

# State of New Mexico Action Plan Substantial Amendment



**For the U.S. Department of Housing and Urban  
Development; Neighborhood Stabilization Program 3**

**February 28, 2011**

<p>Jurisdiction(s): State of New Mexico -</p> <p>Jurisdiction Web Address:  <a href="http://cdbg.ndfa.state.nm.us">http://cdbg.ndfa.state.nm.us</a>  <i>(URL where NSP3 Substantial Amendment materials are posted)</i></p>	<p><i>State of New Mexico</i></p> <p>NSP3 Contact Person: Dolores Gonzales  Address: Bataan Memorial Bldg. Room 202, Santa Fe, NM 87501  Telephone: 505-827-4972  Fax: 505-827-4948  Email: Dolores.Gonzales2@state.nm.us</p>
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***EXECUTIVE SUMMARY***

This document is a proposed substantial amendment to the New Mexico State Consolidated Plan for 2011 to 2015 and the subsequent Action Plan for Program Year 2011. The amendment includes the expected distribution and use of New Mexico’s allocation of the U.S. Department of Housing and Urban Development’s (HUD) recently announced Neighborhood Stabilization Program 3 (NSP3) provided through HUD’s Community Development Block Grant (CDBG) Program as authorized in the U.S. Housing and Economic Recovery Act of 2008 (HERA) as amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act). HUD established NSP3 to provide emergency assistance to state and local governments to assist in the redevelopment of abandoned and foreclosed homes. The State of New Mexico received the minimum allocation of \$5,000,000.00.

***AREAS OF GREATEST NEED***

In 2009, New Mexico ranked 29<sup>th</sup> in the US with properties that had foreclosure filings, an increase of 75.33 percent from 2008 (Realtytrac.com: <http://www.realtytrac.com/content/press-releases/us-foreclosure-activity-decreases-6-percent-in-may-4956?acct=209374>).

According to the State of New Mexico Analysis of Impediments to Fair Housing the 2000 census reported a total of 780,579 housing units in the State of New Mexico. Of these units 102,608 units or 13.1 percent of the entire housing stock of New Mexico was counted as vacant, more than 21.4 percent of the vacant units are in poor condition and not available to the marketplace. The remaining housing units (86.9 percent) were occupied, approximately 70 percent were owned and 30 percent were rented. At the time the 2000 census was taken 10,678 of renter-occupied units were overcrowded and another 9,399 were severely overcrowded ([http://factfinder.census.gov/servlet/QTable?\\_bm=y&-geo\\_id=04000US35&-qr\\_name=DEC\\_2000\\_SF1\\_U\\_DP1&-ds\\_name=DEC\\_2000\\_SF1\\_U](http://factfinder.census.gov/servlet/QTable?_bm=y&-geo_id=04000US35&-qr_name=DEC_2000_SF1_U_DP1&-ds_name=DEC_2000_SF1_U)).

HUD developed the NSP3 mapping tool to assist grantees in targeting the areas of greatest need within their jurisdictions, measuring the estimated foreclosure and abandonment risk of every census tract block group in the State. This score is scaled from 1 to 20, with 20 being the greatest risk. The identified target area(s) must be higher than the State’s minimum qualifying score. The State of New Mexico’s minimum qualifying score is 11; there are 531 qualifying census tracts in the State of New Mexico.



The Dodd-Frank Act directs state and local governments to invest these funds as a matter of priority in “areas of greatest need,” which are defined by three major determinants:

- The greatest percentage of home foreclosures.
- The highest percentage of homes financed by a subprime mortgage related loan.
- The number and percent of homes in default or delinquency.

On December 20, 2010 HUD published guidance on Mapping and Needs Data for State NSP3 Action Plans allowing state grantees to submit a description of the criteria they will use to select subrecipients or developers, and allowing the state to submit a second amendment with the final needs and target area mapping data and selections by June 30, 2011.

The identification of areas of greatest need will be accomplished through the use of the NSP3 mapping tool. Subrecipients will be required to use the NSP3 mapping tool, and submit the target area mapping data to the State of New Mexico by May 1, 2011. In addition, subrecipients will be required to provide market analysis, using the most current and accurate data available, in support of the proposed activities in the identified target areas.

A minimum of 20 percent of real estate-owned (REO) units in the target area will need to be addressed to make a visible impact in the area. Subrecipients will be required to identify areas small enough to make this type of impact. If more than one target area is selected, goals must be established, level of assistance must be determined, and each area must have an appropriate program design.

The State of New Mexico will assure the areas identified will be those where there is a reasonable likelihood that the identified activities will have a stabilizing impact on the neighborhood and result in long term sustainable revitalization.

### ***DISTRIBUTION AND USES OF FUNDS***

The State of New Mexico will conduct a process to select subrecipients. Eligible subrecipients may include units of local governments, non-profit organizations, developers, governmental housing agencies, regional housing authorities, and governmental entities.

Eligible subrecipients shall meet the following criteria:

- Provide documentation of being duly organized in accordance with state or local law and in good standing with any state authority such as the Public Regulation Commission (e.g. Articles, Bylaws, and Certificate of Good Standing for a Corporation; Articles, Operating Agreement, and Certificate of Good Standing for a Limited Liability Company; partnership agreement and certificate of limited partnership for a partnership; 501 (c) (3) designation for a non-profit).
- Not have been suspended, debarred or otherwise restricted by any department of the federal government or any state government.
- Audit reports must be conducted in accordance with OMB Circular No. A-133.

Eligible NSP3 uses of funds:

Each NSP3-funded activity must also be CDBG-eligible under 42 U.S.C. 5305 (a). The chart below provides the NSP3 eligible uses and correlated CDBG eligible activities.

