

# 2024 Disasters

## Housing Guidelines

Last updated March 31, 2026

Texas General Land Office  
Community Development and Revitalization



State of Texas

MARCH 2026



*Record of Changes*

This section describes changes made to this document.

<u>Number</u>	<u>Date</u>	<u>Section</u>	<u>Description</u>	<u>Initials</u>
1	03/10/2026	I	Revised language defining Urgent Need (UN).	HL
2	03/10/2026	II	Clarified that each reconstruction project will include mitigation measures, but rehabilitation projects will only include mitigation measures when appropriate given the approved scope of work	EC
3	03/10/2026	III.A	Modified language to state that all Housing Program activities must meet either the LMI, LMHI, or UN National Objective	HL
4	03/10/2026	III.B	Clarified HAP eligible activities – elevation not permitted with rehabilitation	AH
5	03/10/2026	III.B	Revised language to add lead-based paint and mold requirements for eligibility for HRP	HL
6	03/10/2026	III.C – Table 4	Edited Manufactured Housing Unit (MHU) reconstruction cap to \$450,000	AH
7	03/10/2026	III.C – Table 4	Increased radon cap to \$8K	AH
8	03/10/2026	IV.A	Simplified procurement requirements	HL
9	03/10/2026	IV.E	Simplified expenditure of funds	HL
10	03/10/2026	V.A.1	Removed provision of outreach materials in languages other than English	AH
11	03/10/2026	V.A.1	Removed Fair Housing logo requirement on all marketing materials	HL
12	03/10/2026	V.A.4	Removed section on website requirements – V.A.4 is now Environmental Requirements	HL
13	03/10/2026	V.A.4	Revised language for environmental requirements to reference ARP section	EO/JD
14	03/10/2026	V.A.6	Removed DRGR reporting requirements for household member disability status, familial status, and LEP, updated DRGR reporting requirements to include only applicant(s) and not all household members for age, race, and ethnicity, and added DRGR reporting requirements for applicant(s) gender	AH
15	03/10/2026	V.B.1.a.i	Revised warning statement regarding making fraudulent statements on housing applications to language on online application	AH
16	03/10/2026	V.B.1.a.ix	Revised language to reflect correct definition of UN – changed UN only to non-LMI throughout document	HL

17	03/10/2026	V.B.1.b.iii	Updated legal status requirements – added reasonable attempts and written documentation requirements for individuals under 18 who cannot provide proof of legal status, Declaration of Consent to Verification of Legal Status and Identity form, and cross-check of legal status document and information located in SAVE	AH
18	03/10/2026	V.B.1.b.iii	Updated legal status requirements – added reasonable attempts and written documentation requirements for individuals under 18 who cannot provide proof of legal status, Declaration of Consent to Verification of Legal Status and Identity form, and cross-check of legal status document and information located in SAVE	AH
19	03/10/2026	V.B.1.b.iv	Clarified that SAM.gov results will include fraudulent use of all federal funds, not just disaster recovery funds	EO
20	03/10/2026	V.B.1.b.v	Added TFPA to what will be in DOB Viewer and defined frequency of DOB Viewer updates	AH
21	03/10/2026	V.B.1.c.iii	Clarified that applicants seeking rehabilitation or reconstruction may have at least \$8K in remaining damage to their home	AH
22	03/10/2026	V.B.1.c.viii	Added the following regulatory citations regarding lead-based paint: EPA’s Renovation, Repair, and Painting Rule (40 CFR 745), Texas Environmental Lead Reduction Rules (25 TAC 295 I), and OSHA’s Lead In Construction Standard (29 CFR 1926.62 Lead)	AH
23	03/10/2026	V.B.1.b.ix	Added income limit for HAP – 200% of AMI	AH
24	03/10/2026	V.B.1.b.ix, V.B.1.b.x, V.B.2.a.ii, V.B.2.a.iv, VI	Removed use of Adjusted Gross Income (AGI) and added use of annual income for household income calculations	EO
25	03/10/2026	V.B.1.b.ix	Defined annual income	EO
26	03/10/2026	V.B.1.b.x	Updated link to annual income requirements for Proof of Insurance with AMI >120%	AH
27	03/10/2026	V.B.1.c.ix	Removed that do-it-yourself radon tests will be completed by the environmental inspector, as they can be completed by other parties based on program-specific policies and procedures	AH

