

WHOLE-HOME REPAIRS

Program Guidelines
September 2023



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Section I – Statement of Purpose

The **Whole-Home Repairs Program** will provide funding for county-wide agencies to address habitability and safety concerns, provide measures to improve energy or water efficiency and make units accessible for individuals with disabilities.

The Whole-Home Repairs Program addresses housing insecurity and the climate crisis by providing grant funding to county programs supporting up to \$50,000 per unit in repairs for homeowners and small landlords to support upkeep and weatherization. Additionally, this program provides funding to the counties for construction-related workforce development.

Pursuant to Section 3002(1) of the act of July 8, 2022 (Act No. 1A of 2022), known as the General Appropriation Act of 2022, the General Assembly of the Commonwealth appropriated federal funds from the COVID-19 Response Restricted Account to the Department of Community and Economic Development for COVID Relief – ARPA – Whole Home Repairs Program.

Pursuant to Section 135-C of the act of July 11, 2022 (Act No. 54 of 2022), known as the Fiscal Code, the Department of Community and Economic Development is authorized to establish the Whole-Home Repairs Program, issue guidelines and award grants in accordance with the Statement of Purpose set forth above.

Section II – Eligibility

A. Eligible Applicants

1. An eligible applicant for direct funding from DCED under the Whole-Home Repairs Program shall be a county government, a nonprofit organization, or a governmental entity, such as a municipal authority, selected by a county as follows:
 - For a county of the first class, the eligible applicant shall be determined by the mayor and approved by city council.
 - For a county of the second class, the eligible applicant shall be determined by the county executive.
 - For any county other than a county of the first or second class, the eligible applicant shall be determined by the county government.
2. Each county will receive an allocation to be used for the purposes of this program. By submitting an application to DCED as outlined under Section V of these guidelines, an eligible applicant agrees to commit funding to eligible projects outlined under Section II (B). Any county allocation that is not applied for by an eligible applicant during the application period will be re-allocated to those counties that have applied to participate in the program based on the allocation formula referenced in Section VI of these guidelines.

B. Uses of Funds

Eligible applicants shall use the funds for all of the following:

1. Create and/or implement grant and loan programs to address habitability concerns, improve energy or water efficiency, or to make units accessible for individuals with disabilities.

- a. An eligible applicant will make grants available to homeowners whose household income does not exceed 80% of the area median income.
 - b. An eligible applicant will make loans available to small landlords renting affordable units with the loans secured by a mortgage recorded against the rental property.
 - c. A single grant to a homeowner or a single loan to a small landlord may not exceed \$50,000 per owner-occupied or rental unit.
 - d. Loan forgiveness may be available if all of the following criteria are met:
 - i. Small landlord offered a three-year extension of the lease to a tenant occupying a unit when the funds were accepted by the small landlord.
 - ii. Annual increases in monthly rent have not exceeded 3% of the base rent or the unit has been occupied by a tenant participating in the Housing Choice Voucher Program for a period of no less than 15 years beginning on the date the loan was received.
 - iii. In the prior 15 years beginning on the date the loan was received, the small landlord has not committed a serious code violation with regard to the small landlord's rental property for which the small landlord has taken no substantial steps to correct the violation.
 - iv. The small landlord has maintained ownership of the unit for a period of no less than 15 years beginning on the date the loan was received.
 - e. An eligible applicant, being the county government or nonprofit entity authorized by the county, is responsible for ensuring the loan terms are met to receive loan forgiveness or proper repayment is made to recapture a loan that is not forgiven.
2. Administer the program, including staff, implementing systems and data management tools designed to leverage and maximize enrollment in all existing home repair programs administered by nonprofit organizations, government entities, and public utilities.
 - a. Up to 4% of the grant award may be used for administration costs.
 - b. Up to 10% of the funds awarded may be used for the provision and enhancement of all of the following:
 - i. Technical assistance and case management services for homeowners, renters, and small landlords.
 - ii. A universal program application process evidenced by a single point of contact for homeowners and/or small landlords.
 - iii. Coordination across waitlists for existing home repair programs.
 - iv. Program and policy analysis, outcomes reporting, and program evaluation.
 - v. Referrals, where appropriate, to legal aid, social service providers specializing in mental, developmental, and physical health conditions, and other relevant community-based services.
 3. Invest in workforce development programs that will connect trainees to jobs through committed employer partnership related to improving the habitability and performance of homes, including any of the following:
 - a. Cash stipends for trainees. Applicants seeking to provide stipends as an eligible use must outline limits or requirements in the required Project Plan as part of the application required under Section V and Appendix I.
 - b. Costs related to the design and implementation of pre-apprenticeship, apprenticeship, and publicly funded on-the-job training programs.