NSP3-Eligible Uses	Correlated Eligible Activities From the CDBG Entitlement Regulations
(A) Establish financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties, including such mechanisms as soft-seconds, loan loss reserves, and shared-equity loans for low- and moderate-income homebuyers	<ul style="list-style-type: none"> <li>• As part of an activity delivery cost for an eligible activity as defined in 24 CFR 570.206.</li> <li>• Also, the eligible activities listed below to the extent financing mechanisms are used to carry them out.</li> </ul>
(B) Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties	<ul style="list-style-type: none"> <li>• 24 CFR 570.201 (a) Acquisition, (b) Disposition, (i) Relocation and (n) Direct homeownership assistance (as modified below).</li> <li>• 24 CFR 570.202 eligible rehabilitation and preservation activities for homes and other residential properties.</li> </ul> <p>*HUD notes that any of the activities listed above may include required homebuyer counseling as an activity delivery cost.</p>
(C) Establish and operate land banks for homes and residential properties that have been foreclosed upon	<ul style="list-style-type: none"> <li>• 24 CFR 570.201 (a) Acquisition and (b) Disposition.</li> </ul> <p>*HUD notes that any of the activities listed above may include required homebuyer counseling as an activity delivery cost.</p>
(D) Demolish blighted structures	<ul style="list-style-type: none"> <li>• 24 CFR 570.201 d) Clearance for blighted structures only.</li> </ul>
(E) Redevelop demolished or vacant properties as housing	<ul style="list-style-type: none"> <li>• 24 CFR 570.201 (a) Acquisition, (b) Disposition, (c) Public facilities and improvements, (e) Public services for housing counseling, but only to the extent that counseling beneficiaries are limited to prospective purchasers or tenants of the redeveloped properties, (i) Relocation, and (n) Direct homeownership assistance (as modified below).</li> <li>• 24 CFR 570.202 eligible rehabilitation and preservation activities for demolished or vacant properties.</li> <li>• 24 CFR 570.204 community based development organizations.</li> </ul> <p>*HUD notes that any of the activities listed above may include required homebuyer counseling as an activity delivery cost.</p> <p>New construction of housing is eligible as part of the redevelopment of demolished or vacant properties.</p>



As stated above New Mexico ranked 29th in the US with properties that had foreclosure filings in 2009 and 13.1 percent of the entire housing stock of New Mexico is considered vacant; more than 21.4 percent of the vacant units are in poor condition and not available to the marketplace. The State of New Mexico anticipates using NSP3 funds for the following eligible uses (A) Financing, (B) Purchase and rehabilitation of homes and residential structures, (D) Demolish blighted structures, and (E) Redevelopment of demolished or vacant properties as housing. By concentrating on the above-mentioned uses NSP3 funds will have a stabilizing impact on the neighborhood and result in long term sustainable revitalization in New Mexico, for the areas of greatest need.

The State of New Mexico anticipates that activities will benefit both owners and renters.

<b>Anticipated NSP3 budget</b>	
(A) Establish financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties, including such mechanisms as soft-seconds, loan loss reserves, and shared-equity loans for low- and moderate-income homebuyers	\$ 200,000.00
(B) Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties for families below 50% AMI (25% set-aside)	\$ 1,250,000.00
(B) Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties for families at or below 120% AMI	\$ 2,050,000.00
(D) Demolish blighted structures (10%)	\$ 500,000.00
(E) Redevelop demolished or vacant properties as housing	\$ 500,000.00
10% Administrative set-aside (Grantee and Subrecipients)	\$ 500,000.00
	<b>\$ 5,000,000.00</b>

All funds appropriated or made available under NSP3 shall be used to benefit individuals and families whose income does not exceed 120 percent of area median income (AMI) and meet the low-and moderate income benefit national objective. For the purposes of NSP3 the income limit will be referred to as “middle income.”

An NSP3 activity may meet the national objective of low-and moderate income if the activity:

- provides or improves permanent residential structures that will be occupied by a household whose income is below 120 percent of area median income (LMMH);
- serves an area in which at least 51 percent of the residents have incomes at or below 120 percent of area median income (LMMA); or
- serves a limited clientele whose incomes are at or below 120 percent area median income (LMMC).

### ***ACTIVITY REQUIREMENTS:***

#### Acquisition Price:

Any NSP3 acquisition of a foreclosed-upon home or residential property under NSP3 shall be at a minimum 1% discount from the current market appraised value of the home. In order to assess the current market appraised value, an appraisal is required within the 60 days prior to the final offer.

#### After Rehabilitation Value:

The State of New Mexico will adopt the HOME program after rehabilitation value requirements, these requirements can be found at the following website (<http://www.hud.gov/offices/cpd/affordablehousing/programs/home/limits/maxprice.cfm>), a 203(b) After Rehab Value Certification form must be maintained in all project files.

#### Maximum Sales Price

The maximum sales price is limited to the total amount of costs and cannot exceed fair market value.

#### Minimum Sales Price:

There is no minimum sales price, however, grantees and subrecipients are subject to OMB Circular A-87, which requires they pay “reasonable costs.” If the grantee or subrecipient subsidizes the home excessively beyond what is reasonable – it may be in violation of the Cost Reasonableness Act under OMB Circular A-87.

#### Financial Assistance:

The State of New Mexico is proposing that NSP3 will provide subsidies in the form of a soft second mortgage plus reasonable closing costs and down payment assistance to help pay for an NSP3 home. Payments are based on income category. The soft second mortgage will be provided as a zero to three percent interest, forgivable loan to cover the difference in the purchase price and what the buyer otherwise could borrow. The soft second mortgage will be 100% forgivable after the affordability period.



Our proposed financial assistance is provided below:

<b>Soft Second</b>	<b>Total Purchase Price</b>
Low income	Up to 20%
Moderate Income	Up to 15%
Middle Income	Up to 10%

<b>Down Payment Assistance</b>	<b>Total Loan Amount</b>
Low income	Up to 2%
Moderate Income	Up to 1.5%
Middle Income	Up to 1%

Lease purchase:

NSP3 funds may be used to assist homebuyers through lease purchase programs. The housing must be purchased by the homebuyer within 36 months of signing the lease-purchase agreement. The homebuyer must qualify as under 120% AMI at the time the lease purchase agreement is signed. Homebuyer will also be required to seek council for credit repair if not included in the HUD counseling to ensure proper qualifications after the 36-month purchase requirement.

