspection or home visit for a prospective, income eligible Applicant and it is determined that repair or replacement measures under the Program are not possible, the CAA will receive a one-time, \$150 fee to cover travel and staff time expenses. This fee does not include the additional 20% administrative fee described above. If the prospective Applicant does receive services under HARP, the CAA is not eligible for the one-time, walk away fee, but will be eligible for the 20% administrative fee described above.

## **F. Temporary Relocation Fees**

CAA will receive at-cost reimbursement for relocation up to a maximum of \$1,250 per dwelling for Accessibility projects. MaineHousing will review relocation for other HARP Grant projects on a case-by-case basis. See [Section B6, Temporary Relocation](#) for more information. Relocation may not exceed 10 calendar days.

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## SECTION A8: USE OF GRANT FUNDS

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### A. General Use of Funds

HARP projects are subject to state and federal regulations. These regulations require strict enforcement of certain conditions specified below. By participating in HARP, CAAs undertake the initial enforcement responsibility and are advised that MaineHousing cannot waive compliance with such conditions. Unless otherwise directed in the *Subgrantee Contract*, the following requirements must be met:

- (1) HARP Grant proceeds can only be used for eligible improvements identified in [Section A9, Scope of Work](#).
- (2) All work for the project must be set forth in the *Job Standards and Specifications* that are attached to and made a part of the *Construction Contract* as Appendix A. CAAs must adhere to the performance standards outlined in the *Job Standards and Specifications*.
- (3) The gross household income of an Applicant and any Co-Applicant must be within the limits as set forth in this HARP Guide. See [Section A5\(A\), Income Eligibility](#).
- (4) The property requirements shall be within the limits as set forth in this HARP Guide. See [Section A5\(B\), Property Eligibility](#).
- (5) HARP projects funded with Home Repair or Elderly Home Repair HARP Grant funds may also receive Accessibility, and or Weatherization Supplemental funds for the same project.
- (6) Applicants receiving only Emergency Home Repair, Accessibility, and or Weatherization Supplemental funds can be placed on the Priority Waitlist and rated accordingly for future HARP Grants to address future eligible improvements.

### B. Weatherization Supplemental

- (1) Only items listed on the *Deferral of Services Notice* deemed necessary to prepare a dwelling for WAP services are considered eligible improvements.
- (2) The WAP energy auditor must re-assess the home to confirm that the items listed on the *Deferral of Services Notice* exist and that no other conditions would prevent future weatherization of the dwelling if the WAP energy assessments is older than six months from the date HARP services. The WAP energy audit must issue a revised *Deferral of Services Notice* at the time of re-assessment to document the HARP improvements needed to make the home eligible for weatherization through WAP. The revised *Deferral of Services Notice* must be signed by the Applicant.
- (3) The Applicant must be eligible for WAP services on the date the HARP *Grant Agreement* for Weatherization Supplemental funds is signed.
- (4) Both the CAA Energy Auditor and the CAA Home Repair Inspector must initial and date all Deferral Tasks contained on the *Job Specifications*.
- (5) CAAs can choose contractors from the Maine WAP or HARP approved contractor list.

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## SECTION A9: SCOPE OF WORK

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### A. Job Standards and Specifications

MaineHousing adheres to inspection and performance standards which are outlined in the *Job Standards and Specifications* which are attached to and made a part of the *Construction Contract* as Appendix A (*Construction Contract*).

#### 1. Property Standards

##### a. *Home Repair*

The entire house must be brought up to Warm Safe Dry (WSD) Standards and all repairs must be performed in accordance with written *Job Standards and Specifications*, Maine Uniform Building Energy Code (MUBEC) and local building codes (if applicable). CAA must perform eligible activities per Section A9(B)(1), Eligible Improvements.

##### b. *Elderly Home Repair*

The entire house must be brought up to WSD Standards and all repairs must be performed in accordance with written *Job Standards and Specifications*, Maine Uniform Building Energy Code (MUBEC) and local building codes (if applicable). CAA must perform eligible activities per Section A9(B)(2), Eligible Improvements.

##### c. *Emergency Home Repair*

WSD Standards assessment is not required. CAA must perform eligible activities per Section A9(B)(3), Eligible Improvements.

**NOTE:** For a HARP project to be classified as an “emergency” the occupant’s health or safety must be threatened in some way.

##### d. *Emergency Manufactured Home Repair*

WSD Standards assessment is not required. The *Emergency Manufactured Home Repair Checklist* must be completed prior to performing eligible activities per Section A9(B)(4), Eligible Improvements.

##### e. *Accessibility*

WSD Standards assessment is not required. CAA must perform eligible activities per Section A9(B)(5), Eligible Improvements.

##### f. *Weatherization Supplemental*

- i. WSD Standards assessment is not required. A WAP energy assessment must have been performed and WAP *Deferral of Services Notice* must be dated, signed and contain a list of the eligible home repairs that need to be completed before a dwelling can receive comprehensive WAP services.
- ii. If the *Deferral of Services Notice* is more than six months old at the time of referral to HARP, the WAP energy auditor must re-assess the home to confirm that the items listed on the *Deferral of Services Notice* exist and that no other conditions would prevent future weatherization of the dwelling. The WAP energy audit must issue a revised *Deferral of Services Notice* at the time of re-assessment to document the HARP improvements needed to make the home eligible for weatherization through WAP. The revised *Deferral of Services Notice* must be signed by the Applicant and uploaded to HEAT Enterprise.
- iii. CAA must perform eligible activities per Section A9(B)(6), Eligible Improvements.

#### 2. Flood Plains

HARP Grant funds are available to projects located in a flood plain.

### 3. Lead-Based Paint

- a. An EPA, RRP certified firm, using certified workers, must perform all rehabilitation work, following EPA RRP Rule, that disturbs a painted surface in excess of de minimis levels as defined in 24 CFR Part 35; unless the home tests negative for Lead-based Paint or was constructed on or after January 1, 1978.
- b. If the total investment in general rehabilitation work exceeds \$25,000 and the home is presumed to contain lead-based paint, the home must undergo lead abatement by a certified lead abatement contractor in accordance with HUD regulations. Projects containing lead hazards must be referred for lead abatement and/or mitigation to MaineHousing's Lead Programs or other resources available to the CAA.

**NOTE:** Contractors must follow the EPA RRP Rule for clearance testing requirements.

### 4. Building Permits

CAA shall ensure contractors obtain required local permits, when appropriate, from the authorizing jurisdiction before work commences and ensure required inspections occur. Copies of building permits must be placed in the project file.

## B. Eligible Improvements

Refer to the *Job Standards and Specifications* (Appendix A to the *Construction Contract*) for a detailed list of all project specifications.

### 1. Home Repair

Activities funded by the Home Repair and/or Elderly Home Repair component of the HARP Grant include, but are not limited to, the following eligible improvements:

- a. Installed measures and overall work performed to meet local or state codes and/or to remove major building hazards.
- b. Remediation of environmental hazards including lead-based paint.
- c. Health and safety and weatherization/energy improvements:
  - i. Smoke and carbon monoxide detectors;
  - ii. Caulking, weather-stripping, and other methods of reducing air infiltration;
  - iii. Storm or thermal windows and doors, thermal shades or shutters;
  - iv. Thermal insulation for ceilings, walls, floors, roofs, foundations, pipes, ducts and water heaters including interior vapor barrier and ventilation;
  - v. Heating system installation or modifications (if not available through the CHIP program):
    - (1) furnace improvements to increase energy efficiency;
    - (2) replace burners which reduce the amount of fuel used;
    - (3) replace furnace or boiler; and or
    - (4) repair or replace wood/coal burning central heating systems;
  - vi. Chimney construction or removal/replacement/repair;
  - vii. Any other improvement which is demonstrated by a residential energy audit; performed by an energy auditor licensed under state law that meets Department of Energy Savings Investment Ratio;

- viii. Kitchen refrigerators and stoves are eligible replacement if the appliance(s) do not pass WSD Standards; but only if Applicant is not eligible for appliance replacement through WAP;
- ix. Supplemental heating systems; Monitors, wood and pellet stoves (if not available through the CHIP program).
- d. Foundation repairs for single-family homes.
- e. Repair of existing attached garages when incidental to other code required work or to achieve reasonable accommodation of a disabled person or used as living space (bedroom).
- f. Repair, replacement or upgrade of existing septic systems.
- g. On-site infrastructure costs (such as electrical wiring and connections and sewer and water piping) and off-site utility connections from the property line to an adjacent street.
- h. Accessibility improvements such as ramps; installation of handrails and grab bars; replacement of bathtubs with wheel-in showers; lowering of items such as sinks, electrical switches, and cupboards; widening of doorways; and provision of bathroom or bedroom space on the first floor level of the dwelling.
- i. Repair of an existing porch, if essential (decks not included).
- j. Conditions noted in WSD Standards Inspection not specifically referenced above.

***NOTE: Kitchen refrigerators and stoves are eligible replacement if they do not pass WSD Standards and the Applicant is not eligible for appliance replacement through WAP.***

## **2. Elderly Home Repair**

Activities funded by the Elderly Home Repair component of the HARP Grant include, but are not limited to, eligible improvements contained in [Section A9\(B\)\(1\), Eligible Improvements](#).

## **3. Emergency Home Repair**

Activities funded by the Emergency Home Repair component of the HARP Grant include, but are not limited to, the following:

- a. No Heat in the Winter. All primary heating devices have failed and the house has no safe or appropriate heat source. Applicants receiving HEAP should be referred to the CHIP program if funding is available and the household meets the eligibility criteria.
- b. Dangerous Electrical Systems. This may be active short circuits that are capable of starting a house fire or service entrance equipment attached to the side of the house that has been damaged resulting in loss of power to the house.
- c. Inoperable Toilet and Leaking Waste Pipes. This would apply to a house with no operable toilets due to clogged drainpipes, collapsed sub-surface drainpipes, or a failed septic system that is causing sewage to back up into the house. This would also apply to homes where waste piping is leaking and sewage is leaking into the home.
- d. Severe Roof Leak. This would include some dramatic incident that caused immediate and severe roof leaks, such as a tree falling on and penetrating the roof or a windstorm that blew roof covering off resulting in severe leakage. Leakage must be severe or pose a threat to the electrical system or health and safety of the residents.
- e. Lack of Potable Water Supply. The home has no running cold potable water supply. As an example, this could be the result of a failed well pump. A failed domestic hot water heater, in most cases, is not considered an emergency situation.

- f. **Other.** Depending on the specific situation presented there may be other conditions that constitute an emergency situation outside of those specifically defined above. MaineHousing will be open to review other emergency scopes of work on a case-by-case basis, such as failed hot water heaters. CAA staff will present the specific situation on a *Waiver Request* form, providing detail-supporting classification of the situation as an emergency and submit to MaineHousing for approval. MaineHousing will review all *Waiver Requests* and respond in writing to the CAA with a determination.

#### 4. **Emergency Manufactured Home Repair**

Activities funded by the Emergency Manufactured Home Repair component of the HARP Grant include, but are not limited to, eligible improvements contained in [Section A9\(B\)\(1\), Eligible Improvements](#).

#### 5. **Accessibility**

##### ***a. Eligible Improvements***

Activities funded by the Accessibility component of the HARP Grant include, but are not limited to, the following eligible improvements:

- i. Changes to flooring to mitigate tripping hazards;
- ii. Moving control items such as light switches to within reach ranges;
- iii. Motion detecting lights;
- iv. Adjustments to exterior site walking surfaces including any necessary grading;
- v. Creation of an accessible parking space;
- vi. Widening of existing doorways for ease of access;
- vii. Installation of:
  - (1) access ramps;
  - (2) accessible door hardware;
  - (3) storage shelving and closet rods to within reach ranges;
  - (4) accessible toilet, bathroom sink, or kitchen sink;
  - (5) bathroom mirrors or medicine cabinets within lines of sight or reach ranges;
  - (6) grab bars at plumbing fixtures;
  - (7) roll-in showers;
  - (8) transfer seats in showers;
  - (9) bath tub seats;
  - (10) work counters in kitchens within lines of sight or reach ranges;
  - (11) front-controlled cooking appliances;
  - (12) alarm devices or doorbells for the hearing or visually impaired;
  - (13) lifts;
  - (14) keyless entry systems; and/or
  - (15) other modifications reasonably necessary to make the residence accessible to an individual with a disability or who is experiencing physical barriers in their home and who resides or will reside in the residence.

***b. Ineligible Improvements***

Free-standing adaptive equipment or assistive technology cannot be funded by the Accessibility component of the HARP Grant. Examples of free-standing adaptive equipment or assistive technology are wheelchairs, lifts, standing frames, gait trainers, augmentative communication devices, bath chairs, and recreational items such as swings or tricycles.

**6. Weatherization Supplemental**

- a. Only home repair deficiencies identified on the WAP *Deferral of Services Notice* deemed necessary to prepare a dwelling for WAP services are considered eligible home repair measures.
- b. The items listed on the WAP *Deferral of Services Notice* (Deferral Tasks) must be included on the project's *Job Standards and Specifications*.
- c. Both the CAA Energy Auditor and the CAA Rehab Tech must initial and date all Deferral Tasks contained on the project's *Job Standards and Specification*.

**C. Ineligible Improvements**

Activities listed below are ineligible improvements that cannot be funded through a HARP Grant. This is not an all-inclusive list; items not appearing are not automatically eligible.

- (1) Furniture, personal property;
- (2) Attached greenhouses;
- (3) Additions to manufactured homes not resting on a slab with a frost wall or a foundation;
- (4) New Construction of garages, barns, sheds or other outbuildings;
- (5) Construction of new home or a shell home;
- (6) Completion of a new home or a shell home;
- (7) Construction of a new deck or patio;
- (8) Fences;
- (9) Fireplaces;
- (10) Generators (unless required for medical reasons);
- (11) Heating fuel;
- (12) Hot tub, Jacuzzi, whirlpool bath, sauna, bath house;
- (13) Landscaping, unless used for diversion of drainage ditches and/or lead in soil mitigation;
- (14) Paving driveways and/or walkways unless needed for accessibility;
- (15) Piers or steps to lake or water;
- (16) Tree surgery or removal (unless considered essential to protect home from damage);
- (17) Central vacuum cleaner systems.