28	03/10/2026	V.B.1.c.ix	Clarified that either a current negative mitigation monitoring system reading or a negative result from a do-it-yourself radon test is required in addition to a radon clearance report when a property is “at risk” and a mitigation system was previously installed	AH
29	03/10/2026	V.B.1.b.xi	Clarified that applicants must only show proof that they obtained and maintained flood insurance after receiving previous disaster assistance if their home is located in an SFHA/100-year floodplain	AH
30	03/10/2026	V.B.1.d, V.B.2.1.iii, VI	Removed separate mention of Subrogation Agreement, as it was combined with the Unsecured Forgivable Promissory Note	AH
31	03/10/2026	V.B.2.a.ii	Clarified that applicants are eligible for TRA if they have an annual income less than 80% of AMI, not greater than 80% of AMI as previously listed	AH
32	03/10/2026	V.B.2.a.vi	Removed notification requirement (1 month before expiration) for 10-year warranty	AH
33	03/10/2026	V.B.2.d.ii	Removed reference of a punch list, as all construction activity should either take place before the applicant signs the Post-Construction Verification form or be considered a warranty claim	AH
34	03/10/2026	V.B.3.a.i	Removed asbestos from HRP hazards requiring remediation	EO
35	03/10/2026	V.B.3.a.iii	Revised from Applicant Signing Event to Reimbursement Signing Event	EO
36	03/10/2026	V.B.3.b.i	Reimbursement Program – added dates from July 09, 2025, to September 07, 2025, for 60 60-day window for LMI-only applications	EO
37	03/10/2026	V.C	Revised language to include application dates and deadlines; grant financial structure requirements; HUD direct allocation to Houston/Harris County	EO/MZ

38	03/10/2026	V.C.1.	Revised language to include Project Delivery cap of 12% with a list of costs eligible for reimbursement	EO/MZ
39	03/10/2026	V.C.1.	Removed language regarding site control and acquisition costs	EO/MZ
40	03/10/2026	V.C.1	Added language to include a list of organizations with ownership and ownership requirements	EO/MZ
41	03/10/2026	V.C.1.	Removed language regarding mitigation measures	EO/MZ
42	03/10/2026	V.C.2	Inserted Eligibility Criteria for Award Consideration section and Table 9, defined score tie-breaker	EO/MZ
43	03/10/2026	V.C.3	Added Grant Award Process list	EO/MZ
44	03/10/2026	V.C.4.	Revised language to reflect acquisition and/or option contracts are ineligible for ARP	EO/MZ
45	03/10/2026	V.C.6	Added Eligible Applicant Requirement section	EO/MZ
46	03/10/2026	V.C.7	Added Ineligible Applicants section	EO/MZ
47	03/10/2026	V.C.10.a	Added language to Contracting Terms regarding subcontractors and the length of contracts	EO/MZ
48	03/10/2026	V.C.10.b	Added language regarding energy efficiency points for the application	EO/MZ
49	03/10/2026	V.C.10.b	Revised language regarding broadband requirements to meet new HUD guidelines	EO/JD
50	03/10/2026	V.C.10.c.	Added language regarding environmental review	EO/JD
51	03/10/2026	V.C.11	Added Payment and Performance Bonds section	EO/MZ
52	03/10/2026	V.C.14	Revised language regarding GLO inspectors. Added materialman's lien language	EO/MZ
53	03/10/2026	V.C.16	Revised language regarding the monitoring process	EO/JD

54	03/10/2026	V.C.19	Added the Inquiries section with contact information	EO/MZ
55	03/31/2026	V.C.1	Revised language to define adequately capitalized	EO/MZ
56	03/31/2026	V.C.1	Removed language regarding SAVE for ARP	EO/MZ
57	03/31/2026	V.C.11	Removed language under Labor Standards regarding bid and pre-construction conference attendance rosters	EO/MZ
58	03/31/2026	V.C.16	Added NSPIRE to requirements – also in definitions	EO/MZ