Demolition:

NSP3 grantee may not use more than 10% of allocation for demolition.

Administrative Funds:

The distribution plan will assume 10% (\$500,000.00) will be allocated to program administration costs and will establish an Administrative Funds set-aside. These funds will be used for administration by the State and by any subrecipients that receive suballocations, if any, until the end of the affordability requirements.

Activity description: Administrative funds related to carrying out NSP3 will be available for general administrative and technical assistance costs. If applicable, subrecipients are provided a specific dollar amount or percentage of sub-allocation for administrative costs. Administrative costs are reasonable costs to meet the requirements of NSP3 and are not related to a specific activity.

Program Income:

Revenue generated by NSP3 funds and received by the subrecipient must be returned to the State of New Mexico for redistribution for additional NSP3-eligible activities.

***DEFINITIONS AND DESCRIPTIONS***

The following definitions and descriptions will be applied to all NSP3 activities:

Blighted Structures:

The Metropolitan Redevelopment Act NMSA 1978M 3-60A-4, defines blighted structures as

“an area within the area of operation other than a slum area that, because of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or lack of adequate housing facilities in the area or obsolete or impractical planning and platting or an area where a significant number of commercial or mercantile businesses have closed or significantly reduced their operations due to the economic losses or loss of profit due to operating in the area, low levels of commercial or industrial activity or redevelopment or any combination of such factors, substantially impairs or arrests the sound growth and economic health and well-being of a municipality or locale within a municipality or an area that retards the provisions of housing accommodations or constitutes an economic or social burden and is a menace to the public health, safety, morals or welfare in its present condition and use.”

**Affordable Rents:**

The State of New Mexico will adopt the HOME affordable rent limits for NSP3 per 24 CFR Part 92.252. Fair market rents are established by HUD each year therefore subrecipients will be required to go to the following website below and use the most current rents established by HUD <http://www.hud.gov/offices/cpd/affordablehousing/programs/home/limits/rent/>.

**Ensuring Continued Affordability:**

NSP3-assisted housing units must meet the affordability requirements for not less than the applicable period specified in the following table, beginning after project completion. The affordability requirements apply without regard to the term of any loan or mortgage or the transfer of ownership. Restrictions must be imposed by deed restrictions, covenants running with the land, or other mechanisms, except that the affordability restrictions may terminate upon foreclosure or transfer in lieu of foreclosure. Subrecipients must maintain copies of the recorded instruments in their project files.

*Rental* - Each subrecipient is encouraged to exceed the minimum periods of affordability as determined below for the longest feasible term. Affordability requirements will be maintained through a use restriction.

<b>Rental Housing Activity</b>	<b>Minimum Period of Affordability in Years</b>
Rehabilitation or acquisition of existing housing per unit amount of NSP3 funds:	
Under \$15,000	5
\$15,000 to \$40,000	10
Over \$40,000 or rehabilitation involving refinancing	15
New construction or acquisition of newly constructed rental housing (92.252.e)	20
The refinancing of existing debt secured by housing that is being rehabilitated with NSP3 funds (92.206.b)	20



*Homeownership* - For NSP3-assisted homeownership, resale or recapture provisions will be placed against the property in the form of a use restriction.

<b>Grant Amount Per Unit</b>	<b>Minimum Period of Affordability in Years</b>
Under \$25,000	5
\$25,000 to \$50,000	10
Over \$50,000	15

In cases where the property was sold for market value (or total cost, whichever is less) and NSP3 funds provided a direct subsidy through a soft second or other form of homeownership assistance (below market value), the resale or recapture approach can be used. In cases where there is a development subsidy (above market value) or where there is no direct subsidy (sold for cost), then subrecipients must use the resale approach.

Housing Rehabilitation Standards:

The State of New Mexico will adopt the Construction and Rehabilitation Standards of the HOME program at 24 CFR 92.252(a), (c), (e), and (f) and 92.254. The Construction and Rehabilitation Standards define a standard and code compliance level for the construction and rehabilitation necessary to correct health, safety and building code violations to achieve decent, sanitary, safe and affordable housing. The Construction and Rehabilitation Standards include the Lead Based Paint requirements and the requirements related to physical accessibility standards for persons with disabilities (Section 504 of the Rehabilitation Act).

Standards also include the following NSP3 requirements:

- All gut rehabilitation or new construction (i.e. general replacement of the interior of a building that may or may not include changes to structural elements such as flooring systems, columns, or load bearing interior or exterior walls) of residential buildings up to three stories must be designed to meet the standard for Energy Star Qualified New Homes.
- All gut rehabilitation or new construction of mid -or high-rise multifamily housing must be designed to meet American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2004, Appendix G plus 20 percent (which is the Energy Star standard for multifamily buildings piloted by the Environmental Protection Agency and the Department of Energy).
- Other rehabilitation must meet these standards to the extent applicable to the rehabilitation work undertaken, e.g. replace older obsolete products and appliances (such as windows, doors, lighting, hot water heaters, furnaces, boilers, air conditioning units, refrigerators, clothes washers, clothes dryers, and dishwashers) with Energy Star-46 labeled products.
- Water efficient toilets, showers, and faucets, such as those with the WaterSense label, must be installed.
- Where relevant, the housing should be improved to mitigate the impact of disasters (e.g. earthquake, hurricane, flooding, and fires).



Subrecipients are encouraged to adopt energy efficiency standards such as Green Communities or Equivalent.

***LOW INCOME TARGETING:***

NSP3 grantees are required to allocate at least 25 percent of their total NSP3 funding allocation to housing for individuals and families whose incomes are at or below 50 percent of the area median income. Therefore, the State of New Mexico will allocate at least \$1,250,000.00 to housing for individuals and families whose incomes are at or below 50 percent of the area median income. Units assisted under this set-aside must provide permanent housing.

NSP3 requires that grantees and subrecipients establish procedures to create preference for the development of affordable rental housing. Therefore, the State of New Mexico anticipates that single and multifamily rental, and single and multifamily special needs housing will be used to meet this goal. Eligible subrecipients will be required to submit a summary that describes the manner in which they will meet the 25 percent requirement.