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## SECTION A10: PROPERTY INSPECTIONS

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### A. Inspector Credentials

Rehab Techs must be trained in applicable standards and complete training for MUBEC, accessibility standards and best practices, rehab standards, specification writing, job estimating, and general construction practices. Rehab Techs must complete the following training within 12 months from date of hire:

- (1) RRP Certified Renovator
- (2) MUBEC training
- (3) WSD Standards (See *Property Inspection Form*)
- (4) Accessibility Standards and Best Practices (see *Home Accessibility Evaluation Checklist*)

The CAA must maintain documentation for the aforementioned trainings and certifications and make them available to MaineHousing staff upon request.

### B. Inspection Requirements

#### 1. Initial Inspections

##### *a. In General*

Prior to the commencement of any work, all projects eligible for HARP Grant funds must be inspected by the CAA's Rehab Tech. The Rehab Tech must complete the applicable assessment form and/or checklist to verify the scope of work for the project. See [Section B3, Property Inspections](#).

##### *b. Weatherization Supplemental Inspections*

If the WAP *Deferral of Services Notice* is more than six months when the job is referred to HARP, the WAP energy auditor must re-assess the home to confirm the items listed on the *Deferral of Services Notice* exist and that no other conditions would prevent future weatherization of the dwelling. The WAP energy auditor must issue and date a revised *Deferral of Services Notice* at the time of re-assessment to document/confirm the HARP improvements needed to make the home eligible for weatherization through WAP. The Applicant must sign the revised *Deferral of Services Notice*.

#### 2. Final Inspections

Every HARP project reported as a completed unit must receive a final inspection by the CAA's Rehab Tech, to ensure that all work meets the minimum standard work specifications as outlined in the *Job Standards and Specifications* for the project. The Rehab Tech must complete and provide a *Certificate of Final Inspection* form for each individual unit, certifying that the materials and measures were properly installed in accordance with the project's *Job Standards and Specifications*.

*Applicants acknowledge receipt of the HARP survey card when signing the Certificate of Final inspection.*



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## SECTION A11: DOCUMENT MANAGEMENT SYSTEMS

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### A. Document Retention

- (1) CAA shall maintain complete and accurate project files for each project. The CAA will retain original HARP Grant closing documents, including original documents and forms not required for submission to MaineHousing, for seven (7) years.
- (2) The CAA shall label and organize its project files in accordance with the appropriate Document Checklist(s) provided by MaineHousing. Use of the appropriate Document Checklist is to ensure consistency in file maintenance and documentation, which will expedite the monitoring process. MaineHousing reserves the right to review project files at its discretion.

### B. Electronic Submission of Documents

- (1) HARP Grant documents must be submitted to MaineHousing for review electronically via MaineHousing's ShareFile system. Electronic file submissions should **only** include required documents and should be bundled in the order of the respective Document Checklist. *See* [Section B11, Electronic Document Management Systems](#) for more information.
- (2) CAAs should never send email communications to MaineHousing that contain Personal Identifiable Information (PII). The following must be considered when sending email communications to MaineHousing, whether or not encrypted:
  - a. Remove the PII from the email subject line, body, and attachments before sending an email to MaineHousing; or
  - b. Send the communication and/or document(s) containing PII to MaineHousing via ShareFile.

### B. Program Forms and Spreadsheets

Project forms, spreadsheet and bundles are available on MaineHousing's website (CAA Portal): <http://www.mainehousing.org/partners/partner-type/community-agencies/maine-weatherization-programs>. *See* [Section B1, Program Documents](#).

### C. Web Access ("CAA Portal")

MaineHousing has created a web portal exclusively for CAAs. Through this new portal, CAA staff can access forms, manuals, spreadsheets, and other tools needed to administer programs. The site also includes access to technical support information, updates, and notices. *See* [Section B11, Electronic Document Management Systems](#) for more information.

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## SECTION A12: APPLICABLE LAWS AND AMENDMENTS

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### A. Applicable Laws

Nothing in the HARP Guide shall be construed in such a manner as to conflict with, alter, or amend any federal or State laws or regulations applicable to the conduct of each CAA's business.

### B. Amendments

The HARP Guide may be amended or supplemented from time to time by MaineHousing by publishing changed pages or Program Bulletins on MaineHousing's website/CAA Portal: <http://www.mainehousing.org/partners/partner-type/community-agencies>. In the event of any conflict between the provisions of the Subgrantee Contract and this HARP Guide, the *Subgrantee Contract* shall govern.

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## SECTION A13: DISPUTE RESOLUTION

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Disputes between the Applicant, the CAA and contractor may arise from time to time during the life of the rehabilitation project. The Program has established a standard procedure for resolving these disputes. CAAs are initially responsible for resolving disputes. In those situations where a mutually satisfactory agreement cannot be reached between the parties, the following dispute resolution process shall be followed.

### A. Complaint Intake

Each CAA shall designate an individual(s) on its staff to log telephone calls from Applicants voicing complaints. Within 24 hours of receipt an applicant complaint (written or verbal), the CAA shall follow-up with the Applicant to assess the nature of the complaint. If the Applicant has not already done so, the CAA shall request the Applicant to put the complaint in writing.

Within five business days of receipt of the initial complaint (written or verbal), the CAA shall send MaineHousing a notice of the complaint and all information regarding the nature of the complaint with a copy to the Applicant. If the complaint is immediately resolved (within the five (5) working days), CAA will still be responsible for reporting the complaint with all the information regarding its nature, but will note that the complaint is resolved.

### B. Informal Conference

Within 15 working days from receipt of a complaint, the CAA shall organize an informal meeting with the Applicant, the contractor and the Rehab Tech to try and resolve the dispute. The CAA shall notify MaineHousing and all interested parties of the informal conference giving reasonable consideration to the schedules of all parties and the severity of the dispute. If the informal conference produces a resolution to the dispute, the CAA shall prepare a document signed by all parties involved that plainly states the agreed upon resolution. A copy of this document shall be submitted to MaineHousing. MaineHousing may attend the informal conference. If the meeting does not result in a resolution, the CAA shall document the results of the meeting and where the parties disagree. CAA shall submit a copy of these written minutes to MaineHousing. A copy of all written resolutions shall be kept in the Applicant file.

### C. Binding Arbitration

If the contractor and Applicant cannot come to a resolution, then the issue must be resolved through binding arbitration. The construction contract and escrow agreement among the contractor, the Applicant and the CAA will contain a binding arbitration clause. If all attempts fail to produce a resolution, the parties shall participate in a binding arbitration process as soon as possible after the informal conference.

All unresolved claims or disputes between the Applicant and contractor arising out of or related to the work shall be decided by arbitration. Unless the Applicant, and contractor otherwise agree, the arbitration shall be conducted in accordance with the construction industry arbitration rules of the American Arbitration Association. The Applicant and contractor shall submit all disputes or claims, regardless of the extent of the work's progress to the arbitrator. The award rendered by the arbitrator shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

**NOTE:** *MaineHousing will cover the costs of the arbitrator. The parties in dispute (i.e., the contractor, Applicant, and CAA) will cover their attorney's fees, if any.*

### D. Dispute Tracking

CAAs shall maintain a log of all major disputes (Dispute Log) and provide MaineHousing with a copy of such log when requested. The Dispute Log must clearly document the nature of the dispute, contacts made with the parties involved, and actions taken to resolve the dispute. MaineHousing will monitor each CAA to ensure all disputes are resolved as quickly as possible.

## CHAPTER B: PROGRAM PROCEDURES

### SECTION B1: PROGRAM DOCUMENTS

#### A. In General

- (1) It is not uncommon for a CAA to decide on the funding amount for a HARP project until after certain required documents have been processed.
- (2) CAA staff should become familiar with MaineHousing’s required forms before proceeding with HARP Program jobs.
- (3) CAAs must use the HARP Program forms and bundles available on MaineHousing’s CAA Portal. Forms are pdf writable. *See* [Section B11\(C\), MaineHousing Web Access \(CAA Portal\)](#) for more information.
  - a. The CAA Portal contains all required HARP Program forms and three HARP Program Bundles:
    - i. HARP Phase 1 Bundle
    - ii. HARP Phase 2 Bundle
    - iii. HARP Invoice Bundle
  - b. Download the applicable “HARP Bundle” and complete the bundle’s *Project Cover Sheet* to auto-populate the forms. Use Adobe’s bookmark navigation feature to view and/or print forms in the bundle.
  - c. Individual forms are also available to download, populate and print as needed.

#### B. HARP Project Forms

The following provides a list of the required HARP forms/documents with an explanation of the use and project type that requires the document. Required documents (if applicable) must be obtained and retained by the CAA for each project, regardless of project costs, even if the document(s) are not submitted to MaineHousing as part of payment requests.

Required Document	Explanation	Home Repair Elderly Home	Emergency Home Repair	Emergency Manufactured	Accessibility	Weatherization Supplemental
Application	Captures Applicant information needed to determine eligibility for the HARP Program. Must be completed and signed by the Applicant.	✓	✓	✓	✓	✓
Arsenic Chain of Custody Form <i>(if applicable)</i>	A document detailing who is legally responsible for samples at any point in time from collection until the sample is received by the laboratory.	✓	✓	✓	✓	✓
Bid Tabulation Sheet	Provides a comparison of contractor bids submitted for a HARP project.	✓				
Certificate of Final Inspection	Certification from the CAA Rehab Tech that the work has been inspected and that all work is has been completed in accordance with the project’s job specifications and standards. The Certification	✓	✓	✓	✓	✓

Required Document	Explanation	Home Repair Elderly Home	Emergency Home Repair	Emergency Manufactured	Accessibility	Weatherization Supplemental
	is signed by the CAA Rehab Tech and acknowledged by the Applicant.					
Change Order(s) <i>(if applicable)</i>	Request from the CAA to make changes to the original <i>Construction Contract</i> for a project. The <i>Change Order</i> is signed by the Applicant and Contractor	✓	✓	✓	✓	✓
Construction Contract	Contract between the Contractor, Applicant and CAA that specifies the condition for the scope work being awarded to the Contractor, including the project start and end dates. The <i>Job Standards and Specifications</i> completed for the project are attached to and incorporated into the Contract as Appendix A. The Contract is signed by the Contractor, Applicant and CAA (as Escrow Agent)	✓	✓	✓	✓	✓
Construction Escrow Agreement	Agreement between the Contractor, Applicant and CAA (as Escrow Agent) that governs disbursements of construction funds on behalf of the Applicant. The Agreement is signed by the Contractor, Applicant and CAA.	✓	✓	✓	✓	✓
Construction Progress Report	Completed by the Rehab Tech documenting project inspection results for completed work throughout the project. This report must be placed in the project file.	✓	✓	✓	✓	✓
Contractor Application	Completed by contractors wishing to be placed on MaineHousing Qualified Contractor list. See <a href="#">Section C1, Program Contractors</a> , for more information	✓	✓	✓	✓	✓
Contractor Certificate and Release of Liens	Certification from the Contractor that the all work being invoiced has been performed and releases the Applicant from any claims pertaining to the work performed. The Certification is signed by the Contractor and acknowledged by the Applicant.	✓	✓	✓	✓	✓
Contractor Payment Request	Request from the Contractor to the CAA for payment of completed. The form certifies that the Contractor completed the work associated to the request for payment. The Request is signed by the Contractor, Applicant and the CAA.	✓	✓	✓	✓	✓
Contractor Verification Form	Completed by CAA. Provides annual verification of existing Qualified Contractors.	✓	✓	✓	✓	✓
Cost Reasonableness	Documents the CAA Rehab Tech determination that the Contractor(s) bid for a project are cost reasonable. Signed by the CAA and Applicant.	✓	✓	✓	✓	✓

Required Document	Explanation	Home Repair Elderly Home	Emergency Home Repair	Emergency Manufactured	Accessibility	Weatherization Supplemental
Document Checklists	Contains the list of documents required by MaineHousing that must be included with the CAA’s payment requests for HARP projects. There are two Checklists: one for initial invoice submissions (Phase 1) and another for final invoice submissions (Phase 2) to MaineHousing.	✓	✓	✓	✓	✓
Eligibility Priority Waitlist	Also referred to as the “Priority Waitlist” is an Excel spreadsheet that will categorize the Applicant as a low, medium, or high priority. A ranking score is used to determine Applicant selection for services based on priority.	✓	✓	✓	✓	✓
Emergency Manufactured Home Repair Checklist	The assessment tool used to identify and determine eligibility for the scope of work needed for emergency repairs.			✓		
Grant Agreement	An agreement between the CAA and Applicant setting forth the total amount of HARP Grant funds available to the Applicant and setting forth the amount, use and disbursement of HARP Grant funds. The Agreement is signed by the Applicant and the CAA.	✓	✓	✓	✓	✓
HARP Invoice Bundle	CAAs utilize the invoice to request payment for Phase 1, Change Orders, and Phase 2 reimbursement.	✓	✓	✓	✓	✓
Home Accessibility Evaluation Checklist	The assessment tool used to identify accessibility limits and accessibility improvements needed for the dwelling.				✓	
Job Standards and Specifications (Scope of Work) ( <i>Appendix A of Construction Contract</i> )	CAAs must use the <i>Job Standards and Specifications</i> to create the scope of work for each project. The <i>Job Standards and Specifications</i> are then made available to Contractors to bid on a project. The final <i>Job Standards and Specifications</i> are attached to the <i>Construction Contract</i> as Appendix A.	✓	✓	✓	✓	✓
Lead-Paint Hazard Disclosure and Presumption Notice	Pertains to pre-1978 homes. Provides disclosure from the Applicant and notice from the Rehab Tech that the home is being inspected for lead-paint hazards. Signed by the Applicant and CAA.	✓	✓			
Notice of Preliminary Approval	Provides notice to the Applicant that the <i>Application</i> has been approved HARP Grant funding and contains the date, time and place the HARP Grant closing. Signed by a CAA representative.	✓	✓	✓	✓	✓

Required Document	Explanation	Home Repair Elderly Home	Emergency Home Repair	Emergency Manufactured	Accessibility	Weatherization Supplemental
Pre-Construction Conference Report	Certifies that the parties attended the pre-construction meeting understand and agree to conditions of the project discussed at the meeting. Signed by the Applicant, Contractor and CAA.	✓	✓	✓	✓	✓
Project Cover Sheet	Used to populate the form bundles as well as keep track of project cost information. Must be updated as needed and submitted with Phase 1 and Phase 2 CAA payment requests.	✓	✓	✓	✓	✓
Property Inspection Form (WSD Standards)	The Home Repair and Elderly Home Repair assessment tool used to verify that the project dwelling has been brought up to WSD Standards.	✓				
Relocation Assistance Acknowledgement	The Acknowledgement is signed by the occupant(s) of property and CAA representative and sets for the conditions for the occupants to receive relocation assistance.				✓	
Summary of Lead Paint Hazard Reduction Activity (pre-1978 projects)	Provides the Applicant with a list of components that were treated for lead hazards. Completed by the CAA Rehab Tech.	✓				
Waiver Requests	The form necessary for CAAs to request exceptions to procedures. The Waiver Request must be completed/signed by the CAA and submitted to MaineHousing for approval.	✓	✓	✓	✓	✓
Work Write Up/Cost Estimate	Provides the cost estimates for material and labor associated with each repair for the project. Completed by the CAA Rehab Tech.	✓	✓	✓	✓	✓

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## SECTION B2: APPLICANT INTAKE

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### A. Pre-Screen Potential Applicants

CAA staff must pre-screen potential Applicants to assess eligibility, along with priority. When an Applicant contacts a CAA, a trained staff member will briefly describe the Program and eligibility criteria (*e.g.*, income guidelines, ownership and occupancy of the property to be improved). CAA staff should ask questions regarding the scope of work to determine if the Applicant may have a situation warranting emergency assistance by definition provided in the HARP Guide, [Section A9, Scope of Work](#).

