

**City of Oakland
HOME Investment Partnerships Program**

**Application for Certification as a
Community Housing Development Organization (CHDO)**

Name of Organization:	Contact: _____ Title: _____
Address:	Tel.: _____ Fax: _____ Email: _____
City, State, Zip:	Date: _____

Documentation

In order for the City of Oakland to determine if your organization is eligible for CHDO status, please provide the following documentation for your organization.

1) Legal Status

- Organization - Must be organized under State law as evidenced by
 - Articles of Incorporation or
 - State certification
- Statement of No Individual Benefit - No part of the CHDO's net earnings may benefit any member, founder, contributor or individuals, as evidenced by:
 - Articles of Incorporation or
 - Bylaws
- Tax-exempt ruling from the IRS under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986 (preferably a letter dated within the last 5 years);
- Purpose of Organization – Must include provision of decent housing affordable to low and moderate income people, as evidenced by:
 - Charter or Articles of Incorporation
 - By-laws
 - Resolution of the CHDO's Board of Directors
- Clearly Defined Geographic Service Area (service areas that comply may include, neighborhood(s) in the City of Oakland, the City of Oakland, Alameda County, or a metropolitan area that includes the City of Oakland);

2) Capacity and Experience

- CHDO must show that it complies with standards of financial accountability as per HUD 24 CFR 84.21, "Standards for Financial Management Systems" as evidenced by:
 - a notarized statement by the president or chief financial officer of the organization, or
 - a certification from a Certified Public Accountant.
- CHDO Capacity - CHDOs must demonstrate the capacity of their key staff to carry out the HOME-assisted activities they are planning, as evidenced by:
 - Resumes and/or statements that describe the experience of key staff members who have successfully completed projects similar to those to be assisted with HOME funds, or

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- Contract(s) with consultant firms or individuals who have housing experience similar to projects to be assisted with HOME funds, to train appropriate key staff of the organization.
- **PLEASE NOTE:** the CHDO must have paid staff (part-time staff is sufficient) whose experience qualifies them to undertake CHDO set-aside activities. Capacity cannot be demonstrated by the use of a consultant, except for the first year that a CHDO becomes certified.
- CHDO Experience - CHDO must demonstrate that it has at least one year of experience serving the community where it intends to develop HOME-assisted housing, as evidenced by:
 - a statement that documents at least one year of experience in serving the community; or
 - for newly created organizations formed by local churches, service or community organizations, a statement that documents that its parent organization has at least one year of experience in serving the community. The CHDO or its parent organization must be able to show one year of serving the community prior to the date the participating jurisdiction provides HOME funds to the organization. In the statement, the organization must describe its history (or its parent organization's history) of serving the community by describing activities which it provided (or its parent organization provided), such as, developing new housing, rehabilitating existing stock and managing housing stock, or delivering non-housing services that have had lasting benefits for the community, such as counseling, food relief, or childcare facilities. The statement must be signed by the president or other official of the organization.

3) Organizational Structure

- Maintains at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or elected representatives of low-income neighborhood organizations as evidenced by the organization's:
 - By-Laws,
 - Charter, or
 - Articles of Incorporation.
- Under the HOME program, for urban areas, the term "community" is defined as one or several neighborhoods, a city, county, or metropolitan area. For rural areas, "community" is defined as one or several neighborhoods, a town, village, county, or multi-county area (but not the whole state).
- Provides a formal process for 1) low-income, program beneficiaries to advise the organization in all of its decisions regarding the design, siting, development, and 2) participate in management of affordable housing projects, as evidenced by:
 - the organization's By-laws,
 - Resolutions, or
 - a written statement of operating procedures approved by the governing body.
- A CHDO may be chartered by a State or local government, but the following restrictions apply: (1) the State or local government may not appoint more than one-third of the membership of the organization's governing body; (2) the board members appointed by the State or local government may not, in turn, appoint the remaining two-thirds of the board members; and (3) no more than one-third of the governing board members are public officials (including any employees of the PJ), as evidenced by the organization's:

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- By-laws,
- Charter, or
- Articles of Incorporation.
- If the CHDO is sponsored or created by a for-profit entity, the for-profit entity may not appoint more than one-third of the membership of the CHDO's governing body, and the board members appointed by the for-profit entity may not, in turn, appoint the remaining two-thirds of the board members, as evidenced by the CHDO's:
 - By-laws,
 - Charter, OR
 - Articles of Incorporation.
- Housing is considered “sponsored” by the CHDO if the property is owned or developed by a wholly owned subsidiary of the CHDO, a limited partnership in which the CHDO or its subsidiary is the sole general partner, or a limited liability company in which the CHDO or its subsidiary is the sole managing member.

4) Relationship With For-Profit Entities

- A. The CHDO is not controlled, nor receives directions from individuals, or entities seeking profit from the organization, as evidenced by:
 - the organization's By-laws, OR
 - a Memorandum of Understanding (MOU).
- B. A Community Housing Development Organization may be sponsored or created by a for-profit entity, however:
 - the for-profit entity's primary purpose does not include the development or management of housing, as evidenced:
 - in the for-profit organization's By-laws AND;
 - the CHDO is free to contract for goods and services from vendor(s) of its own choosing, as evidenced in the CHDO's:
 - By-laws,
 - Charter, OR
 - Articles of Incorporation.

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Signature of CHDO's Authorized Representative:

I certify the information provided in this CHDO recertification application and all its attachments is true and correct to the best of my knowledge.

Signature

Date

Print Name

Title

Return CHDO Certification materials with your NOFA application. For questions or requests for clarifications please contact:

Shannon Bowman, HOME Program Coordinator
sbowman@oaklandca.gov

**City of Oakland
Community and Economic Development Agency
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612**

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**Board Member Combined Certification for
Community Housing Development Organization Status (CHDO)**

All Board Members must complete parts 1 AND 2 of this certification

1. Public Official Certification

For the purposes of 24 CFR Part 92 (HOME Investment Partnerships Program) a “public official” is defined as any person serving in any of the following capacities:

_____ By signing and dating this statement, I hereby certify that I DO NOT serve in any of the “public official” capacities stated below.

_____ By signing and dating this statement, I hereby certify that I DO serve in one of the “public official” capacities stated above (you must check at least one box below).

- An elected official – council member, alderman, commissioner, state legislator, school board representative, etc.
- An appointed public official – members of a planning or zoning commission, or any other regulatory and/or advisory commission appointed by the Mayor, City Manager, City Council or other official of the City of Oakland.
- An employee of the City of Oakland.
- A person appointed by a public official to serve on the board – any individual who is not necessarily a public official but who has been appointed by a public official (as described above).

2. Low Income Representation Certification

For the purposes of 24 CFR Part 92 (HOME Investment Partnerships Program) a person who does not serve as a “public official” in any elected or appointed capacity, and who meets any of the following characteristics is recognized as representing the low-income community (circle one)

_____ By signing and dating this statement, I hereby certify that I DO NOT represent the low income community in any of the ways stated below.

_____ By signing and dating this statement, I hereby certify that I DO meet the low income representation characteristic checked above (you must check at least box below).

- Lives in a low income area – where 51% or more of the households in my US Census tract have incomes at or below 80% of the median household income, as defined by HUD. My address is:

- Is an elected representative of the following low income area neighborhood organization:

- Has a household income at or below the 80% of the median household income for the area in which he or she lives, according to HUD.

Signature

Date

Printed Name