***ACQUISITION AND RELOCATION:***

The State of New Mexico does not anticipate providing relocation assistance, however if relocation assistance is needed the Uniformed Relocation Act provisions and relocation assistance pursuant to 24 CFR 570.606 must be followed, to tenants displaced as a result of an NSP3-related activity and maintain records in sufficient detail to demonstrate compliance with the provisions of that section. NSP3 tenant protection requirements under the Recovery Act are separate and apart from the URA. Subrecipients must not assume that a person entitled to NSP3 tenant protections under the Recovery Act is also eligible for URA assistance or vice versa. For further details subrecipients shall refer to the NSP Tenant Protections at Foreclosure under the Recovery Act; guidance can be found at the following <http://www.hud.gov/offices/cpd/library/relocation/nsp/pdf/nsp-tenant-protection-8122010.pdf>.

NSP3 property acquisitions shall all be voluntary acquisitions as defined by URA.

The State of New Mexico has budgeted approximately \$500,000.00 (10%) for demolition activities, and does not anticipate the demolition or conversion of any occupied low and or moderate income dwelling units. New Mexico anticipates demolition of approximately 5 dwelling units that may be reconstructed to provide housing for approximately 5 households qualifying below 120% AMI.

***ADDITIONAL REQUIREMENTS:***

**Timeliness of use and expenditure of funds:**

50 percent of NSP3 funds must be expended within two years and 100 percent of funds within three years. In order to assure the expenditure of funds within this strict time frame, if applicable, the State of New Mexico will evaluate each subrecipient's progress during time of monitoring. If in the sole opinion of the State of New Mexico the subrecipient is not on target with the expenditure deadline, subrecipients will be at risk for recapture of funds.



Local hiring requirements:

NSP3-funded projects must to the maximum extent feasible provide for hiring of employees that reside in the vicinity (the neighborhood) of the NSP3-funded projects. For the purposes of administering this requirement, HUD adopted the requirements of the Section 3 thresholds for the CDBG program. NSP3 local hiring requirement does not replace the Section 3 requirements under NSP3. Contractors will be required to self-certify that they are making all efforts to hire employees that reside in the vicinity of the NSP3-funded project.

Rehabilitation/Repair:

Rehabilitation/Repair activity costs must be considered necessary and reasonable. By definition of OMB circulars a reasonable cost is something a prudent person would pay.

Reporting:

The Office of Management and Budget has established reporting requirements in compliance with the Federal Accountability and Transparency Act. NSP3 subrecipients must comply with this reporting requirement. In addition mandatory two month progress reports will be submitted by the subrecipients to the grantee.

Records:

Each entity must maintain sufficient documentation for each activity. The State of New Mexico will determine compliance at the time of monitoring.

Fair Housing:

All subrecipients will be required to carry out NSP3 activities that further fair housing through innovative housing design or construction to increase access to persons with disabilities, language assistance services to persons with limited English proficiency (on the basis of national origin), or location of new rehabilitation housing in a manner that provides greater housing choice or mobility for persons in classes protected by the Fair Housing Act and maintain records reflecting the actions in this regard.

Environmental:

The State and all subrecipients will be required to adhere to all National Environmental Protection Act (NEPA) requirements.

Citizen Participation:

All subrecipients will be required to adhere to all Citizen Participation requirements established by NSP3.

Homebuyer Counseling:

Each homebuyer to receive NSP3 assistance will be required to complete at least 8 hours of homebuyer counseling from a HUD-approved housing counseling agency before obtaining a mortgage loan.

Labor Standards:

The rehabilitation of eight or more units will require compliance with the Davis Bacon law and related acts and compliance with the New Mexico Public Works Minimum Wage Act.

**PROPOSAL**

Any interested eligible subrecipients must submit a proposal by May 1, 2011 to the following address:

The State of New Mexico  
Department of Finance and Administration  
Local Government Division  
Dolores Gonzales  
Bataan Memorial Building, Suite 202  
Santa Fe, NM 87501

***EVALUATION CRITERIA:***

Subrecipients will be evaluated based on the following criteria:

- Demonstrated capacity to implement NSP3 and meet the statutory expenditure period including staff capacity and organizational structure.
- Subrecipients who have identified areas of greatest need through the NSP3 mapping tool.
- Focused strategy for effective neighborhood stabilization, including addressing the factors that make the area vulnerable to future foreclosures.
- Experience administering and delivering the specific activities for which the NSP3 funds would be used. If administrative responsibilities will be assigned to another entity via subcontract, the experience of that entity will be considered as well.
- Provide leverage or other funding commitments to expand the production and capability of the program.
- Experience complying with federal funding requirements.

The State of New Mexico will make the determination as whether or not subrecipients have the capacity and experience to administer the proposed activities, to include activities relating to providing housing or services to persons or households of low or moderate income.

Activities will be evaluated based on the following criteria:

- Longest possible affordability period, especially those in which the local applicant provides ongoing monitoring.
- Anchor redevelopment efforts (such as infrastructure, employment centers, neighborhood retails, schools and are transit accessible).
- Activities that might generate program income to undertake additional NSP3 activities.

All requirements of the HERA as amended by the Dodd-Frank Act are incorporated into this plan. In addition, if funds are awarded to subrecipients the State of New Mexico may impose additional requirements.



***NSP3 INFORMATION BY ACTIVITY***

**ACTIVITY #1**

Activity Name: Financing

Uses: (A) Establish financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties, including such mechanisms as soft-second, loan loss reserves, and shared-equity loans for low- and moderate-income homebuyers

CDBG eligible Activity:

As part of an activity delivery cost for an eligible activity as defined in 24 CFR 570.206.

Also, the eligible activities listed below to the extent financing mechanisms are used to carry them out.

National Objective: Low to Moderate Income Housing (LMMH)

Activity Description:

New Mexico anticipates the financing of single family properties.