#### 1. Eligible Applicants

An Applicant who appears to be eligible after the pre-screening must be placed on the CAA's Priority Waitlist for tracking and to calculate the priority score. A CAA representative will enter the number of points earned in each category. The spreadsheet will calculate a final score. Based on the score, the CAA representative will make an "X" in the column showing priority group.

**NOTE:** CAAs are not allowed to charge an application fee.

#### 2. Ineligible Applicants

- a. An Applicant who appears to be ineligible after the pre-screening must be informed of the reasons for ineligibility. The Applicant should be referred to other appropriate resources.
- b. Even if an Applicant appears to be ineligible after the pre-screening contact, the CAA is only required to provide the HARP Application upon request from the Applicant.
  - i. After review of the Application submission, if the Applicant is deemed ineligible, the Applicant will be contacted via postal mail with a denial letter, which must include a clear explanation of why the Applicant is deemed ineligible. The denial letter will provide the Applicant an opportunity to appeal the CAA's decision within 14 days of receipt.
  - ii. If the Applicant is clearly ineligible for the Program at the time of pre-screening or the Applicant has been denied after the review of the Application, the Applicant should be referred to other appropriate resources.

#### 3. Applicant Request for Appeal

Applicant's wishing to appeal an ineligible determination, must submit a request for appeal in writing to MaineHousing. MaineHousing will take the following steps for processing an Applicant's request for appeal:

- a. Review Applicant's file;
- b. Work with the CAA to resolve any issues/errors (if applicable);
- c. Communicate with the Applicant to resolve the issue/error (if applicable); and
- d. Render a final decision.

### B. Prioritize/Categorize Applicants

#### 1. Key Criteria

Eligible Applicants for activities, identified in the [Section A3\(A\)](#), must be prioritized according to key criteria that provide preference for those experiencing the most distress and/or are threatened by health and safety issues. The CAA will use the *Eligibility Priority Waitlist* (Priority Waitlist), located at <http://www.mainehousing.org/partners/partner-type/community-agencies/homerepair>, to determine project category and priority ranking for HARP Grant projects.

## 2. Eligibility Priority Waitlist

- a. The Priority Waitlist is an Excel spreadsheet that will categorize the Applicant as a low, medium, or high priority. Within each category, the CAAs will use the ranking score to determine Applicant selection.
- b. Applicants in the high priority category must be served before those placed in lower categories.
- c. Applicants receiving emergency funds will be placed on the Priority Waitlist and rated accordingly for future service to address home repair and accessibility needs, in addition to needs addressed under the Emergency scope.
- d. Priority Waitlists will be reviewed at the time of on-site reviews/audits or submitted to MaineHousing via ShareFile upon request.

## C. **In-Person Interviews**

CAA staff shall interview each Applicant. During this interview, CAA staff shall:

### 1. Review the Application with the Applicant

- a. If not already completed, the CAA staff should assist the Applicant in completing the *Application* based on information provided by the Applicant.
- b. Applicants need to fully understand the contents of the *Application* and HARP Grant process. The CAA should not move forward with processing the HARP Grant until confident that the Applicant understands all the information and the responsibilities of the HARP Grant.
- c. The *Application* requires the Applicant's signature at time of closing as proof of their understanding of the provisions and requirements of the Program.

### 2. Verify property ownership

Verify property ownership by obtaining a copy of the Applicant's property deed/life lease, latest tax bill and any other required documents. If a listed property owner is deceased or divorced, the CAAs must obtain a copy of a co-owner's death certificate or Divorce Decree to prove the Applicant's sole ownership. *See [Section A5\(C\), Ownership and Occupancy](#).*

## D. **Establish Project File**

CAA must establish and maintain a paper file to keep all original documentation pertaining to the project. Documentation must be maintained as indicated on the *Phase 1* and *Phase 2 Document Checklists* for the project for seven (7) years and be available for review by MaineHousing upon request and during monitoring visits. Required documentation for HARP Grants is outlined on the *Phase 1* and *Phase 2 Document Checklists*, which are located on the MaineHousing Web Portal located at <http://www.mainehousing.org/partners/partner-type/community-agencies/homerepair> (CAA Portal). *See [Section B11, Electronic Document Management](#)* for more information about accessing forms, spreadsheet and other required documents from the CAA Portal.

**NOTE:** Project files, including all original documentation, must be maintained by CAAs for seven (7) years.

## E. **Determine Applicant's Income Eligibility**

Applicant's annual gross household income must not exceed income limits for the area where the Applicant resides, adjusted for household size. To be considered for a HARP Grant, Applicant's total household income cannot exceed 80% of the area median income adjusted for family size. The *Median Income Limits* chart for the Program is available on MaineHousing's CAA Portal at <http://www.mainehousing.org/partners/partner-type/community-agencies/homerepair>.



Upon selection of the Applicant from the Priority Waitlist, the CAA will require the Applicant provide supporting income documentation. Applicant's annual gross income must be calculated as outlined below. CAA must verify annual gross household income using standard employment verification forms and/or pay stubs. Paystubs must be recent, consecutive and depict the Applicant's projected income. Documents considered acceptable for establishing eligibility will be valid for 120 days predating the time of review.

**1. Obtain Income Information**

MaineHousing considers the following when calculating annual gross household income:

- a. Wages, salaries, tips, commissions, etc.;
- b. Self-employment income from owned, non-farm business, including proprietorships and partnerships;
- c. Farm self-employment income;
- d. Interest, dividends, net rental income, or income from estates and trusts;
- e. Social Security or railroad retirement;
- f. Supplemental Security Income, Temporary Aid for Needy Families (TANF), or other public assistance or public welfare programs;
- g. Retirement, survivor or disability pensions; and/or
- h. Any other sources of income received regularly, including Veterans' (VA) payments, unemployment compensation, child support, alimony, or reoccurring monetary or in-kind gifts from sources outside of the Applicant household.

***NOTE: Applicants must provide original documents. The CAA should make copies of original documents for the project file and return the originals to the Applicant. Date of receipt of documents and other forms must be date/time stamped by the CAA.***

**GUIDANCE:** In the event of an emergency situation, an Applicant's certified HEAP Application to receive fuel assistance may be accepted as income documentation.

**2. Calculate Annual Gross Income**

Income is calculated going forward twelve (12) months. Annual gross household income shall be calculated as follows:

***a. Gross Monthly Income***

Gross monthly income is the sum of monthly gross pay; plus

- i. any additional income from overtime;
- ii. part-time employment;
- iii. bonuses;
- iv. dividends;
- v. interest;
- vi. royalties;
- vii. pensions;
- viii. Veterans Affairs (VA) compensation;
- ix. net rental income;
- x. alimony;
- xi. child support;
- xii. public assistance;

- xiii. sick pay;
- xiv. social security benefits;
- xv. unemployment compensation;
- xvi. income received from trusts;
- xvii. income received from business activities or investments; or
- xviii. recurring gifts.

See [Section 3.B.1, Income Inclusions](#).

**b. Annualized Gross Income**

Annualized gross income is gross monthly income multiplied by 12.

- i. To calculate gross annual income, multiply the current monthly base pay times 12 to derive annual base earnings. Add the actual average overtime, bonuses, etc., earned in the past 12 months or period of employment, whichever is less.
- ii. In the case of income received periodically, annualized gross income includes the amount of periodic income multiplied by the number of periods in a year in which the income is received.
- iii. If the Applicant's income is irregular, unstable, seasonal or temporary, gross monthly income is calculated by taking the average of the actual monthly employment earnings over the previous 12 months or the period of time the Applicant has been engaged in that field of employment, whichever is shorter. If the Applicant has regularly earned overtime, bonuses, shift differentials or commissions, they must be included in income even when the employer does not guarantee their continuation.

**GUIDANCE:** Bi-weekly income is multiplied by 26 pay periods to calculate annualized gross household income. Income received bi-monthly (e.g., the 1<sup>st</sup> and the 15<sup>th</sup> of each month) should be multiplied by 24 to determine annualized gross household income.

**c. Foregone Income**

If, during the six-month period ending on the date of application, any Applicant household member whose income is counted has taken a temporary leave of absence, a temporary voluntary reduction in compensation or hours normally worked, or has temporarily resigned from employment, the income foregone by such act or acts shall be included in computing gross income.

**d. Temporary Unemployment**

If, during the three-month period ending on the date of application, any Applicant household member whose income is counted has commenced a temporary or indefinite layoff; has become unemployed, except for permanent retirement; or has ceased employment as a self-employed individual without gaining substitute employment, gross income shall include the rate of pay immediately prior to such event. This provision shall not apply if the Applicant household member(s) does not expect to return to work in the foreseeable future and such intentions must be documented in writing.

## **F. Other Factors of Income Determination**

The income calculation is required upon selection of an Applicant from the Priority Waitlist, if more than 120 days have elapsed since the original *Application*, household composition will need to be re-verified by the CAA. The following guidelines shall be followed in completing the income calculation for purposes of determining whether household income exceeds income limits for the area where the Applicant resides.

### **1. Operation of a Business or Profession**

Net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness cannot be used as deductions in determining net income; however, an allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

### **2. Interest, Dividends, Real or Personal Property**

Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness cannot be used as a deduction in determining net income. An allowance for depreciation is permitted only as authorized in (b) above. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000.00, annual income includes the greater of the actual income derived from net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by U.S. Department of Housing and Urban Development (HUD).

### **3. Retirement Benefits**

The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment (except Supplemental Security Income [SSI] or Social Security).

### **4. Payments in Lieu of Earning**

Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay. See [Section 3.B.3, Income Exclusions](#).

### **5. Welfare Assistance**

If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:

- a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
- b. The maximum amounts that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph is the amount resulting from one application of the percentage.
- c. TANF, Gap, Pass-through, and ASPIRE "TANF" means payment under the Temporary Assistance for Needy Families program as defined in 22 M.R.S.A., Chapter 1053-B, §3762, *et seq.*

**6. Periodic and Determinable Allowances**

Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling.

**7. Military Benefits**

All regular pay, special pay and allowances of a member of the Armed Forces except as excluded in [Section 3.B.2, Income Exclusions](#).

**8. Income Exclusions**

- a. Income from employment of children (including foster children) under 18 years old, with the exception of emancipated minors who are considered adult members of the household.
- b. Payments received for the care of foster children or foster adults (usually persons with disabilities unrelated to the tenant family that are unable to live alone).
- c. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except for payments in lieu of earning).
- d. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.
- e. Income of a live-in aide (live-in aide will not be included as a household member on the *Application*).
- f. The full amount of student financial assistance paid directly to the student or to the educational institution.
- g. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
- h. Amounts received under training programs funded by HUD, state or local or federal programs.
- i. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS).
- j. Amounts received by participants in other publicly assisted programs that are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special equipment, clothing, transportation, childcare, etc.) and that are made solely to allow participation in a specific program
- k. Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.
- l. Temporary, nonrecurring, or sporadic income (including gifts).
- m. Reparation payments paid by a foreign government pursuant to claims under the laws of that government by persons who were persecuted during the Nazi era.
- n. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household or spouse).
- o. Adoption assistance payments in excess of \$480 per adopted child.
- p. Deferred periodic amounts from SSI and Social Security benefits that are received in a

lump sum amount or in prospective monthly amounts.

- q. Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.
- r. Amounts paid by a state agency to family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep this developmentally disabled family member at home.
- s. Amounts specifically excluded by any other federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions apply.

**GUIDANCE:** Any future increases in income resulting from pay raises or job changes which are known at the time of application or which occur prior to closing must be taken into consideration in determining eligibility. Decreases in income may be taken into consideration if the employer provides satisfactory explanation of the change, e.g., that the decrease is permanent and affects other employees.

## **9. Verification**

Annual gross household income stated on the application must be verified through source documents such as copies of original wage statements, interest statements, unemployment compensation statements, and other verification of employment forms. Additionally, three (3) most recent, consecutive months of bank statements are required for all household members.

## **10. Self-employed**

For self-employed persons, CAA shall obtain 2 years previous tax returns (including all schedules) and follow IRS regulations. See [www.irs.org](http://www.irs.org) for guidance.

## **11. Re-Certification of Income**

If more than 120 days elapse before the HARP Grant funding or closing, CAA shall obtain up-to-date income documentation to verify that the household is still income eligible. Income documents uploaded with Phase I submissions must be for the 120 days prior to the electronic submission date.

# **G. Assets**

## **1. Liquid Assets**

Liquid assets are defined as cash, or assets easily converted into cash such as bank deposits, money market funds, or US Treasury bills that are available to meet the immediate and urgent needs of the household *minus* penalties or cost to convert to liquid. The overall purpose of these asset limitations is to encourage a household's contribution to meeting their needs, when possible, and at the same time recognize that household assets represent needed income and insurance against financial calamities, and that it is prudent to retain these assets to some extent.

- a. Applicants wishing to qualify for assistance may not have "liquid assets" in excess of \$5,000. Applicants 60 years or older however, may have "liquid assets" up to a maximum of \$50,000.
- b. The Applicant may not have real estate in excess of that considered necessary and appropriate for their primary residence and the lot it occupies.

**2. Joint Assets**

Assets owned by more than one person are prorated according to each party's percentage of ownership. If no percentage is specified or provided by state or local law, assets are prorated evenly among the Applicant and other owners.