Section III – Definitions

The following words and phrases when used in the Whole-Home Repairs Program guidelines are defined accordingly:

- **“Affordable unit”** – Units where rents are affordable to tenants at or below 60% of area median income, adjusted for household size, as defined annually by the Pennsylvania Housing Finance Agency’s PennHOMES countywide limits.
- **“Accessibility”** – Home modifications should be designed to meet the needs of the person with the physical disability who will be residing in the home. Eligible modification items may include, but are not limited to the following: bathroom modifications, installation of grab bars and handrails, kitchen modifications, lifting devices, main level bathroom or bedroom addition, ramp addition or repair, sidewalk addition or repair, widening doorways or hallways, as defined by the Pennsylvania Housing Finance Agency’s Access Home Modification Program.
- **“Code”** – The term includes the following:
 1. All applicable state and local building, housing, property maintenance, fire, health or other public safety ordinances, laws or codes related to the use or maintenance of real property. The term does not include a subdivision and land development or a zoning ordinance enacted by a municipality.
 2. All applicable state and local tax laws; ordinances and resolutions.
- **“Disabilities”** – As the term “handicap or disability” is defined in section 4 of the act of October 27, 1955 (P.L. 744, No. 222), known as the Pennsylvania Human Relations Act.
- **“Existing home repair programs”** – Programs administered by such entities that provide services to repair residential housing and to make home modifications for accessibility that are funded in accordance with or through, but not exclusively limited to the following programs:
 1. The weatherization assistance programs administered as a part of the programs authorized under the Low-Income Home Energy Assistance Act of 1981 (Public Law 97-35, 42 U.S.C. §8621 et seq.) or the Energy Conservation in Existing Buildings Act of 1976 (Public Law 94-385, 42 U.S.C. §6851 et seq.).
 2. The Community Development Block Grant Program under Title I of the Housing and Community Development Act of 1974 (Public Law 93-383, Stat. 633), as amended.
 3. The HOME program under the act of December 18, 1992 (P.L. 1376, No. 172), known as the Pennsylvania Affordable Housing Act.
 4. The Medical Assistance Community Health Choices Program.
 5. The Pennsylvania Housing Affordability and Rehabilitation Enhancement Program under Article IV-D of the act of December 3, 1959 (P.L. 1688, No. 621), known as the Housing Finance Agency Law.
 6. The Keystone Communities Program administered by DCED.
 7. Low-Income usage reduction programs established under 52 Pa. Code Ch. 58 (relating to residential low-income usage reduction programs).
 8. The Energy Efficiency and Conservation Program established under 66 Pa.C.S. §2806.1(b)(1)(i)(G) (relating to energy efficiency and conservation program).

- **“Habitability concerns”** – Home repairs that are required to ensure residential units are any of the following:
 1. Fit for human habitation.
 2. Free from defective conditions or health and safety hazards, including asbestos, mold, pests or lead.
 3. Free of conditions preventing installation of measures to improve energy or water efficiency and lower utility costs.
- **“Homeowner”** – A person who is any of the following:
 1. An owner of record evidenced by a publicly recorded deed.
 2. An owner-occupant of a manufactured home who leases a space in a manufactured home community.
 3. An equitable owner who can demonstrate an ownership interest in a property as provided by law, including: (i) A person who has inherited an interest in a property; (ii) A person who has entered a contract to purchase a property; (iii) A person who was the owner of record before a fraudulent conveyance of the property; (iv) A person who is a trust beneficiary and a person holding a partial ownership interest in a property such as tenancy by the entirety, joint tenancy, tenancy in common and life estate.
- **“Serious violation”** – A code violation that poses an imminent threat to the health and safety of a dwelling occupant, occupants in surrounding structures or passersby.
- **“Small landlords”** – A person who meets all of the following criteria:
 1. The person is a landlord.
 2. The person has an ownership stake in no more than five properties and no more than 15 rental units.
 3. The person rents those properties or units described immediately above for use as a primary residence for a fee, regardless of the length or form of the lease.
- **“Substantial step”** – An affirmative action as determined by a property code official or officer of the court on the part of a small landlord or property managing agency to remedy a serious code violation, including physical improvements or repairs to the property, which affirmative action is subject to appeal in accordance with applicable law.