The State of New Mexico is proposing that NSP3 will provide subsidies in the form of a soft second mortgage plus reasonable closing costs and down payment assistance to help pay for an NSP3 home. Payments are based on income category. The soft second mortgage will be provided at zero to three percent interest (see above), forgivable loan to cover the difference in the purchase price and what the buyer otherwise could borrow. The soft second mortgage will be 100% forgivable after the affordability period.

Single family affordability requirements listed above.

This activity will stabilize the neighborhood by moving people into previously foreclosed or abandoned homes.

Location Description:

Grantee will accept applications through May 1, 2011 to determine the location description using the NSP3 mapping tool.

Total Budget:

Source: NSP3  
Dollar Amount: \$ 200,000.00

Performance Measures:

It is projected financing will be provided to the following:

- 4 homebuyers

Responsible Organization:

To be determined

Projected Start Date:

July 1, 2011

Projected End Date:

February 1, 2014



***NSP3 INFORMATION BY ACTIVITY***

**ACTIVITY #2**

Activity Name: Purchase and rehabilitate homes to benefit households below 50% AMI.

Uses: (B) Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties for families below 50% AMI (25% Set-Aside).

CDBG eligible Activity:

24 CFR 570.201 (a) Acquisition, (b) Disposition, (i) Relocation, and (n) Direct homeownership assistance (as modified below);

24 CFR 570.202 eligible rehabilitation and preservation activities for homes and other residential properties.

\*HUD notes that any of the activities listed above may include required homebuyer counseling as an activity delivery cost.

National Objective: Low-Income Housing to Meet 25% Set-Aside (LH25)

Activity Description:

Establish a funding mechanism to purchase and rehabilitate residential properties that have been abandoned or foreclosed upon, in order to benefit families below 50% AMI.

New Mexico anticipates rentals to be used for this activity. Duplexes, triplexes and fourplexes are encouraged. However some single family units may also be acquired in an area targeted to those persons making less than 50% of AMI at the time of occupancy.

The State of New Mexico is proposing that NSP3 will provide subsidies in the form of a soft second mortgage plus reasonable closing costs and down payment assistance to help pay for an NSP3 home. Payments are based on income category. The soft second mortgage will be provided as a zero to three percent interest (see above), forgivable loan to cover the difference in the purchase price and what the buyer otherwise could borrow. The soft second mortgage will be 100% forgivable after the affordability period.

Rental and single family affordability requirements listed above.

How New Mexico is going to ensure vicinity hiring is listed above.

This activity will address the high foreclosure rates in New Mexico

Location Description:

Grantee will accept applications through May 1, 2011 to assist in location determination using the NSP3 mapping tool.

Total Budget:

Source: NSP3

Dollar Amount: \$1,250,000.00

Performance Measures:

It is projected that properties will be acquired and rehabilitated or redeveloped and will benefit households below 50% AMI as follows:

- 20 rental units
- 1 single family home

Responsible Organization:

To be determined

Projected Start Date:

July 1, 2011

Projected End Date:

February 1, 2014



***NSP3 INFORMATION BY ACTIVITY***

**ACTIVITY #3**

Activity Name: Purchase and rehabilitate homes to benefit households at or below 120% AMI.

Uses: (B) Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties for families at or below 120% AMI.

CDBG eligible Activity:

24 CFR 570.201 (a) Acquisition, (b) Disposition, (i) Relocation, and (n) Direct homeownership assistance (as modified below);

24 CFR 570.202 eligible rehabilitation and preservation activities for homes and other residential properties.

\*HUD notes that any of the activities listed above may include required homebuyer counseling as an activity delivery cost.

National Objective: Low to Moderate Income Housing (LMMH)

Activity Description:

Establish a funding mechanism to purchase and rehabilitate residential properties that have been abandoned or foreclosed upon, in order to sell the redeveloped homes and properties to families at or below 120% AMI.

New Mexico anticipates single family properties will be purchased and rehabilitated in order to sell.

The State of New Mexico is proposing that NSP3 will provide subsidies in the form of a soft second mortgage plus reasonable closing costs and down payment assistance to help pay for an NSP3 home. Payments are based on income category. The soft second mortgage will be provided as a zero to three percent interest (see above), forgivable loan to cover the difference in the purchase price and what the buyer otherwise could borrow. The soft second mortgage will be 100% forgivable after the affordability period

Single family affordability requirements listed above.

How New Mexico is going to ensure vicinity hiring is listed above.

This activity will address the high foreclosure rates in New Mexico.

Location Description:

Grantee will accept applications through May 1, 2011 in order to assist in assist in location determination using the NSP3 mapping tool.

Total Budget:

Source: NSP3

Dollar Amount: \$ 2,050,000.00

Performance Measures:

It is projected that properties will be acquired and rehabilitated or redeveloped and will benefit households at or below 120% AMI as follows:

- 11 single family homes

Responsible Organization:

To be determined

Projected Start Date:

July 1, 2011

Projected End Date:

February 1, 2014



***NSP3 INFORMATION BY ACTIVITY***

**ACTIVITY #4**

Activity Name: Demolition of blighted structures

Uses: (D) Demolish blighted structures

CDBG eligible Activity:  
24 CFR 570.201 d) Clearance for blighted structures only.

National Objective: Low to Moderate Income Housing (LMMH)

Activity Description:  
New Mexico will demolish blighted structures to redevelop approximately 5 housing units targeted at households at or below 120% AMI.  
  
Removing blighted properties will stabilize population and property values.

Location Description:  
Grantee will accept applications through May 1, 2011 to assist in location determination using the NSP3 mapping tool.

Total Budget:  
Source: NSP3  
Dollar Amount: \$ 500,000.00

Performance Measures:  
It is projected New Mexico will demolish the following:

- 5 single family blighted structures

Responsible Organization:  
To be determined

Projected Start Date:  
July 1, 2011

Projected End Date:  
February 1, 2014

***NSP3 INFORMATION BY ACTIVITY***

**ACTIVITY #5**

Activity Name: Redevelop demolished or vacant properties as housing

Uses: (E) Redevelop demolished or vacant properties as housing

CDBG eligible Activity:

24 CFR 570.201 (a) Acquisition, (b) Disposition, (c) Public facilities and improvements, (e) Public services for housing counseling, but only to the extent that counseling beneficiaries are limited to prospective purchasers or tenants of the redeveloped properties, (i) Relocation, and (n) Direct homeownership assistance (as modified below).