**3. Assets Included**

Assets include the market value of the following minus any fees incurred to turn the asset into cash:

- a. Cash on hand;
- b. Stocks/bonds, mutual funds, and Treasury bills; and
- c. Money market or CD accounts.

**4. Assets Not Included**

- a. IRAs or Roth IRAs;
- b. Pension plans;
- c. Primary Real Estate;
- d. Value of vehicles;
- e. Savings bonds; and
- f. 401K plans.

***NOTE:** If CAA staff feels, based on their assessment and analysis, that the Applicant has the capacity to access other funding sources for accessibility and home repairs, then staff should refer the Applicant to other programs or resources outside of the HARP Program.*

**5. Additional Property(s)**

If Applicant has other real estate (e.g., summer home, camp, time-share) in addition to their primary residence, then they are not eligible for Program.

## SECTION B3: PROPERTY INSPECTIONS

### A. Assessment Tools

Grant/Project Type	Assessment Tool Used	Project maximums*	Eligibility Criteria**
Home Repair	<i>Warm, Safe, Dry (WSD) Property Inspection Form</i>	\$30,000	Eligible owner-occupied single-family homes and manufactured homes 19 years and newer
Elderly Home Repair	<i>Warm, Safe, Dry (WSD) Property Inspection Form</i>	\$30,000	Eligible owner-occupied single-family homes and manufactured homes 19 years and newer. Applicant must be over the age of 60 at time of <i>Application</i> .
Home Repair-Emergencies	No assessment required	\$15,000	Eligible owner-occupied single-family homes and manufactured homes 19 years and newer that meet definition of emergency as defined in <a href="#">Section A9(B)(3)</a> .
Manufactured Home Emergencies	<i>Emergency Manufactured Home Repair Checklist</i>	\$15,000	Eligible owner-occupied manufactured homes that are 20 years of age or older that meet the criteria of emergency as defined in <a href="#">Section A9(B)(4)</a> .
Accessibility	<i>Home Accessibility Evaluation Checklist</i>	\$15,000	Eligible owner-occupied single-family homes and manufactured homes 19 years and newer with an occupant or occupants with physical disabilities or who are experiencing physical barriers in their homes.
Weatherization	<i>WAP Deferral of Services</i>	\$10,000	WAP eligible households (up to 200% of the Federal Poverty Level) that are 55 years of age or older that meets the definition of weatherization as defined in <a href="#">Section A9(B)(6)</a> .
* Waivers to exceed HARP Grant award maximums for a project will be considered on a case-by-case basis depending on extenuating circumstances. Waivers must be pre-approved before any work commences.			
**Applicant household incomes must be at or below 80% of the Area Median Income (AMI) as established and published annually by The United State Department of Housing and Urban Development (HUD).			

### B. Schedule Property Inspection

The Rehab Tech contacts the Applicant to schedule an appointment and to inform the Applicant that an appropriate inspection/assessment of the home must be performed. As part of the inspection, the Rehab Tech must:

- (1) Complete the *WSD Inspection Form* for the projects (except for emergency projects); or
- (2) Complete the *Emergency Manufactured Home Repair Checklist*; or
- (3) Complete the *Home Accessibility Evaluation Checklist* for Accessibility Projects.

- (4) Obtain well water test for arsenic (if well not tested within previous 12-month period). See [Addendum A. Process for Testing Well Water \(Arsenic\)](#).

## C. Initial Inspection

### 1. Inspection Assessment Tools

Inspection form(s) must be placed in the CAA project file to document the inspection.

#### a. *Home Repair or Elder Home Repair*

- i. The Rehab Tech must complete the *Property Inspection Form (WSD)*.
- ii. If the home is built before 1978 the following documents must be included as part of the Rehab Tech's assessment:
  - (1) *Lead Paint Hazard Disclosure and Presumption Notice* (2 copies);
  - (2) Copies of the EPA brochure;

#### b. *Emergency Home Repair*

Emergency Home Repair projects do not require a WSD inspection. For repairs to be classified as an "emergency" the home's current condition(s) must threaten the health and safety of the occupants in some way.

#### c. *Emergency Manufactured Home Repair*

The Rehab Tech must complete the *Emergency Manufactured Home Repair Checklist*.

#### d. *Accessibility*

The Rehab Tech must complete the *Home Accessibility Evaluation Checklist*

#### e. *Supplemental Weatherization*

The Rehab Tech must refer to the WAP *Deferral of Services Notice*.

**NOTE:** For repairs to be classified as an "emergency" the home's current condition(s) must threaten the health and safety of the occupants in some way.

### 2. Lead-Based Paint Disclosure

- a. The Rehab Tech explains to the Applicant that in pre-1978 homes, it is assumed all painted and/or stained interior and exterior surfaces contain lead, unless the Applicant has proof to the contrary. The Rehab Tech must explain the EPA RRP Rule as applies to particular project.
- b. The Rehab Tech must present to the Applicant a *Lead Paint Hazard Disclosure and Presumption Notice*. Applicant shall sign two copies of the form, one for the Applicant and one to place in the CAA project file to document compliance with EPA RRP requirement.
- c. Rehab Tech must provide a copy of the EPA brochure entitled "*Protect Your Family from Lead in Your Home*."

### 3. Conduct Inspection

- a. The *Job Standards and Job Specification* (Appendix A of the *Construction Contract*) serves as a benchmark for quality that all repairs must meet. All work performed must meet MUBEC, the National Fire Prevention Code, National Electrical Code, Uniform Plumbing Code, and local building code requirements.
- b. All building components not meeting standards shall be documented per applicable inspection and be addressed/repared as determined appropriate.



- c. The Rehab Tech shall explain to the Applicant the type of inspection/assessment to be conducted. This inspection should be conducted with the Applicant present.
- d. The Rehab Tech shall inform the Applicant that federal regulations require that Lead-based Paint hazards be addressed in pre-1978 homes.
- e. The Rehab Tech shall presume all coated interior and exterior surfaces contain lead paint in a pre-1978 home. Furthermore, the Rehab Tech shall presume that chipping and peeling paint in excess of six (6) square feet per interior room or 20 square feet on the exterior of the home is a lead-based paint hazard following the EPA RRP Rule. De minimus levels following the EPA RRP Rule are 6 sq. ft. interior and 20 sq. ft. exterior. Bare soil areas in excess of 9 square feet and that contain paint chips shall also be presumed a lead hazard. Projects must follow the EPA RRP Rule.
- f. The Rehab Tech shall conclude the general property inspection by reviewing the inspection assessment tool used for the initial inspection with the Applicant. See [Section B3\(C\)\(1\), Inspection Assessment Tools](#).

#### **D. Complete Water Test for Arsenic**

- (1) As part of initial (Phase 1) inspections, the Rehab Tech must complete a water test for arsenic for all homes served by private wells. If Applicant provides results from well water test conducted within past 12 months, CAA does not need to complete a new well water test.
- (2) Chain of custody documentation must be submitted as part of the Phase I packet. See Addendum A, Process for Testing Well Water.

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## SECTION B4: JOB SPECIFICATIONS

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### A. Work and Cost Estimation

Upon completion of the property inspection, the Rehab Tech shall prepare job specifications as *Appendix A, Job Specifications*, and *Construction Contract*. The Rehab Tech will use the *Job Specification* template to develop cost estimates for material and labor associated with each repair and prepare a *Work Write Up/Cost Estimate* for the project

The Rehab Tech may use the following sources of information to prepare cost estimates:

- (1) Historical data and information from previously completed projects;
- (2) Rehab Tech's experience in construction management; and/or
- (3) Cost estimating manuals or tools.

### B. Prepare Job Specifications

#### 1. In General

- a. CAAs must use the *Job Standards and Specifications* to create the scope of work for each project. The *Job Standards and Specifications* is in Word format and can be manipulated by the CAA to eliminate any sections that are not applicable to the scope of work for the project.
- b. The Rehab Tech must incorporate Section 1, "General Requirements for All Project Specifications", of in the *Job Standards and Specification* as part of the scope of work for a project.
- c. Each work specification must include the approximate amount of material, material price and labor price for that particular specification.
- d. Only like items may be combined for bidding purposes. *For example*, if a room has several windows that are being replaced and all are the same style (such as double hung) they may all be included in one individual bid. If they are not the same style, such as double hung and casement style, each style must be bid separately.
- e. Upon completion of the project specifications and cost estimate, the Rehab Tech shall review this information with the Applicant.

*All surfaces containing lead hazards must be referred for lead abatement and/or mitigation to MaineHousing's Lead Programs or other resources available to the CAA.*

#### 2. Weatherization Supplemental

- a. The items listed on the *Deferral of Services Notice* (Deferral Tasks) must be included on the *Job Specifications* attached to the executed *Construction Contract*.
- b. Both the CAA Energy Auditor and the CAA Home Repair Inspector must initial and date all Deferral Tasks contained on the *Job Specifications*.

**GUIDANCE:** It is very important that the Applicant understands that major safety items and violations must be addressed first before other general repairs.

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## SECTION B5: CONTRACTOR SELECTION

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### A. Emergency Projects

Emergency projects do not require contractor bids. The CAA may use its discretion to assign the appropriate contractor to perform the emergency work. The final *Job Standards and Specifications* must include the eligible emergency work that needs to be done for the homeowner and must be incorporated as *Appendix A* of the *Construction Contract* and signed by both the Applicant and the contractor. Each page will also be initialed and dated by the CAA Rehab Tech and the Contractor.

### B. Weatherization Supplemental Projects

Weatherization Supplemental projects do not require contractor bids. CAAs can choose contractors from the Maine WAP or HARP approved contractor list. CAAs must ensure the contractor selected is licensed to perform the home repair work or has a sub-contractors licensed for electrical, plumbing and HVAC or is capable of performing the work. The final *Job Standards and Specifications* must include the eligible weatherization work that needs to be done for the homeowner and must be incorporated as *Appendix A* of the *Construction Contract* and signed by both the Applicant and the contractor. Each page will also be initialed and dated by the CAA Rehab Tech, the CAA Energy Auditor, and the Contractor.

### C. Distribute Job Specifications to Qualified Contractors for Bid

#### 1. In General

- a. See [Chapter C, Program Contractors](#)
- b. The exact Job Specifications developed by the Rehab Tech without the cost estimate will be distributed to bidders.
- c. The Rehab Tech will compare his/her cost estimate to the submitted bids to test reasonableness as part of the bid award. The Rehab Tech will note explanations on his/her cost estimate.
- d. The comparison and all bid documents will be maintained in the Applicant file. The comparison and the winning bid job specifications will be submitted to MaineHousing as part of the bid tabulation process.

**NOTE:** *The bidding process is required for all HARP projects, except emergencies and weatherization.*

#### 2. Bid Package

- a. The CAA shall prepare a “bid package” to use in soliciting proposals from Qualified Contractors for each HARP project. The bid package shall include the following:
  - i. A copy of the *Construction Contract*;
  - ii. *Job Standards and Specifications*;
  - iii. Date, time and location for the pre-bid walk through;
  - iv. Deadline (date/time) and location for bid submission.
- b. A minimum of three qualified bids must be solicited for each project.

**NOTE:** *Applicants/owners are prohibited from doing their own work, supplying their own materials and appliances, or use or allow to be used their own tools or equipment.*

## 2. Timeline

- a. Qualified Contractors shall deliver bids for work to the CAA no later than **14 working days** from the time the walk through is completed.
- b. The CAA may extend the deadline for submission of bids by providing written notice of the extension to all Qualified Contractors participating in the walk-through.

## 3. Pre-Bid Walk Through

- a. The CAA and Applicant shall pick days and times for site walk through and make it mandatory for all Qualified Contractors who wish to submit a bid.
- b. All Qualified Contractors wishing to submit a bid must attend a scheduled pre-bid walk-through meeting. Any changes in the *Job Standards and Specifications* during the walk-through must be in writing and received by all attending contractors prior to submitting bids. Any bid addendum must be clearly marked as an addendum, dated, signed by the contractor, and be included with the bid submission.
- c. Any contractor who fails to attend a walk-through shall not be allowed to bid.

## 4. Qualified Contractor Bid Submission

### a. *Paper Submission*

Bids must be delivered to the CAA in a sealed envelope prior to the expiration of the bid submission deadline.

### b. *Electronic Submission*

CAAs may choose to solicit and accept emailed bids that adhere to all procurement requirements. CAA must not open bids submitted electronically prior to submission deadline.

**NOTE:** CAA must not open bids, whether submitted via paper or electronically, prior to submission deadline.

### c. *Withdrawal, Substitutions and Modifications*

Bidders may withdraw, substitute, or modify their bids by giving notice in writing before the bid deadline. Each bidder's withdrawal, substitution, or modification notice shall be prepared, sealed, marked, and delivered with the outer and inner envelopes additionally marked as "Withdrawal," "Substitution," or "Modification" as appropriate.

**NOTE:** Any bid received by the CAA after the bid deadline shall be returned unopened to the bidder.

### d. *Deadlines*

- i. Any bid received by the CAA after the bid deadline shall be returned unopened to the bidder.
- ii. No bid may be withdrawn, substituted or modified after the deadline for submission of bids.

## 5. Qualified Contractor Refuses to Bid

If a Qualified Contractor is unable to bid, the CAA must provide the contractor with a *Refusal to Bid*. The contractor will be asked to sign and submit the *Refusal to Bid* form to the CAA.

## 6. Less Than Three Bids Obtained

In those instances where bids from three different Qualified Contractors cannot be obtained, the CAA shall provide a written explanation to be inserted in the Applicant's file explaining why three bids were not collected.

- a. Projects submitted to MaineHousing with two qualified bids and one *Refusal to Bid* form will be acceptable only if the two bids received are within 10% of each other.
- b. Projects submitted to MaineHousing with only one acceptable bid must be accompanied by documentation of at least two *Refusal to Bid* forms in order to be considered for funding under the Program.

## **D. CAA Bid Opening**

### **1. In General**

- a. The CAA shall open the bids, including substitutions and modifications, in the presence of the bidders' representatives who choose to attend at the time and in the place specified by the CAA.
- b. The bidders' names, the total amount of each bid and of any alternative bid (if alternatives have been requested or permitted by the CAA), bid withdrawals, substitutions, or modifications, and such other details as the CAA may consider appropriate, shall be announced by the CAA at the opening.
- c. No bid shall be rejected at bid opening except for late or incomplete bids. Late or withdrawn bids shall be returned unopened to bidders.
- d. Bids for which an acceptable notice of withdrawal has been submitted shall not be opened.