Section IV – Program Requirements

A. General Information

1. DCED will award grants to no more than one applicant per county as outlined under Section II, A. This shall not be construed to prohibit DCED from awarding more than one grant to a county applicant to serve multiple counties.
2. Nothing in this program shall be construed to prohibit an applicant which receives funds from subgranting the funds to another entity to perform any of the purposes specified in Section II, B.
 - Applicants must receive approval from DCED for all subgrantees. The name of the subgrantee, their contact information, and expected participation should be included.
 - Subgrantee names and contact information, in addition to applicant name and information, will be published on DCED's website.
3. Program funds shall not supplant existing resources dedicated to existing home repair programs, but may be used to support, expand, and enhance existing home repair programs as provided under Section II, B.

B. Reporting

1. Applicants are required to submit quarterly and annual grant reports to DCED, on a form and in a manner prescribed by the department, containing information necessary for DCED to comply with legislative requirements as well as any other reporting required by the US Treasury and ARPA – State and Local Fiscal Recovery Funds. The report shall include all of the following information related to program funds expended under Section II, B:
 - The total number of units, and the average cost per unit, for which homeowners addressed habitability concerns, installed energy efficiency measures and made accessible for individuals with disabilities as a result of program funds awarded under this act.
 - The total number of units, and the average cost per unit, for which small landlords addressed habitability concerns, installed energy efficiency measures and made accessible for individuals with disabilities as a result of program funds awarded under this act.
 - The total amount of program funds invested in addressing habitability concerns, installing energy efficiency measures and making units accessible for individuals with disabilities.
 - The total number of grant and loan applications that were received, approved and denied.
 - The total number of grant and loan applications where funds were leveraged with other existing programs for home repair and accessibility, and a summary of those programs
 - A summary of the most common reasons for denial of applications.
 - The income and demographic information for households assisted under the program.
 - The number of new staff hired to fulfill the services.
 - A summary of systems improvements to fulfill the services.
 - The total amount of program funds invested in workforce development programs.
 - The total number and average amount of cash stipends provided to trainees.
 - The income and demographic information for individuals assisted by funds utilized.
 - The total number of small landlords participating in the program.

- The total number of people in the individual units being repaired.
- Any additional reporting requirements as mandated by the U.S. Treasury under the American Rescue Plan Act of 2021 (ARPA) – State and Local Fiscal Recovery Funds (SLFRF) Compliance and Reporting Guidance.

C. Other Requirements

1. **Nondiscrimination**

No assistance shall be awarded to an applicant under this program unless the applicant certifies that the applicant shall not discriminate against any employee or against any person seeking employment by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the Pennsylvania Human Relations Act, which prohibits discrimination on the basis of race, color, religious creed, ancestry, age, sex, national origin, handicap or disability, or in violation of any applicable federal laws. All contracts for work to be paid with grant funds must contain the Commonwealth's official nondiscrimination clause.

2. **Conflict of Interest**

An officer, director, or employee of an applicant who is a party to or has a private interest in a project shall disclose the nature and extent of the interest to the governing body of the applicant, and may not vote on action of the applicant concerning the project, nor participate in the deliberations of the applicant concerning the project.

3. **Project Records**

The applicant must maintain full and accurate records with respect to the project and must ensure adequate control over related parties in the project. The program office requires access to such records, as well as the ability to inspect all work, invoices, materials, and other relevant records at reasonable times and places. Upon request of the program office, the applicant must furnish all data, reports, contracts, documents, and other information relevant to the project.

4. **Payments**

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303.