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***The GLO Housing Guidelines provide guidance on how to design, implement, and close a CDBG-DR Housing Program, and should not be construed as exhaustive instructions.***

## I. INTRODUCTION

### The Texas General Land Office (GLO) and Long-Term Disaster Recovery

The GLO’s Community Development and Revitalization department (GLO or ‘the state’) oversees the administration of Community Development Block Grant Disaster Recovery (CDBG-DR) funds allocated to Texas by the U.S. Department of Housing and Urban Development (HUD) following a disaster. CDBG-DR funds are a special appropriation from Congress associated with a Presidentially-declared disaster. The purpose of these funds is to build back stronger and more resilient communities.

From April 26 to June 5, 2024, Texas was impacted by widespread rain, intense winds, tornadoes, and flooding events, including Hurricane Beryl (“2024 Disasters”). HUD allocated \$555,687,000 in CDBG-DR funds to Texas to address unmet needs resulting from the events, with the majority of those funds earmarked to provide housing-related services for qualifying residents.

The GLO’s 2024 Disasters Housing Guidelines (“Housing Guidelines”) are associated with the following CDBG-DR funds:

**Table 1. Allocation Announcement Notice (AAN)**

<b>Federal Register (FR)</b>	<b>Date of Publication</b>	<b>Public Law(s)</b>	<b>Located at:</b>
90 Fed. Reg. 4759	01/16/2025	P.L. 118-158	<a href="https://www.govinfo.gov/content/pkg/FR-2025-01-16/pdf/2025-00943.pdf">https://www.govinfo.gov/content/pkg/FR-2025-01-16/pdf/2025-00943.pdf</a>

HUD identified the Most Impacted and Distressed (MID) counties resulting from the 2024 Disasters (Table 2) in the AAN. The GLO will complete 100 percent of its 2024 Disasters CDBG-DR Housing Program (“Housing Program”) activities in HUD MID counties.

**Table 2. Most Impacted and Distressed (MID) Counties**

<b>HUD Most Impacted and Distressed Counties</b>
Anderson, Bell, Brazoria, Caldwell, Cooke, Dallas, Denton, Fort Bend, Galveston, Guadalupe, Hardin, Hays, Henderson, Hockley, Jasper, Kaufman, Liberty, Matagorda, Montgomery, Newton, Polk, San Jacinto, Smith, Trinity, Tyler, Walker, Wharton

HUD also identified the following National Objectives in the AAN. The GLO must apply these National Objectives to all housing projects:

- Meet an Urgent Need (UN) by providing housing assistance to alleviate existing conditions that pose a serious and immediate threat to the health or welfare of the community, where the homeowner is unable to finance the activity on their own, and other sources of funding are not available.
- Benefit Low- to Moderate-Income Persons (LMI)

- Low- and Moderate-Income Housing (LMH): Benefiting low- to moderate-income persons by acquiring or rehabilitating property to provide housing that, upon completion, will be occupied by an LMI household.
- Low to Moderate Housing Incentive (LMHI): Benefiting low- to moderate-income persons by providing or improving residential structures that, upon completion, will be occupied by an LMI household.

All housing projects will meet UN criteria. At least 70 percent of funds designated for the Housing Program will serve LMI households. The GLO will administer the Housing Program with support from outside parties (vendors and developers). The Housing Guidelines provide a blueprint for designing, implementing, and closing the Housing Program. Questions regarding the Housing Guidelines should be directed to the GLO.

## **II. PROGRAM OBJECTIVES**

The Housing Program will provide relief for disaster survivors while complying with CDBG-DR requirements. Eligible activities under the Housing Program were designed to meet the following HUD objectives:

- Provide decent, safe, and sanitary single and multifamily housing. Construction projects will be high quality and durable.
- Mitigate the impact of future disasters. Each reconstruction project will include mitigation measures, and rehabilitation projects may include mitigation measures as appropriate to the approved scope of work.

## **III. PROGRAM DESIGN**

The state developed the Housing Program design using quantifiable and verifiable data from HUD, Federal Emergency Management Agency (FEMA), Small Business Association (SBA), Texas Division of Emergency Management (TDEM), and Texas Department of Housing and Community Affairs (TDHCA). The state also developed an Unmet Needs Assessment (see section III.A.2.) that allowed the state to determine how the 2024 Disasters impacted Texas residents with unmet needs.