### **2. Rehab Tech Reviews Proposals**

#### ***a. Review Proposal with Applicant***

The Rehab Tech reviews proposals and goes over the proposals with the Applicant to ensure that all work has been properly addressed and will be completed according to the written job specifications, that the contractor has the appropriate insurance and licenses, and that the cost is reasonable and in line with cost estimates.

#### ***b. Determine Cost Reasonableness***

The Rehab Tech will determine if the bids are cost reasonable. This information must be documented on the *Cost Reasonableness* form. If the bids are determined to be cost reasonable, the method for making this determination must be noted (*e.g.*, costs are within 10% of those estimated on the *Work Write Up/Cost Estimate Form*). If the bids are determined not to be cost reasonable, the actions taken must be noted on the form. The Applicant and the Rehab Tech must sign the form.

### **3. Low Bid Contractor Not Within 10% of Cost Estimate**

If low bid contractor's prices are more than 10% above the cost estimate, the Rehab Tech and the Applicant must discuss the following options:

- a. A reduction in the scope of services to help lower costs while still meeting property Rehabilitation Standards. Remember, WSD items and lead-based paint hazards must be addressed first before other general repairs.
- b. Revise the in-house estimate based on new and/or additional information provided by the contractor (*e.g.*, cost of lumber increased).
- c. Assess the possibility that a change in materials or techniques may lower costs without compromising quality or required standards.
- d. Permit the Applicant to pay the difference between the cost estimate plus 10% and the contractor's price.

- e. Take a position with the contractor that if he/she lowers the cost to within 10% of the original estimate, he/she will get the work and the Applicant will not seek quotes from other contractors.
- f. Obtain proposals from other Qualified Contractors.

#### **4. Lowest Qualified Bid Awarded the Project**

- a. The CAA will recommend that the project be awarded to lowest qualified bidder. However, if after reviewing all bid submissions the CAA determines that the lowest bid does not meet certain conditions of the project (such as prior performance, ability to complete jobs by specified deadlines, etc.), then the CAA may recommend that the project be awarded to the most qualified Contractor submitting a bid.
- b. The CAA must document the Contractor bids on the *Bid Tabulation Sheet* and provide comments relative to the submission and contractor selection (e.g., why a Contractor's lowest bid was not selected, etc.).
- c. The Applicant must approve the CAA's Contractor recommendation. However, if an Applicant prefers a Contractor who has submitted a higher bid than the Contractor recommended by the CAA, the Applicant must pay the difference between the CAA's recommended Contractor and the Contractor chosen by the Applicant. The Applicant must give the CAA a certified bank check for the difference. The CAA will put this check into an escrow account and hold the funds until the job is completed. The CAA will then issue a check from the escrow account to the selected Qualified Contractor.

#### **E. Prepare Final Job Specifications**

The final *Job Standards and Specifications* must be incorporated as *Appendix A* of the *Construction Contract* and will be signed by both the Applicant and the contractor. Each page will also be initialed and dated by both.

#### **F. CAA Notifies Qualified Contractor**

- (1) The Contractor whose bid has been accepted shall be notified of the award by the CAA in writing prior to the start of any work. This notification shall state the sum that the CAA shall pay the Contractor in consideration of the completion of the work by the Contractor as described in the *Construction Contract*.
- (2) If the project costs exceed \$15,000.01, the winning bid documents along with the project's *Bid Tabulation Sheet* must be submitted to MaineHousing in the pre-approval invoice submission (Phase 1), described in [Section B14\(A\), Payment to CAA](#).
- (3) CAA must retain all bids in the project file.

#### **G. Advise Applicant**

If the project costs are \$15,000.00 or less, advise the Applicant when work will commence.

If the project costs are \$15,000.01 or greater, advise the Applicant that no work can begin until after approval by MaineHousing. If work begins prior to approval, any costs associated with the work that was started prior to the approval will not be reimbursed.

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## SECTION B6: TEMPORARY RELOCATION

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### A. In General

- (1) In some cases, temporary relocation may be unavoidable and relocation assistance will need to be provided to the eligible household receiving an Accessibility Grant. Such assistance, when applicable, is the obligation of the CAA. CAAs must take all reasonable steps to minimize the displacement of persons as a result of Accessibility work and to locate lead free temporary housing.
- (2) Relocation assistance is only available to occupants of projects funded by an Accessibility Grant without pre-approval from MaineHousing. MaineHousing will consider and must pre-approve relocation reimbursement for projects funded by other HARP Grant types on a case by case basis submitted to MaineHousing in writing (email communication is acceptable).
- (3) The CAA shall incur the cost of providing temporary relocation assistance and will be reimbursed by MaineHousing for all reasonable costs incurred in providing such assistance.
- (4) CAAs must obtain a signed *Relocation Assistance Acknowledgement* from the occupant(s) that must be retained in the Applicant's project file.
- (5) CAAs should request reimbursement for temporary relocation assistance costs on the *Phase 2 Invoice* under "Other Unpaid Expenses." The CAA must retain copies of all receipts applicable to the relocation reimbursement in the Applicant's project file.

**NOTE:** *Relocation assistance is only available to occupants of projects funded by an Accessibility Grant.*

### B. Relocation Services/Costs

The maximum amount of reimbursable temporary relocation assistance per eligible household is \$1,250.

Where HARP related work requires a household to temporarily relocate, the CAA may seek reimbursement for all reasonable expenses incurred in connection with the temporary relocation including, but not limited to:

- (1) the cost of moving to and from temporary housing;
- (2) meal costs; and
- (3) fuel costs.

**NOTE:** *The maximum amount of reimbursable temporary relocation assistance per household is \$1,250.*

### C. Relocation Time Period

The CAAs shall be responsible for ensuring that any HARP Accessibility project related relocation assistance continues until such time as all Accessibility project related work has been completed on that particular dwelling. Relocation may not exceed 10 calendar days. Contractors shall be responsible for any additional relocation fees when the completion date of the work under the *Construction Contract* has not been met.

**NOTE:** *Relocation may not exceed 10 calendar days.*

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## SECTION B7: HARP GRANT APPROVAL

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### A. Determine HARP Grant Amount

The CAA must determine eligibility, the Program funding amount the Applicant may be eligible to receive, and the HARP Grant component being used to fund the project. The preliminary approval for the HARP Grant cannot occur until Qualified Contractor bids, project costs, and the amount of funds required to complete the project are reviewed by CAA.

If an issue arises with funding, or if requested by MaineHousing, CAA may need to revisit the work write-up and, if possible, remove some items from the scope of work in order to reduce costs.

### B. Notice of Preliminary Approval

After CAA has carefully reviewed the total rehabilitation costs as well as the type and amount of financial assistance the Applicant will receive, and MaineHousing has approved the project, CAA shall notify the Applicant by sending a *Notice of Preliminary Approval*. This notification will inform the Applicant of his/her eligibility to receive a HARP Grant, the type and amount of the HARP Grant, conditions under which the HARP Grant is offered, and the date of their scheduled HARP Grant closing.

### C. Pre-Construction Conference

A pre-construction meeting allows all parties to review their expectations, the work to be performed, and the procedures to be used. The pre-construction meeting may be held at the Applicant's home or at the CAA's office. A copy of the pre-construction meeting report must be maintained in the project file.

**REMINDER:** Rehabilitation work may not exceed four months from date of closing.

The Applicant, contractor(s), and Rehab Tech shall attend the pre-construction conference. At that meeting, the contractor will be prepared to summarize the work to be performed and an approximate start and completion date. All parties present will be required to sign the *Pre-Construction Conference Report* signifying that the meeting took place and the results of that meeting/decisions made are understood and agreed upon.

At the pre-construction conference:

- (1) The Applicant and contractor will review the procedures to be utilized for inspection, building permits, if applicable, change orders, grievance and close out.
- (2) The Applicant, contractor and CAA will sign the required documents, as appropriate, including the *Construction Contract*, *Final Job Specifications*, and *Construction Escrow Agreement*.
- (3) The Applicant, contractor and CAA technician will discuss lead-based paint issues, if applicable.
- (4) The CAA will review procedures for contractor payment and provide the contractor with payment request forms.
- (5) The *Pre-Construction Conference Report* shall be signed by the Applicant and CAA technician.

### D. Waivers

CAAs must submit a *Waiver Request* to MaineHousing for approval prior to undertaking any activity that is not within the scope of allowable HARP activity, including waivers to exceed HARP Grant maximums for a project.

- (1) All *Waiver Requests* will be considered on a case-by-case basis depending on extenuating circumstances and the availability of funds.
- (2) CAA staff must detail the specific situation on a *Waiver Request* form. CAAs must cite the specific Program guidance requiring deviation, and explain the justification for the exception. CAAs must submit *Waiver Request* via [ShareFile>Home Repair Projects](#) subfolder.



- (3) Waivers must be pre-approved by MaineHousing before any work commences. MaineHousing will review all requests and respond to the CAA with a determination.

## **E. HARP Grant Closing**

### **1. Close within four (4) months of application**

Income verification of an Applicant is only valid for 4 months from the date of Application. CAA must ensure that Applicant household income still falls within the applicable median income guidelines and program eligibility at the time of Grant closing. Therefore, if a HARP Grant does not close within four (4) months of application, CAA will have to obtain updated verification of Applicant household income and household composition.

### **2. Establish Start Date and Completion Date**

Rehabilitation work should begin as soon as possible from the date of closing and completion date of the rehabilitation (typically 2 months) **work may not exceed four (4) months from the date of funding** by MaineHousing without prior written consent from MaineHousing. CAA should try to schedule closing only after Applicant and contractor have established an on or about start date and completion date.

### **3. Obtain Pre-Approval by MaineHousing**

#### ***a. HARP Grant Award \$15,000.00 or Less***

HARP Grants \$15,000.00 or less do not require pre-approval by MaineHousing. See [Section B9, Payment to CAA](#) for more information.

#### ***b. HARP Grant Award \$15,000.01 or Greater***

HARP Grants \$15,000.01 or greater must be pre-approved by MaineHousing and should be submitted by the CAA as part of the Phase 1 invoice submission to MaineHousing. See [Section B9, Payment to CAA](#) for more information.

## **F. CAA Escrow Account**

Funds forwarded to CAA on behalf of Applicant must be held in escrow. Disbursements shall be made from the escrow only after CAA has received satisfactory documentation, through site inspections and document submission, that the work for which payment is sought has been properly completed according to the program standards and the amount of the payment being requested is correct.

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## SECTION B8: CONSTRUCTION MANAGEMENT

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### A. Permits

As applicable, permits from the local municipality must be obtained by the contractor prior to any work commencing. Permit(s) must be visibly posted at the site during the construction phase. A copy of all applicable permits must be kept in the project file.

### B. Inspections

#### 1. CAA Inspections

The CAA is responsible for conducting as many inspections as are necessary to ensure quality work and construction oversight. Inspections are required prior to any payment made to the contractor. At a minimum, the CAA shall perform the following inspections, unless valid, extenuating circumstances are documented and approved by MaineHousing.

Grant/Project Type	In-progress Inspections	Final Inspections
Home Repair and Elderly Home Repair	2	1
Emergency Home Repair	1	1
Emergency Manufactured Home Repair	1	1
Accessibility	1	1
Weatherization Supplemental	1	1

As part of the inspection process, the Rehab Tech will:

#### *a. Take Photos*

Take photos before work begins, at each inspection, and for contested items. Having photographs for future reference is very important should the need arise to demonstrate program compliance and quality of work. Phase 1 photos must include exterior of all sides of home and each item listed on the Job Specifications.

#### *b. Complete Construction Progress Report*

Complete a *Construction Progress Report* and photographs taken of the completed work. This report must be placed in the project file.

#### *c. Conduct In-progress Inspections*

- i. Inspect at critical times during the construction, such as before walls are closed to see framing and when key items such as plumbing and electrical systems are accessible.
- ii. Determine need for change orders and intervention in Applicant/contractor disputes.
- iii. Confirm the contractor is performing the work in accordance with the construction contract and job specifications.
- iv. Ensure that all necessary code inspections have been made.

#### *d. Conduct Final Inspection*

Ensure that all work is completed according to the *Construction Contract*, including compliance with applicable codes, job specifications and EPA RRP Cleaning Verification Procedure.

## 2. MaineHousing Inspections

Under provisions agreed to by the Applicant, MaineHousing or its authorized representatives shall have the right to conduct inspections of the property to be improved at any time from the date of the HARP *Grant Agreement*.

## C. **Payment to Contractors**

### 1. Contractor Request for Payment

- a. The number of payments that CAA issues to the contractor depends on the size of the project and the agreement with the contractor. Advancing funds to contractors is prohibited. Contractors should request payment for work completed and submit a completed *Contractor Payment Request* to the CAA with signed authorization from the Applicant. Contractor requests for payment must include documentation that describes the scope and nature of the work for which the contractor is requesting payment and applicable lien waivers, and must include a copy of the contractor's invoice and contractor's *Contractor Certificate and Release of Liens*.
- b. MaineHousing may request photographs to accompany change orders to ensure the necessity of the modification in the scope of work.

### 2. CAA Approves Payment

- a. The CAA should approve payment to the Contractor only after an inspection and sign off on each work item on applicable form(s). In all cases ten (10) percent of the contract amount shall be withheld until final inspection is performed and all work is completed and approved
- b. Prior to issuing payment to the contractor, the *Contractor Payment Request* form must be completed and approved/signed by the contractor, Rehab Tech, and Applicant.

### 3. CAA Issues Payment

CAAs must issue payment for work performed within thirty (30) calendar days of receipt of the contractor's invoice. CAAs must perform any required inspections of the contractor's work within this thirty-daytime period.

### 4. Rework

If upon inspection, the CAA issues a contractor a "rework" order due to deficient or incomplete work on the part of the sub-contractor, the CAA may delay payment. Once the contractor completes the rework, the CAA must inspect the work and issue payment within thirty (30) days of the date the rework is completed.

## D. **Change Orders**

### 1. Change in Scope

Should a change in the scope of the work need to occur a change order must be initiated. *For example*, the job specifications may call for replacing the existing wall covering (drywall, paneling, etc.). It may later be discovered that the wall studs have severe damage and must be replaced. This was not anticipated in the job specifications, and a change is now required to correct the unanticipated problem.