24 CFR 570.202 eligible rehabilitation and preservation activities for demolished or vacant properties.

24 CFR 570.204 community based development organizations.

New construction of housing is eligible as part of the redevelopment of demolished or vacant properties.

\*HUD notes that any of the activities listed above may include required homebuyer counseling as an activity delivery cost.

National Objective: Low to Moderate Income Housing (LMMH)

Activity Description:

New Mexico will redevelop demolished or vacant properties as housing.

Redevelopment of demolished or vacant properties will attract new residents to the target area.

Location Description:

Grantee will accept applications through May 1, 2011 to assist in location determination using the NSP3 mapping tool.

Total Budget:

Source: NSP3

Dollar Amount: \$500,000.00

Performance Measures:

It is projected New Mexico will redevelop the following:

- 5 single family homes



Responsible Organization:  
To be determined

Projected Start Date:  
July 1, 2011

Projected End Date:  
February 1, 2014

***PUBLIC COMMENT:***

The Draft Substantial Amendment was available for public comment from February 14, 2011 through February 28, 2011.

As of 5:00 P.M. February 28, 2011, no public comments were received.



**\*\*\* Proof \*\*\***

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Albuquerque, NM 87109  
(505)823-7777

**Account Information**

**Phone:** (505) 827-4950  
**Name:** N M DEPT OF FINANCE & ADMIN  
**Account #:** C80865  
**Address:** ATTN:LOCAL GOVERNMENT DIV  
BATAAN MEMORIAL BLDG RM  
#202  
SANTA FE, NM 87501  
**Client:**  
**Email:**  
**Placed by:** ARIANA VIGIL  
**Fax #:**

**Ad Information**

**Classification:** 0000-Legals - Government  
**Size:** 1 x 72.700  
**Start date:** 02-14-11  
**Billed size:** 72.00 5.14 agate lines  
**Stop date:** 02-14-11  
**Ad #:** 6600003  
**Insertions:** 1  
**Ad type:** In-Column Display Ad  
**Description:** AMENDMENT TO 2011 ACTION PLAN  
**Rate code:** Gov't Legal Display  
**Publications:** Journal Daily (AM)

**Ad Cost:** \$ 45.36  
**Tax @ 7.0000%:** \$ 3.18  
**Tax @ 7.4375%:** \$  
**Tax @ 8.1875%:** \$  
**Total:** \$ 48.54

Ad Copy:



**Public Notice**

The State of New Mexico has been designated by the U. S. Department of Housing and Urban Development ("HUD") to receive \$5 million in funds for the Neighborhood Stabilization Program 3 ("NSP3"). The Local Government Division, State Small Cities Community Development Block Grant Program is pleased to announce the Draft of Neighborhood Stabilization Program Substantial Amendment to 2011 Action Plan. HUD requires the Local Government Division of the Department of Finance and Administration develop a NSP Substantial Amendment to the 2011 Action Plan. Interested persons or entities may view the Draft Amendment to the 2011 Action Plan at <http://cdbg.nmdfa.state.nm.us>. Comments may also be submitted in writing to: Dolores.Gonzales2@state.nm.us by 5:00 p.m. on February 28, 2011 or to the address below.

The Draft Amendment to the 2011 Action Plan will be available to view at the website address above, beginning February 14, 2011 and will continue until Febru-

**\*\*\* Proof \*\*\***

**Albuquerque Publishing Company**  
**7777 Jefferson NE**  
**Albuquerque, NM 87109**  
**(505)823-7777**

any 28, 2011. Copies of the Draft Amendment to the 2011 Action Plan will also be available at the following location during normal work business hours:

State of New Mexico Department of Finance and Administration  
Local Government Division:  
Attention Dolores Gonzales  
Bataan Memorial Building,  
Suite 202  
Santa Fe, NM 87501  
Journal: February 14, 2011



## NSP3 Certifications

### Certifications for State and Entitlement Communities

- (1) **Affirmatively furthering fair housing.** The jurisdiction certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.
- (2) **Anti-displacement and relocation plan.** The applicant certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan.
- (3) **Anti-lobbying.** The jurisdiction must submit a certification with regard to compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.
- (4) **Authority of jurisdiction.** The jurisdiction certifies that the consolidated plan or abbreviated plan, as applicable, is authorized under state and local law (as applicable) and that the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.
- (5) **Consistency with plan.** The jurisdiction certifies that the housing activities to be undertaken with NSP funds are consistent with its consolidated plan or abbreviated plan, as applicable.
- (6) **Acquisition and relocation.** The jurisdiction certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the notice for the NSP program published by HUD.
- (7) **Section 3.** The jurisdiction certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- (8) **Citizen participation.** The jurisdiction certifies that it is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.
- (9) **Following a plan.** The jurisdiction certifies it is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD. [Only States and entitlement jurisdictions use this certification.]
- (10) **Use of funds.** The jurisdiction certifies that it will comply with the Dodd-Frank Wall Street Reform and Consumer Protection Act and Title XII of Division A of the American Recovery and Reinvestment Act of 2009 by spending 50 percent of its grant funds within 2 years, and spending 100 percent within 3 years, of receipt of the grant.
- (11) **The jurisdiction certifies:**
  - a. that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income; and

- b. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

(12) **Excessive force.** The jurisdiction certifies that it has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
- b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

(13) **Compliance with anti-discrimination laws.** The jurisdiction certifies that the NSP grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(14) **Compliance with lead-based paint procedures.** The jurisdiction certifies that its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(15) **Compliance with laws.** The jurisdiction certifies that it will comply with applicable laws.