5. **Financial Audit**

For subgrantees with expending federal funds, a single audit may be required. Title 2 CFR Subtitle A, Chapter II, Part 200, Subpart F – Audit Requirements should be reviewed to determine if a single audit is required.

6. **Worker Safety**

Pursuant to Executive Order 2021-06, Worker Protection and Investment (October 21, 2021), the Commonwealth is responsible for ensuring that every Pennsylvania worker has a safe and healthy work environment and the protections afforded them through labor laws. To that end, contractors and grantees of the Commonwealth must certify that they are in compliance with all applicable Pennsylvania state labor and workforce safety laws. Such certification shall be made through the Worker Protection and Investment Certification Form (BOP-2201) and submitted with the bid, proposal or quote.

7. Prevailing Wage

The Pennsylvania Prevailing Wage Act applies to all construction, reconstruction, demolition, alteration and/or repair work that is: 1) done under contract, 2) has an estimated cost of over \$25,000 and is funded in whole or in part but funds of a public body. 43 P.S. § 165-2(5). The funds for the Whole Home Repair Program constitute funds from a public body and, as such, any recipient of Whole Home Repair Program funds who uses them for construction, reconstruction, demolition, alteration and/or repair work that is estimated to cost over \$25,000 must comply with all applicable requirements under the Prevailing Wage Act, including but not limited to ensuring that all construction workers are paid the prevailing wage. Please direct any specific questions regarding the Prevailing Wage Act to the Department of Labor and Industry, Bureau of Labor Law Compliance at RA-LI-SLMR-LLC@pa.gov

Section V – Application Procedures

To apply for funding, the applicant must submit the electronic on-line Department of Community and Economic Development Single Application for Assistance located at dced.pa.gov/singleapp. Required supplemental information outlined in Appendix I of these guidelines must be attached electronically to the application as directed on the Addenda tab. County allocation amounts will be made available on DCED's publicly available webpage prior to the application acceptance period.

Section VI – Application Evaluation

The Department of Community and Economic Development will review all submitted applications on a rolling basis for adherence to the guidelines and all required program information.

Each county will receive an allocation (no less than \$200,000) based on calculations using a variety of metrics, including but not limited to the U.S. Census Bureau's Median Income by Household Size, Number of Households by Household size, Year of Structure Built and the Number of Households with Conditions and HUD's 80% Income Limits by Household Size by County.

Section VII – Procedures for Accessing Funds

Upon approval of an application by DCED, a grant agreement (contract) will be issued electronically to the applicant explaining the terms and conditions of the grant to include the approved scope of work. The contract must be electronically signed and returned timely, or the offer may be withdrawn.

- At the time of application, the applicant will be requested to provide the name, title, and email address of two individuals authorized to execute a contract, if awarded.

Upon full execution of the grant agreement, the applicant will receive an advanced payment request form and instructions for requesting funds.

Section VIII – Program Inquiries

Program inquiries should be directed to:

PA Department of Community and Economic Development
Community Affairs and Development
Whole-Home Repairs Program

Telephone: 1.866.466.3972

E-mail: RA-DCWHOLHOMEREPPROG@pa.gov

Appendix I – Supplemental Items

1. **Project Plan** – Provide a project plan which discusses all of the following:
 - a. Planned approach and/or execution of each of the eligible uses of funds outlined in Section II, B to include organizational capacity, partnerships, local evaluation criteria.
 - b. Brief description of the eligible applicant’s expertise with relation to the program’s intent.
 - c. If applicable, the name, contact information, and a brief description of expertise and funding breakdown for all anticipated subgrantee partnerships
2. **Draft Guidance**
Loan forgiveness process and proposed monitoring.
3. **Cost Estimates** –
 - a. Amount of program funds being requested and intended use breakdown, including subgrantees if applicable.
 - b. Estimated total cost of eligible uses outlined in Section II, B.
 - c. Estimated commencement dates for funds to be utilized for eligible uses.
4. **Resolution/Designation** – Eligible applicants must provide appropriate documentation indicating the eligible applicant has been designated as the eligible applicant by the applicable entity identified in Paragraph A of Section II – Eligibility of the Guidelines.