*Only HARP Grants \$15,000.01 or greater require MaineHousing pre-approval for Change Orders.*

Verbal changes in the scope of work are not allowed. All *Change Orders* must be in writing and retained in the Applicant's project file. CAA shall consult with MaineHousing when changes in scope of work need to be initiated. The CAA must inform the Applicant and the Contractor. MaineHousing will not be obligated to

fund or inspect work performed outside of the *Construction Contract* and *Job Standards and Specifications*.

**REMINDER:** All Change Orders must be in writing and retained in the Applicant's project file with supporting documentation.

## 2. **Initiating Change Orders**

*Change Orders* must be initiated by CAA's Rehab Tech, agreed upon, and signed by both the Applicant, Contractor and Rehab Tech. All *Change Order* submissions must be numbered sequentially.

### a. ***HARP Grant Award \$15,000.00 or Less***

- i. *Changes Orders* do not need to be pre-approved by MaineHousing if the *Change Order* does not cause the total HARP project costs to be \$15,000.00 or less.
- ii. If the *Change Order* causes the HARP project costs be \$15,000.01 or greater, the CAA must submit a copy of the *Change Order* and supporting documents, including photographs (if applicable) to MaineHousing for pre-approval.
- iii. See [Section B9, Payment to CAA](#) for more information regarding reimbursement of additional costs resulting from a *Change Order*.

### b. ***HARP Grant Award \$15,000.01 or Greater***

- i. All *Change Orders*, whether no cost or change in cost that exceeds the initial HARP Grant award, must have prior written approval from MaineHousing before the work can continue.
- ii. *Change Order* must include supporting documentation and color photographs to verify/document the need for additional work.
- iii. See [Section B9, Payment to CAA](#) for more information regarding reimbursement of additional costs resulting from a *Change Order*.

## 3. **Change Order Documentation**

- a. *Change Orders* requiring additional funding must be accompanied by a Change Order Invoice to be eligible for payment.
- b. The *Change Order* must include the section number from the Job Standards and Specification (Item Number), a description of the change in scope of work and the cost change.
- c. Colored Photographs must be obtained to document the reason for the change.

## 4. **HARP Grant Limits**

If a *Change Order* results in the project exceeding the HARP Grant limit for the project, the CAA must submit a *Waiver Request* to MaineHousing and the *Waiver Request* must be approved by MaineHousing before work can continue.

## E. **Final Inspection**

After completion of all repairs in the job specifications and change orders and after interior EPA clearance criteria (where applicable) is achieved, the CAA shall conduct a final property inspection. This inspection must be performed with the Applicant and the contractor.

### 1. **Exterior Work Performed**

If exterior work was performed, Rehab Tech must inspect the ground on all sides of the home for any visible paint chips or debris. If paint chips or debris is observed, then contractor must clean.

## 2. Failed Inspections

If during the final inspection any deficiencies are found, they must be listed on the Punch List/Rework form. This form must then be supplied immediately to the contractor and also emailed or faxed to MaineHousing. All reworks must be completed within thirty (30) days.

## 3. Additional Work Required

If additional work is required, exterior paint debris needs to be cleaned up, or corrections need to be accomplished, the CAA must develop a written punch list. The punch list is a detailed list of all items remaining to be completed. The CAA must provide this list in writing to the contractor with instructions that upon completion of all items and inspection of the same, final payment will be made.

**NOTE:** *If the anticipated final inspection results in a punch list of uncompleted items, then it is no longer the “final” inspection. Another “final” inspection must be performed to verify all work has been completed.*

## 4. Pre-1978 Homes

For pre-1978 homes that involve work on painted surfaces presumed to be lead paint hazards, the CAA **must** prepare a *Summary of Lead Paint Hazard Reduction Activity* report of the mitigation measures used to address lead paint hazards. A copy of this report must be provided to the Applicant and retained by the CAA in the Applicant’s project file.

## 5. Prepare Certificate of Final Inspection

Immediately after completion of all punch list items, the Rehab Tech prepares a *Certificate of Final Inspection*. Both the Applicant and Rehab Tech sign the form to indicate that all work is complete and in accordance with the *Construction Contract* and *Change Orders*. The Rehab Tech must check the applicable box on the *Certificate of Final Inspection* certifying that the home meets applicable Rehabilitation Standards. The Rehab Tech must also complete the original (or photocopy of) the *WSD Property Inspection Form*.

All areas that failed on the original *WSD Property Inspection Form* must be marked as “pass” along with the date of passing. Upon completion of the *Certificate of Final Inspection*, the contractor must submit:

- a. All invoices;
- b. *Contractor Certificate and Release of Liens*; and
- c. Written warranties on all warranted material and all labor given to Applicant.

## F. Applicant Surveys

Applicant feedback is an important component of delivering MaineHousing programs. As such MaineHousing has created survey cards for CAAs to provide to recipients of program grants. MaineHousing will provide a supply of survey cards to each CAA.

- (1) The CAA must provide a *Home Accessibility and Repair Program Client Satisfaction Survey* card to every Applicant whose unit is reported as completed. The survey card may be provided to the Applicant at any time after services commence, but no later than completion of a final unit inspection.
- (2) The CAA must advise the Applicant that the survey card provides an opportunity for the Applicant to inform MaineHousing of his/her experience with the services received and that he/she is acknowledging receipt of the survey card when signing the *Certificate of Inspection* form. Inform the Applicant that MaineHousing is asking for feedback from all Applicants whether positive or negative

*A supply of Client Satisfaction Survey cards is provided to CAAs by MaineHousing . Contact [EHSHelpdesk@mainehousing.org](mailto:EHSHelpdesk@mainehousing.org) to request additional cards as needed.*

**GUIDANCE:** CAAs should, hand-deliver the survey card to Applicants at time of Inspection. CAAs should explain that the survey card can be completed electronically by scanning the Quick Response (QR) code with their smart phone camera or by completing and mailing the survey card, which is preaddressed to MaineHousing.

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## SECTION B9: PAYMENT TO CAA

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### A. Maintain Project Files

CAA shall maintain complete and accurate project files for each project. The CAA will retain original HARP Grant closing documents, including original documents and forms not required for submission to MaineHousing, for seven (7) years. The CAA shall label and organize its project files in accordance with the appropriate checklist(s) provided by MaineHousing. Use of the appropriate checklist(s) will ensure consistency in documentation and will expedite the monitoring process.

### B. Electronic Submission

- (1) HARP Grant files will be submitted to MaineHousing for review electronically via ShareFile. Electronic file submissions will **only** need to include the documents prescribed on the *Document Checklist*. See [Section B11\(B\), Electronic Document Management](#) for more information.
- (2) CAAs should not submit documents intended to be housed in the CAA's internal project file. All documents uploaded via ShareFile must be legible, organized according to the *Document Checklist* and oriented correctly.
- (3) MaineHousing reserves the right to return electronic file submissions that do not meet the criteria as referenced herein.
- (4) The Applicant and any other parties who executed the documents must initial changes to documents during or after closing. Changes to documents will not be accepted without the required initials.

**NOTE:** All Phase 2 electronic file submissions including invoices are due to MaineHousing no later than December 29, 2020.

### C. Submission Deadlines

- (1) All Phase 1 electronic file submissions including invoices are due to MaineHousing no later than November 16, 2020.
- (2) All Phase 2 electronic file submissions including invoices are due to MaineHousing no later than December 29, 2020.

### D. Document Checklists

The *Phase 1 Document Checklist* and *Phase 2 Document Checklist* contain a comprehensive list of the required documents that must be obtained and retained by the CAA for each project, regardless of project costs. In addition, the checklists identify the documents that need to be submitted to MaineHousing if the project costs is \$15,000.01 or greater.

The CAA must date and initial each required document listed on the *Phase 1 Document Checklist* as verification that the original is retained in the CAA's project file prior to submission to MaineHousing.

**E. HARP Invoice Bundle**

CAA are required to utilize the HARP Invoice Bundle contained on the CAA Portal for all HARP projects. The HARP Invoice Bundle allows CAAs to track costs in one document and provides a summary of all costs invoiced for the job. The completed invoice may be submitted to MaineHousing via ShareFile in pdf format. The bundle contains:

- (1) Phase 1 Invoice;
- (2) Change Order Invoice;
- (3) Phase 2 Invoice;
- (4) Invoice Summary.

**NOTE:** All project files maintained by the CAA must include original signed documents, except as noted where photocopies are acceptable.

**F. Phase 1 Payment**

**1. Send Phase 1 Invoice to MaineHousing**

**a. HARP Grant Award \$15,000.00 or Less**

- i. Upon receipt of the completed documents identified in the chart below, MaineHousing will remit the project costs identified on the invoice, including the 10% Administration Fee to the CAA:

Phase 1 Document Submission to MaineHousing for HARP Grants \$15,000.00 or Less	Home Repair Elderly Home Repair	Emergency Home Repair	Emergency Manufactured Home Repair	Accessibility	Weatherization Supplemental
Project Cover Sheet	✓	✓	✓	✓	✓
Phase 1 Document Checklist	✓	✓	✓	✓	✓
Phase 1 MaineHousing Invoice	✓	✓	✓	✓	✓
HARP Application	✓	✓	✓	✓	✓
Arsenic Chain of Custody Form <i>(if applicable)</i>	✓	✓	✓	✓	✓

- ii. The CAA must date and initial each required document listed on the *Phase 1 Document Checklist* as verification that the original is retained in the CAA’s project file.
- iii. The *Phase 1 Invoices* and completed documents identified on the checklist must be submitted to MaineHousing via ShareFile. See [Section 13, Electronic Submission of Documents](#) for more information.

**b. HARP Grant Award \$15,000.01 or Greater**

- i. Upon receipt of the documents identified on the chart below MaineHousing will pre-approve the project and remit the project costs identified on the invoice, including the 10% Administration Fee.
- ii. The CAA must date and initial each required document listed on the *Phase 1 Document Checklist* as verification that the original is retained in the CAA’s project file.

- iii. *Phase 1 invoices* and completed documents identified on the checklist must be submitted to MaineHousing via ShareFile. See [Section 13, Electronic Submission of Documents](#) for more information.

<b>Phase 1 Document Submission to MaineHousing for HARP Grants \$15,000.01 or Greater</b>	<b>Home Repair Elderly Home Repair</b>	<b>Emergency Home Repair</b>	<b>Emergency Manufactured Home Repair</b>	<b>Accessibility</b>	<b>Weatherization Supplemental</b>
Project Cover Sheet	✓	✓	✓	✓	✓
Phase 1 Document Checklist	✓	✓	✓	✓	✓
Phase 1 MaineHousing Invoice	✓	✓	✓	✓	✓
HARP Application	✓	✓	✓	✓	✓
Proof of Income and Assets	✓	✓	✓	✓	✓
Proof of Ownership ( <i>Property Tax Report/Tax Bill</i> )	✓	✓	✓	✓	✓
Manufactured Home Lot Lease ( <i>if applicable</i> )	✓	✓	✓		
Grant Agreement	✓	✓	✓	✓	✓
Construction Escrow Agreement	✓	✓	✓	✓	✓
Construction Contract	✓	✓	✓	✓	✓
Job Standards and Specifications (Scope of Work) ( <i>Appendix A of Construction Contract</i> )	✓	✓	✓	✓	✓
Septic System Design ( <i>if applicable</i> )	✓	✓	✓		
Property Inspection Form (WSD Standards)	✓				
Emergency Manufactured Home Repair Checklist			✓		
Home Accessibility Evaluation Checklist				✓	
Arsenic Chain of Custody Form ( <i>if applicable</i> )	✓	✓	✓		
Lead Hazard Disclosure and Presumption Notice ( <i>if applicable</i> )	✓				
Waivers ( <i>if applicable</i> )	✓	✓	✓	✓	✓
Digital color photographs	✓	✓	✓	✓	✓

## 2. **Funding**

MaineHousing will wire the HARP Grant amount upon receipt, review, and approval of the required documents. CAA should ensure that invoices and supporting documents are correct when submitted.



## G. Change Order Payment

*Change Order* reimbursement requests must be submitted on the Change Order Invoice. Payment is typically made to CAAs as part of Phase 2 payments unless the CAA requests separate payment for the costs associated to the *Change Order*.

### 1. HARP Grant Award \$15,000.00 or Less

- a. Upon receipt of a complete *Change Order*, revised *HARP Project Cover Sheet* and *Change Order Invoice*, MaineHousing will remit the Administration Fee and any other fees due the CAA resulting from the *Change Order*. CAA may elect to be reimbursed for *Change Order* costs as part of the Phase 2 submission for payment.
- b. All required documents identified in [Section B8\(D\), Change Orders](#) must be retained in the CAA project file.

**NOTE:** All project files maintained by the CAA must include original signed documents, except as noted where photocopies are acceptable.

### 2. HARP Grant Award \$15,000.01 or Greater

- a. Upon receipt of a complete *Change Order*, any supporting documentation and color photographs to verify/document the need for additional work, revised *HARP Project Cover Sheet* and *Change Order Invoice*, MaineHousing will remit the Administration Fee and any additional fees due the CAA resulting from the *Change Order*.
- b. All required documents identified in [Section B8\(D\), Change Orders](#) must be retained in the CAA project file.

## H. Contract Close-Out

- (1) Once the CAA has received the *Certificate of Final Inspection* signed by the Applicant and the contractor, all invoices, the *Contractor Certificate and Release of Liens*, and all written warranties, the CAA shall prepare and issue payment for the outstanding amount due to the contractor. Delivery of the payment and the contractor's acknowledgement of receipt of the final payment close the project. A copy of the *Certificate of Final Inspection*, *Contractor Certificate and Release of Liens*, warranties and all invoices must be submitted to MaineHousing.
- (2) All Phase 2 final invoices and supporting documents are due to MaineHousing no later than December 29, 2020.

## I. Phase 2 Payment

### 1. Send Phase 2 Invoice to MaineHousing

#### a. *HARP Grant Award \$15,000.00 or Less*

- i. Upon receipt of the documents identified on the chart below, MaineHousing will remit any unpaid project costs identified on the invoice, including the remaining 10% Administration Fee, to the CAA. The *Phase 2 Document Checklist* provides a list of the required documents that must be submitted to MaineHousing and the documents that must be retained in the CAA's project file as part of the final HARP Grant invoice submission for payment (Phase 2).