(16) **Vicinity hiring.** The jurisdiction certifies that it will, to the maximum extent feasible, provide for hiring of employees that reside in the vicinity of NSP3 funded projects or contract with small businesses that are owned and operated by persons residing in the vicinity of NSP3 projects.

(17) **Development of affordable rental housing.** The jurisdiction certifies that it will abide by the procedures described in its NSP3 Abbreviated Plan to create preferences for the development of affordable rental housing for properties assisted with NSP3 funds.

  
Signature/Authorized Official

  
Date

  
Title



**APPLICATION FOR FEDERAL ASSISTANCE**

OMB Approved No. 3076-0006

Version 7/03

<b>1. TYPE OF SUBMISSION:</b> Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction	Pre-application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction	<b>2. DATE SUBMITTED</b> February 28, 2011	Applicant Identifier Dolores Gonzales
		<b>3. DATE RECEIVED BY STATE</b> N/A	State Application Identifier
		<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier

**5. APPLICANT INFORMATION**

Legal Name: State of New Mexico	<b>Organizational Unit:</b> Department: NM Department of Finance and Administration
Organizational DUNS: 808561567	Division: Local Government Division
<b>Address:</b> Street: 407 Galisteo St. (Bataan Memorial Bldg. Rm #202)	<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b> Prefix: 505-827-4972
City: Santa Fe	
County: Santa Fe	Middle Name Christina
State: New Mexico	Last Name Gonzales
Zip Code 87501	Suffix: Ms.
Country: USA	Email: dolores.gonzales2@state.nm.us

**6. EMPLOYER IDENTIFICATION NUMBER (EIN):**  
 85-6000565

<b>8. TYPE OF APPLICATION:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <span style="border: 1px solid black; padding: 2px;">A</span>	<b>7. TYPE OF APPLICANT:</b> (See back of form for Application Types) State Other (specify)
---	---

**9. NAME OF FEDERAL AGENCY:**  
 US Department of Housing and Urban Development

<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE (Name of Program): Labor Management Cooperation Program 14-226	<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> Neighborhood Stabilization Program 3
---	--

**12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):**  
 Counties, Municipalities throughout the State of New Mexico


<b>13. PROPOSED PROJECT</b> Start Date: June 1, 2011	Ending Date: February 1, 2014	<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant Federal District 1, 2,3	b. Project Federal District 1, 2,3
--	----------------------------------	---	---------------------------------------

<b>15. ESTIMATED FUNDING:</b> a. Federal \$ 5,000,000.00 b. Applicant \$ .00 c. State \$ .00 d. Local \$ .00 e. Other \$ .00 f. Program Income \$ .00 g. TOTAL \$ .00	<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b> a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE: b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372 <input checked="" type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
--	--

**17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?**  
 Yes If "Yes" attach an explanation.  No

**18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.**

**a. Authorized Representative**

Prefix Ms.	First Name Dolores	Middle Name Christina
Last Name Gonzales		Suffix Ms.
b. Title Bureau Chief		c. Telephone Number (give area code) 505-827-4972
d. Signature of Authorized Representative 		e. Date Signed 2/28/2011



## INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:	Item:	Entry:																
1.	Select Type of Submission.	11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.																
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	12.	List only the largest political entities affected (e.g., State, counties, cities).																
3.	State use only (if applicable).	13.	Enter the proposed start date and end date of the project.																
4.	Enter Date Received by Federal Agency Federal identifier number: If this application is a continuation or revision to an existing award, enter the present Federal Identifier number. If for a new project, leave blank.	14.	List the applicant's Congressional District and any District(s) affected by the program or project																
5.	Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.																
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.																
7.	Select the appropriate letter in the space provided. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. State</td> <td style="width: 50%;">I. State Controlled</td> </tr> <tr> <td>B. County</td> <td>Institution of Higher Learning</td> </tr> <tr> <td>C. Municipal</td> <td>J. Private University</td> </tr> <tr> <td>D. Township</td> <td>K. Indian Tribe</td> </tr> <tr> <td>E. Interstate</td> <td>L. Individual</td> </tr> <tr> <td>F. Intermunicipal</td> <td>M. Profit Organization</td> </tr> <tr> <td>G. Special District</td> <td>N. Other (Specify)</td> </tr> <tr> <td>H. Independent School District</td> <td>O. Not for Profit Organization</td> </tr> </table>	A. State	I. State Controlled	B. County	Institution of Higher Learning	C. Municipal	J. Private University	D. Township	K. Indian Tribe	E. Interstate	L. Individual	F. Intermunicipal	M. Profit Organization	G. Special District	N. Other (Specify)	H. Independent School District	O. Not for Profit Organization	17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
A. State	I. State Controlled																		
B. County	Institution of Higher Learning																		
C. Municipal	J. Private University																		
D. Township	K. Indian Tribe																		
E. Interstate	L. Individual																		
F. Intermunicipal	M. Profit Organization																		
G. Special District	N. Other (Specify)																		
H. Independent School District	O. Not for Profit Organization																		
8.	Select the type from the following list: <ul style="list-style-type: none"> <li>• "New" means a new assistance award.</li> <li>• "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.</li> <li>• "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter:  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. Increase Award</td> <td style="width: 50%;">B. Decrease Award</td> </tr> <tr> <td>C. Increase Duration</td> <td>D. Decrease Duration</td> </tr> </table> </li> </ul>	A. Increase Award	B. Decrease Award	C. Increase Duration	D. Decrease Duration	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)												
A. Increase Award	B. Decrease Award																		
C. Increase Duration	D. Decrease Duration																		
9.	Name of Federal agency from which assistance is being requested with this application.																		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.																		



## NSP3 Action Plan Contents Checklist

The checklist below is an optional tool for NSP3 grantees to help to ensure that all required elements of the NSP3 Substantial Amendment or the Abbreviated Plan are submitted to HUD. This checklist only includes the minimum required elements that must be included in the NSP3 Action Plan and grantees may want to add additional details. This document must be protected, as described above, in order to use the checkboxes in this checklist.