Phase 2 Document Submission to MaineHousing for HARP Grants \$15,000.00 or Less	Home Repair Elderly Home Repair	Emergency Home Repair	Emergency Manufactured Home Repair	Accessibility	Weatherization Supplemental
Project Cover Sheet (updated)	✓	✓	✓	✓	✓
Phase 2 Document Checklist	✓	✓	✓	✓	✓
Phase 2 MaineHousing Invoice	✓	✓	✓	✓	✓
Change Orders ( <i>if applicable</i> )	✓	✓	✓	✓	✓

- ii. The CAA must date and initial each required document listed on the *Phase 2 Document Checklist* as verification that the original is retained in the CAA's project file.
- iii. *Phase 2 invoices* and completed documents identified on the *Document Checklist* must be submitted to MaineHousing via ShareFile. See [Section 13, Electronic Submission of Documents](#) for more information.

#### b. *HARP Grant Award \$15,000.01 or Greater*

- i. Upon receipt of the documents identified on the chart below, MaineHousing will remit any unpaid project costs identified on the invoice, including the remaining 10% Administration Fee, to the CAA. The *Phase 2 Document Checklist* provides a list of the required documents that must be submitted to MaineHousing and the documents that must be retained in the CAA's project file as part of the final HARP Grant invoice submission for payment (Phase 2).
- ii. The CAA must date and initial each required document listed on the *Phase 2 Document Checklist* as verification that the original is retained in the CAA's project file.
- iii. *Phase 2 invoices* and completed documents identified on the *Phase 2 Document Checklist* must be submitted to MaineHousing via ShareFile. See [Section 13, Electronic Submission of Documents](#) for more information.

Phase 2 Document Submission to MaineHousing for HARP Grants \$15,000.01 or Greater	Home Repair Elderly Home Repair	Emergency Home Repair	Emergency Manufactured Home Repair	Accessibility	Weatherization Supplemental
Project Cover Sheet (revised)	✓	✓	✓	✓	✓
Phase 2 Document Checklist	✓	✓	✓	✓	✓
Phase 2 MaineHousing Invoice	✓	✓	✓	✓	✓
Contractor Payment Request (with invoices)	✓	✓	✓	✓	✓
Contractor Certificate and Release of Liens	✓	✓	✓	✓	✓
Certificate of Final Inspection	✓	✓	✓	✓	✓
Change Orders <i>(if applicable)</i>	✓	✓	✓	✓	✓
Relocation Assistance Acknowledgement <i>(if applicable)</i>				✓	
Final Septic Inspection and sign-off <i>(if applicable)</i>	✓	✓	✓		
Summary of Lead Paint hazard Reduction Activity <i>(if applicable)</i>	✓				
Digital color photographs	✓	✓	✓	✓	✓

**2. Review/Approval**

Phase 2 invoice submissions will be reviewed for completeness and accuracy prior to payment. If any required documents are missing or incomplete, MaineHousing will inform CAA of the deficiency and require CAA to correct the deficiency before approval and funding of the HARP Grant.

**3. Funding**

MaineHousing will wire the HARP Grant amount upon receipt, review and approval of the required documents. CAA should ensure that invoices and supporting documents are correct when submitted.

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## SECTION B10: MONITORING AND REPORTING

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### A. Monitoring

#### 1. Desk Reviews

- a. Projects that cost \$15,000.00 or less (excluding administration costs). MaineHousing will no longer conduct desk file reviews for projects. MaineHousing will continue to track all invoice submissions prior to payment.
- b. Projects that cost \$15,000.01 or more. MaineHousing will continue to conduct desk review/approval for projects submitted for payment.

#### 2. Site Visit Monitoring

- a. MaineHousing will conduct job site visits and visits to the CAA's office to assess program compliance. If deficiencies are discovered during these visits, MaineHousing will inform the CAA of these deficiencies and require the CAA to correct them. MaineHousing will monitor all aspects of the Program, including administration, construction and fiscal operations of the CAA.
- b. MaineHousing will randomly select a number of project files during the annual site visit and review those files. MaineHousing will use the applicable *Document Checklists* to ensure each file contains the required documents and that the documents are complete and accurate.

#### 2. Technical Monitoring

MaineHousing or its authorized representatives can conduct inspections of the property to be improved at any time. *See* [Section B3, Property Inspections](#)

- a. MaineHousing will conduct field monitoring, including construction in progress as well as review of CAA files.
  - i. Construction monitoring will include a check for building permits, contract documents and written job specifications, and a check for appropriate licenses including plumbing, electrical, heating, and RRP Certification, if applicable.
  - ii. Copies of construction documents must also be in each project file. Any failure on the part of the CAA in obtaining copies of these documents will be noted and must be corrected.
- b. MaineHousing will provide the CAA with a written report of the visit that will inform CAA as to the nature of any deficiencies and provide guidance on how to remedy the deficiencies (Monitor Report). MaineHousing will upload the Monitor Report in the ShareFile>HOME REPAIR PROJECTS subfolder. *See* [Section B11\(B\), Electronic Document Management](#) for information on accessing documents from ShareFile.
- c. CAA will respond in writing describing the corrective actions taken to remedy identified deficiencies on the Monitor Report. The CAA's corrective actions and the written response(s) are due to MaineHousing within 30 days of the date of written Monitor Report. CAAS must upload their written response to the Monitor Report in the ShareFile>HOME REPAIR PROJECTS subfolder. *See* [Section B11\(B\), Electronic Submission of Documents](#) for information on uploading documents to ShareFile.
- d. A subsequent site visit may be performed by MaineHousing to assess CAA's effort in correcting deficiencies.

#### 4. **Fiscal Monitoring**

- a. MaineHousing will conduct on-site fiscal review of each CAA at least once per year. Fiscal Monitoring includes the following:
  - i. review of 2 CFR 200 Uniform Guidance Audit;
  - ii. review of expenditures, source documentation and cost allocation;
  - iii. review of productivity to work plan projections;
  - iv. comparison of program expenditures to budget and work plan; and
  - v. analysis of program costs including administration, delivery of services and deficits in the program, if any.
- b. MaineHousing will provide the CAA with a written report of the visit that will inform the CAA as to the nature of any deficiencies and provide guidance on how to remedy the deficiencies (Monitor Report). MaineHousing will upload the Monitor Report in the ShareFile>HOME REPAIR PROJECTS subfolder. *See* [Section B11\(C\), ShareFile](#) for information on accessing documents from ShareFile.
- c. CAA will respond in writing describing the corrective actions taken to remedy identified deficiencies on the Monitor Report. The CAA's corrective actions and the written response(s) are due to MaineHousing within 30 days of the date of written Monitor Report. CAAS must upload their written response to the Monitor Report in the ShareFile>HOME REPAIR PROJECTS subfolder.
- d. A subsequent site visit may be performed by MaineHousing to assess CAA's effort in correcting deficiencies.

### **B. Reporting**

#### 1. **Eligibility Priority Waitlist**

CAAs must maintain an *Eligibility Priority Waitlist* containing all Application submissions for HARP Grants. Priority Waitlists will be reviewed at the time of MaineHousing on-site reviews/audits or submitted to MaineHousing via ShareFile upon request. *See* [Section B2\(B\), Prioritize/Categorize Applicants](#) for more information.

#### 2. **Conflict of Interest Reporting**

- a. The CAA is expected to disclose potential conflicts of interest when employees, temporary staff, volunteers, contractors, or contractors are beneficiaries, or prospective beneficiaries of services or benefits funded by MaineHousing programs, including HARP. The aforementioned relationships are examples and do not represent an all-inclusive list of situations that could give rise to perceived partiality, an appearance of a conflict of interest, or an actual conflict of interest in connection with program services or benefits.
- b. The HARP Applicant's project file must contain case notes documenting the names and relationships of the parties involved, and notes describing how the CAA managed any potential conflict.
- c. CAA management must upload a Conflict of Interest report to MaineHousing's [ShareFile, Conflict of Interest](#) subfolder, on or no later than the twentieth (20<sup>th</sup>) of each month (or first working day following the twentieth day if the twentieth day falls on a weekend or a holiday). The report shall be cumulative and inclusive of those who received benefits funded by a HARP Grant during the contract period. The report shall identify the following:

- i. Person's name;
- ii. Person's job title or description of their affiliation with the CAA or MaineHousing;  
and
- iii. Program(s) involved and grant year (*i.e.*, HARP).

**3. Dispute Tracking Report**

In accordance with Section 10.D, Tracking, CAA will provide, upon request, a copy of the log of major disputes received and tracked. This log must clearly document the nature of the dispute, contacts made with the parties involved, and actions taken to resolve the dispute.

**4. MaineHousing Monitor Report**

A written report generated by MaineHousing as the result of a monitoring visit. The Monitor Report informs the CAA as to the nature of any deficiencies and provides instructions to remedy the deficiencies.

**5. Contractor Eligibility Verification**

The *Contractor Eligibility Verification* form must be completed by the CAA for each contractor whose bids were approved to perform work in on a HARP project funded through MaineHousing. CAA's should upload the form via ShareFile.

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## SECTION B11: ELECTRONIC DOCUMENT MANAGEMENT SYSTEMS

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Required HARP Grant documents must be submitted to MaineHousing for review electronically via the ShareFile system. Electronic file submissions should **only** include required documents. CAAs should not submit documents intended to be housed in the CAA's internal project file.

### A. User Access

- (1) In order to gain access to MaineHousing's ShareFile folders, users will be required to complete an annual on-line security training. MaineHousing will contact users when the annual training is required.
- (2) Each user is required to have a separate account. Multiple employees should not use the same log-on ID and password.
- (3) Separate *User Authorization* forms must be submitted for each user.

**FYI:** The *User Authorization form and User Authorization Procedures* can be downloaded from the [CAA Portal > Home Accessibility and Repair Programs > Program Tools > Program Software Access](#) located on MaineHousing's web site.

**IMPORTANT:** The user must complete the online training before user access will be activated.

#### 1. User Set up

- a. The CAA must complete the *User Authorization* for each user, check the applicable boxes in the Authorization section, and email the executed form to MaineHousing at [EHSHelpDesk@mainehousing.org](mailto:EHSHelpDesk@mainehousing.org) or FAX 207-624-5780. Include "Authorization Request" in the subject line of the email.
- b. MaineHousing's IT department will send an email to the user with the online training instructions and access link. MaineHousing is notified by the training site once the user completes and passes the training.
- c. Upon successful completion of the training, MaineHousing's will send an email to the user with the applicable system web-site address, log-on user id, temporary password, and system support procedure.

#### 2. Change a User's Authorization Level or Remove User Access

**IMPORTANT:** CAAs must notify MaineHousing immediately when an employee leaves the agency so access can be terminated.

CAA must email a revised *User Authorization Form* to MaineHousing at [EHShelpdesk@mainehousing.org](mailto:EHShelpdesk@mainehousing.org) with a subject line of "[CAA Name] User Authorization Form."

#### 3. Confirmation

MaineHousing will notify the CAA Manager/Director signing the *User Authorization Form* when access has been granted. Concurrently, an email is sent to the new user with the applicable log-on user ID and password. The user will be required to change their password after initial log on.

## B. Preparing Documents for Electronic Submission

- (1) All documents uploaded for MaineHousing review must be legible, organized in the same order as the respective Document Checklist, and oriented correctly.
- (2) The bundle file name must include the Applicant name and document description (*e.g.*, “Last\_First HARP Phase 1 Documents”).
- (3) MaineHousing reserves the right to return electronic file submissions that do not meet the criteria as referenced herein. The Applicant and any other parties who executed the documents must initial changes to documents during or after closing. Changes to documents will not be accepted without the required initials.

## C. Email Communications

CAAs should never send email communications to MaineHousing that contain Personal Identifiable Information (PII). The following must be considered when sending email communications to MaineHousing, whether or not encrypted:

- (1) Remove the PII from the email subject line, body, and attachments before sending an email to MaineHousing; or
- (2) Send the communication and/or document(s) containing PII to MaineHousing via ShareFile.

## C. ShareFile

- (1) ShareFile provides authorized users with an encrypted secure platform to upload documents without restriction to file size, format or frequency. MaineHousing creates and maintains ShareFile subfolders and provides access for CAAs and MaineHousing’s Energy and Housing Services (EHS) staff.
- (2) MaineHousing assigned each CAA with an agency ShareFile folder containing pre-named subfolders. All Program document should be uploaded to the agency’s [ShareFile>HOME REPAIR PROJECTS](#) subfolder.
- (3) The CAA Housing Director must send the completed *System Access Authorization Request Form* (Authorization Form) to MaineHousing before agency users can be granted access to ShareFile. The Authorization Form identifies the user and specifies which agency subfolders and permission level(s) should be granted to the user. Permission levels include the ability to download files, upload files, and receive email notifications from ShareFile whenever a file is uploaded and/or downloaded to a ShareFile subfolder.



## How it Works

1. CAA scans and saves executed document(s) using a naming protocol that includes the Applicant name and document description.
2. CAA enters ShareFile and *uploads* the file to the [ShareFile>HOME REPAIR PROJECTS](#) subfolder, which securely transmit documents to MaineHousing. That's it! EHS takes it from there.
3. EHS staff receives email notification when a file is uploaded to ShareFile folders and then downloads and saves the document on MaineHousing's server for review/processing by EHS staff.
4. Once the project file is downloaded/processed by MaineHousing, The file is moved to the [ShareFile>HOME REPAIR PROJECTS>Processed by MaineHousing](#) subfolder within the agency's ShareFile folder. The "Processed by MaineHousing," subfolder was created solely to move processed files out of the agency's main ShareFile folder and still allow agencies to access previously submitted documents.

## D. MaineHousing Web Access ("CAA Portal")

### 1. CAA Portal

Project forms and bundles are available on MaineHousing's CAA Portal. From the CAA Portal landing page, click on [Home Repair and Accessibility Program](#), which takes the user to a screen containing three tabs: (1) Program Forms, (2) Tools & Spreadsheet and (3) Program Guidance & Brochures. The site defaults to the Program Forms tab that contains the MaineHousing forms needed to process jobs. *See* <http://www.mainehousing.org/partners/partner-type/community-agencies/homerepair>

### 2. Program Forms

Forms are pdf writable. Download the applicable forms bundle and complete its cover sheet to auto-populate the forms. Use Adobe's bookmark navigation feature to view and/or print forms in the bundle. Individual forms are also available to download, populate and print as needed.