### 1. NSP3 Grantee Information

Did you include the Program Administrator's name, address, phone, and email address?	Yes, page 1
--	-------------

### 2. Areas of Greatest Need

Does the narrative description describe how funds will give priority emphasis to areas of greatest need?	Yes, page 2 and Page 11
Does the narrative description specifically address how the funds will give priority emphasis to those areas:	
<ul style="list-style-type: none"> <li>With the highest percentage of home foreclosures?</li> </ul>	Yes, Page 2, by using mapping tool Subrecipients will be identifying areas with highest number of foreclosures
<ul style="list-style-type: none"> <li>With the highest percentage of homes financed by subprime mortgage related loan?; and</li> </ul>	Yes, Page 2, by using mapping tool Subrecipients will be identifying areas with highest percentage of subprime mortgages
<ul style="list-style-type: none"> <li>Identified by the grantee as likely to face a significant rise in the rate of home foreclosures?</li> </ul>	Yes, Page 2, by using mapping tool Subrecipients will be identifying areas significant rise in foreclosures
<a href="http://www.huduser.org/NSP/NSP3.html?">Did you create the area of greatest needs map at http://www.huduser.org/NSP/NSP3.html?</a>	Page 2, describes why no map was provided, on December 20, 2010 HUD released a policy alert allowing States to submit a second amendment by June 30, 2011 with the area's identified
Did you include the map as an attachment to your Action Plan?	
<i>ONLY Applicable for States:</i> Did you include the needs of all entitlement communities in the State?	Page 1, includes needs for the State of New Mexico as a whole.

### 3. Definitions and Descriptions

Are the following definitions and topics included in your substantial amendment?:	
<ul style="list-style-type: none"> <li>Blighted structure in context of state or local law,</li> </ul>	Yes, Page 6 - 7
<ul style="list-style-type: none"> <li>Affordable rents,</li> </ul>	Yes, Page 7
<ul style="list-style-type: none"> <li>Ensuring long term affordability for all NSP funded housing projects,</li> </ul>	Yes, page 7 - 8
<ul style="list-style-type: none"> <li>Applicable housing rehabilitation standards for NSP funded projects</li> </ul>	Yes, page 8- 9



#### 4. Low-Income Targeting

Did you identify the estimated amount of funds appropriated to provide housing that meets the low-income set aside target?	Yes, page 9
Did you provide a summary describing how your jurisdiction will meet its low-income set aside goals?	Yes, Page 9, Subrecipients will be required to submit a summary detailing the manner they will use to accomplish this goal

#### 5. Acquisition & Relocation

For all acquisitions that will result in displacement did you specify:	
<ul style="list-style-type: none"> <li>The planned activity,</li> </ul>	Yes, Page 9, no displacement anticipated
<ul style="list-style-type: none"> <li>The number of units that will result in displacement,</li> </ul>	Yes, Page 9, no displacement anticipated
<ul style="list-style-type: none"> <li>The manner in which the grantee will comply with URA for those residents?</li> </ul>	Yes, Page 9, however no displacement is anticipated

#### 6. Public Comment

Did you provide your draft of the NSP3 substantial amendment for a minimum of 15 days for public comment?	Yes, Page 21, Copy of publication is attached
Did you include the public comments you received on the NSP3 substantial amendment in your plan?	Yes, Page 21

#### 7. NSP Information by Activity

Did you include a description of all eligible NSP3 activities you plan to implement with your NSP3 award?	Yes, Pages 12-20
For each eligible NSP3 activity you plan to implement did you include:	
<ul style="list-style-type: none"> <li>Eligible use or uses?</li> </ul>	Yes , Page 12, 14,16, 18 and 19
<ul style="list-style-type: none"> <li>Correlated eligible CDBG activity or activities?</li> </ul>	Yes , Page 12, 14,16, 18 and 19
<ul style="list-style-type: none"> <li>Associated national objective?</li> </ul>	Yes , Page 12, 14,16, 18 and 19
<ul style="list-style-type: none"> <li>How the activity will address local market conditions?</li> </ul>	Yes , Page 12, 14,16, 18 and 19
<ul style="list-style-type: none"> <li>Range of interest rates (if any)?</li> </ul>	Yes , Pages 12, 14 and 16
<ul style="list-style-type: none"> <li>Duration or term of assistance?</li> </ul>	Yes , Page 12, 14,16, 18 and 19
<ul style="list-style-type: none"> <li>Tenure of beneficiaries (e.g. rental or homeowner)?</li> </ul>	Yes , Page 12, 14,16, 18 and 19

<ul style="list-style-type: none"> <li>• If the activity produces housing, how the design of the activity will ensure continued affordability?</li> </ul>	Yes , Page 12, 14,16, 18 and 19
<ul style="list-style-type: none"> <li>• How you will, to the maximum extent possible, provide for vicinity hiring?</li> </ul>	Yes , Page 14,16, 18 and 19
<ul style="list-style-type: none"> <li>• Procedures used to create affordable rental housing preferences?</li> </ul>	Yes, Page 9 and 16
<ul style="list-style-type: none"> <li>• Areas of greatest need addressed by the activity or activities?</li> </ul>	Will be provided with second amendment
<ul style="list-style-type: none"> <li>• Amount of funds budgeted for the activity?</li> </ul>	Yes , Page 12, 15,17, and 19
<ul style="list-style-type: none"> <li>• Appropriate performance measures for the activity (e.g. units of housing to be acquired, rehabilitated, or demolished for the income levels represented in DRGR) ?</li> </ul>	Yes , Page 13, 15,17, and 19
<ul style="list-style-type: none"> <li>• Expected start and end dates of the activity?</li> </ul>	Yes , Page 13, 15,17, and 19
<ul style="list-style-type: none"> <li>• Name and location of the entity that will carry out the activity?</li> </ul>	Unknown but addressed on pages 13, 15, 17 and 19

## 8. Certifications

Did you sign and submit the certification form applicable to your jurisdiction?	Yes, Attached
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## 9. Additional Documentation

Did you include a signed SF-424?	Yes, Attached
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