- a. From the CAA Portal landing page, **click on** [Home Repair Programs](#), which takes the user to a screen containing three tabs: (1) Program Forms, (2) Program Tools, and (3) Program Guidance & Brochures
- b. **Open the document.** Be sure to use the most current version of Adobe, which is free. Older versions of Adobe had some glitches.
- c. **Save then populate (not the other way around).** The browser is not designed to retain data. Once the document is open, "save as" and give the blank document a client file name, which should include the program type, client's name and date.
- d. **Important: Do not save blank forms on computers for future use.** MaineHousing will be revising and updating forms as necessary (*e.g.*, new forms, correct typos, form fields not properly calculating, etc.). Always obtain documents for each client from the CAA Portal.
- e. **Document functionality.** Bundles have auto-populating functionality. Provide the data on the bundle's cover sheet and the forms will auto-populate. The cover sheet currently contains data that appears on most forms, such as applicant name, contact data, etc.
- f. **Review Forms.** Review the forms and add missing data.

***TIP:** Save the CAA Portal as a computer and/or tablet Favorite for easy access. That way forms and documents are one click away.*

**REMINDER:** The web site is not designed to retain data. Save form(s) to your computer-network before populating. Do not save blank forms on your computer for future use; download blank forms from the web site to ensure that you are using the most current version. Tip: Save the website to your browser “favorites” bar for quick access

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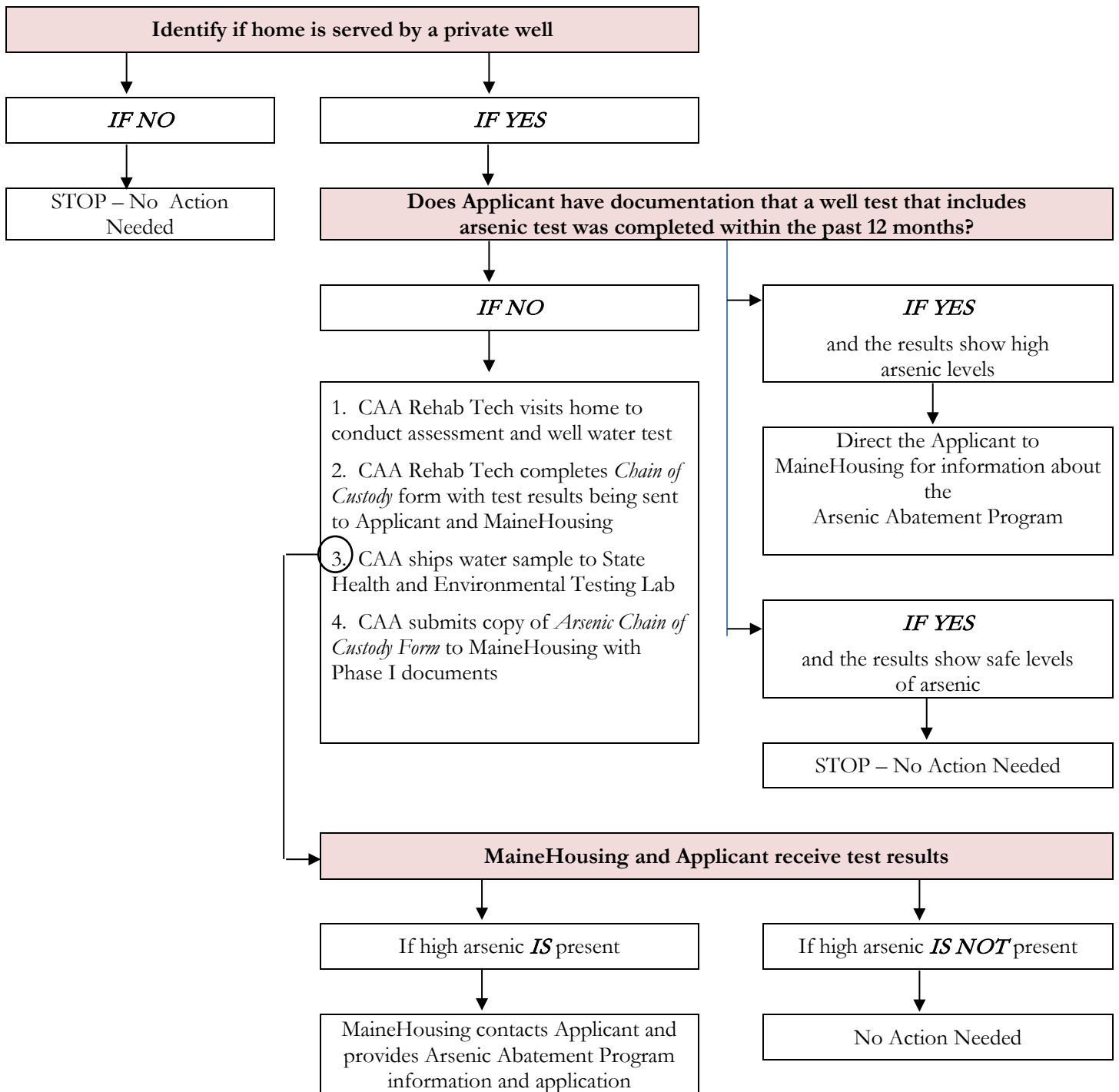
## SECTION B12: EXCEPTIONS TO PROCEDURES

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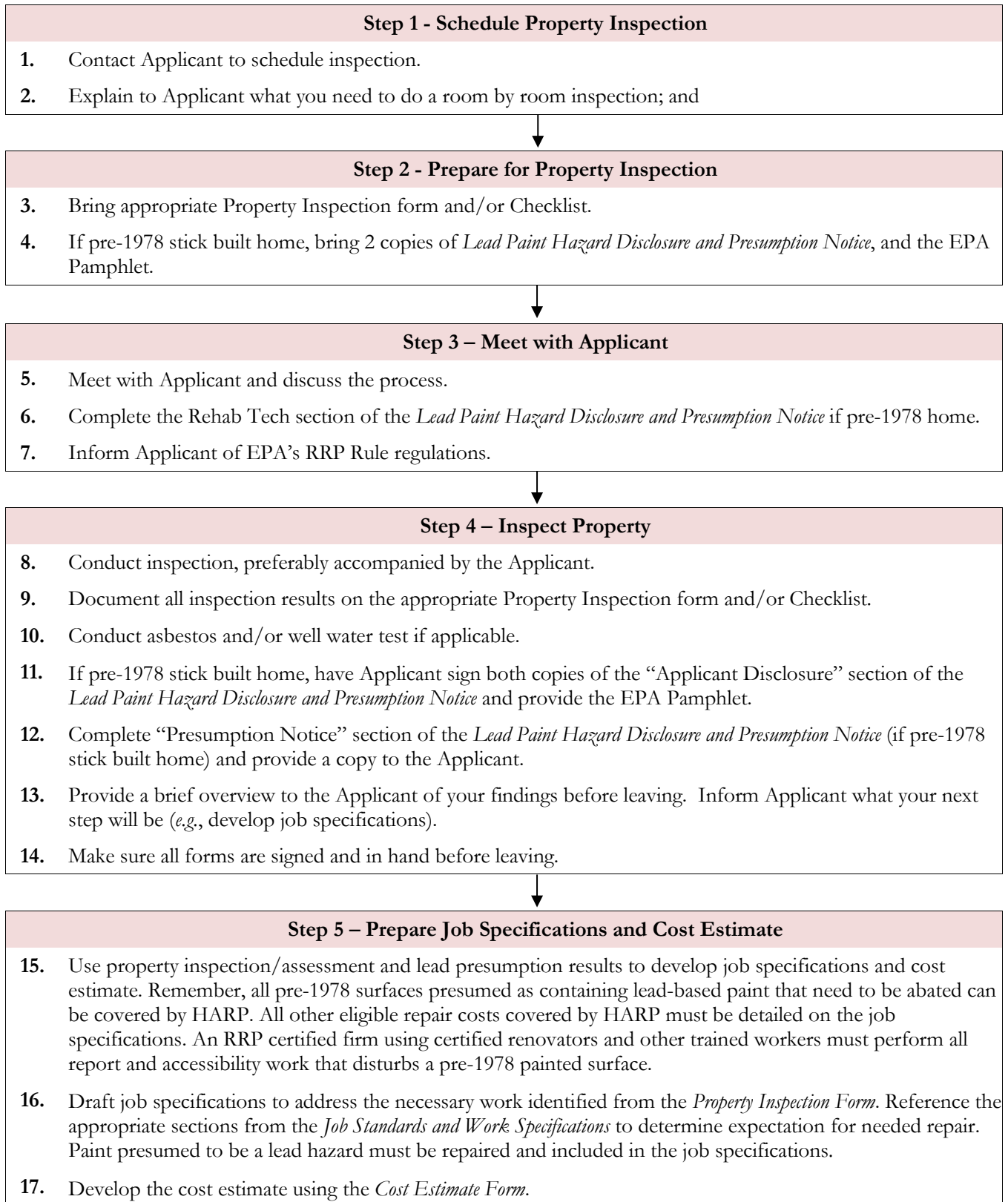
- (1) All procedures set forth within of the HARP Guide must be followed and executed at all times, for all HARP projects.
- (2) MaineHousing may review projects on a case-by-case basis, at the request of the CAA. Depending upon Applicant’s housing and/or financial situation, MaineHousing may provide exceptions to the procedures and requirements detailed in this Manual, but only on a limited basis and only under extenuating circumstances.
- (3) CAAs must submit a *Waiver Request* to MaineHousing for approval prior to undertaking any activity that is not within the scope of allowable HARP activity or procedures, including waivers to exceed HARP Grant maximums for a project.
  - a. All *Waiver Requests* will be considered on a case-by-case basis depending on circumstances.
  - b. CAA staff must detail the specific situation on a *Waiver Request* form, providing detail-supporting classification of the situation. CAAs must submit *Waiver Request* via ShareFile>Home Repair Projects subfolder.
  - c. Waivers must be pre-approved by MaineHousing before any work commences.
  - d. MaineHousing will review all requests and respond to the CAA with a determination.
- (4) CAAs cannot make exceptions without MaineHousing’s prior review and approval. If questions arise, please call MaineHousing, before moving forward with a HARP *Application*, to discuss possible considerations and/or potential exceptions. Unauthorized exceptions will not be honored.

**ADDENDUMS TO CHAPTER B**

**A. PROCESS FOR TESTING WELL WATER (ARSENIC)**



## B. STEP-BY-STEP PROCESS: PROJECT INSPECTIONS BY REHAB TECHS



## CHAPTER C: PROGRAM CONTRACTORS

### SECTION C1: CONTRACTOR PRESCREENING PROCESS AND REQUIREMENTS

#### A. Prescreen and Qualify Contractors

The CAA and MaineHousing shall conduct a prescreening process on an ongoing basis to maintain a pool of qualified contractors for the Program (Qualified Contractor). The following represents a list of the minimum criteria for a contractor to be qualified to perform work funded by the Program.

- (1) Completion of the *Contractor Application*.
- (2) Search Debarment List on SAMS.GOV to make sure contractor can receive grant money from the Federal Government.
- (3) Insurance certificate with the following minimum coverage:
  - a. General Commercial Liability in the amount of \$1,000,000 per occurrence/\$2,000,000 aggregate or more (Claims Made Policy is acceptable);
  - b. Worker's Compensation Maine Statutory Limits or state waiver saying that the contractor is not required to have Worker's Compensation because he is working alone or with family; and
  - c. Vehicle Liability Insurance (Maine Limit Required).
- (4) Appropriate licenses to perform certain kinds of work such as electrical, plumbing, and heating.
- (5) Copies of certificates stating that the contractor is RRP certified and the contractor's firm is certified. This is required of all contractors and workers who potentially could disturb lead-based paint in the course of their work.
- (6) List of three (3) most recent residential Applicant references. Include Applicant name, address, and telephone number, and date work was completed.
- (7) Contractor must be eligible to receive an award under applicable laws and regulations.
- (8) The project file must contain a *Contractor Eligibility Verification form* for all contractors.
- (9) The CAA shall review the application and supporting documentation package submitted by each contractor seeking qualification.
- (10) The CAA shall check references including Applicants and suppliers of the materials.
- (11) The CAA shall also review the package for appropriate licenses and training.
- (12) Once the application package is deemed complete and the CAA has performed the background check(s), the CAA shall submit a copy of the application materials and the *Contractor Eligibility Verification Form* to MaineHousing with a recommendation to qualify or not to qualify.
- (13) MaineHousing will review the application materials and will determine if the contractor is qualified to participate in the Program. MaineHousing will maintain a list of Qualified Contractors for future reference.

**NOTE:** CAAs must maintain a current insurance certificate, licenses and other required certifications on file at their office. These documents are to be made available to MaineHousing upon request and at the time of audits/monitoring visits.

## B. Previously Qualified Contractors

Contractors qualified in previous years do not have to reapply in subsequent annual invitations for qualification. However, previously qualified contractors must provide the CAAs annually with the following:

- (1) Insurance certificate with the following minimum coverage:
  - a. General Commercial Liability in the amount of \$1,000,000 per occurrence/\$2,000,000 aggregate or more (Claims Made Policy is acceptable);
  - b. Worker's Compensation Maine Statutory Limits; and
  - c. Vehicle Liability Insurance.
- (2) All certification updates and certifications/licenses of new staff since the last submission of documentation
- (3) CAAS must search Debarment List on SAM.GOV to make sure contractor can receive grant money from the Federal Government. This search must be conducted at least twice a year.

## C. Subcontractors

Subcontractors under the direct control of a Qualified Contractor do not have to be prescreened and/or qualified. The Qualified Contractor will be responsible for its subcontractor's performance.

## D. Removal of a Contractor

In the event that a contractor fails to meet the specifications and contract requirements in a project he/she undertakes in the Program, MaineHousing may, at its discretion, remove this contractor from the list of Qualified Contractors. If MaineHousing removes a contractor from the qualified list, MaineHousing shall inform the CAA of its decision and why in writing. The contractor will also be notified in writing that they are no longer considered a Qualified Contractor.

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## SECTION C2: APPROVAL OF QUALIFIED CONTRACTOR

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- (1) Once a contractor has been approved by MaineHousing:
  - a. The Qualified Contractor will be added to the list of Qualified Contractors approved for home repair work maintained by MaineHousing.
  - b. MaineHousing will notify the CAA of the Contractor Approval.
  - c. The CAA will send a notice of approval to the Qualified Contractor
- (2) MaineHousing will post the revised Contractors - Approved List for Home Repair list to ShareFile each time a Qualified Contractor has been added to the list.

***NOTE: Only Qualified Contractors on the Contractors - Approved List for Home Repair can be solicited for project bids.***