### **A. Program Design Requirements**

#### **1. National Objectives**

As outlined in the Introduction section, all Housing Program activities must meet either the LMI, LMHI, or UN National Objectives.

## 2. Unmet Needs Assessment

The GLO created an Unmet Needs Assessment using quantifiable and verifiable data in HUD MID areas. The GLO considered the following income brackets in the Unmet Needs Assessment:

- 0% - 30% AMI – very low income (LMI)
- 31% - 50% AMI – low income (LMI)
- 51% - 80% AMI – moderate income (LMI)
- 80% - 120%+ AMI – non-LMI

### B. Housing Program Activities

Housing Program activities (Table 3) are included in the GLO’s approved Action Plan.

**Table 3. CBDG-DR 2024 Disasters Housing Program**

Programs and Eligible Activities	National Objective	Program Administrator
<b>Homeowner Assistance Program (HAP):</b> <ul style="list-style-type: none"> <li>• Rehabilitation</li> <li>• Reconstruction</li> <li>• If approved for rehabilitation or reconstruction:               <ul style="list-style-type: none"> <li>○ Hazard Mitigation</li> <li>○ Elevation</li> <li>○ Temporary Relocation Assistance (TRA)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• LMI</li> <li>• UN</li> </ul>	GLO
<b>Homeowner Reimbursement Program (HRP):</b> <ul style="list-style-type: none"> <li>• Reimbursement for homeowner repairs</li> </ul>	<ul style="list-style-type: none"> <li>• LMI</li> <li>• UN</li> </ul>	GLO
<b>Affordable Rental Program (ARP):</b> <ul style="list-style-type: none"> <li>• Rehabilitation</li> <li>• Reconstruction</li> <li>• New construction</li> </ul>	<ul style="list-style-type: none"> <li>• LMI</li> </ul>	GLO

Single family homeowners may apply to receive rehabilitation or reconstruction of, or reimbursement for repairs made to, disaster impacted homes. Rehabilitation and reconstruction services will be provided under the Homeowner Assistance Program (HAP). Reimbursement of costs for repairs undertaken by homeowners will be provided under the Homeowner Reimbursement Program (HRP). These programs have separate application processes. Applicants can either apply for HAP or HRP, but not both. If an applicant is deemed ineligible for HRP due to lead-based paint, mold, and/or elevation requirements, they may apply to HAP; however, they may not reapply to HRP after elevation and/or remediation/abatement processes are completed under HAP.

Multifamily developers may apply under the Affordable Rental Program (ARP) for rehabilitation, reconstruction, or new construction services to benefit disaster impacted renters.

All Housing Program applicants must meet eligibility standards to qualify for disaster assistance. Eligibility requirements are outlined in sections V.B. – V.C.

### C. Housing Assistance Caps

The GLO set assistance caps for all eligible Housing Program activities. Single-family housing assistance caps applicable to HAP and HRP are outlined in Table 4. Unit costs must be necessary, reasonable, allowable, and allocable, as defined in 2 CFR Part 200 Subpart E. Single-family housing assistance through HAP will be applied using a local composite bid derived during inspection. The composite bid process is outlined in section V.B.2.b.ii.

**Table 4. Single Family Housing Assistance Caps**

	Reimbursement	Rehabilitation	Reconstruction
<b><i>Stick-Built Homes</i></b>			
Non-Historic	\$75,000	\$90,000	\$450,000
Historic	\$75,000	\$175,000	\$550,000
<b><i>Non Stick-Built Homes</i></b>			
Manufactured Housing Unit	\$50,000	Not Eligible	\$450,000
<b><i>Project-Specific Costs</i></b>			
Elevation		Not Eligible	\$60,000
Water Well		\$20,000	\$20,000
Septic System		\$25,000	\$25,000
Accessibility		\$30,000	\$30,000
Lead-Based Paint/Asbestos/Mold		\$25,000	\$25,000
Radon		\$8,000	\$8,000
HOA/Local Code		\$65,000	\$65,000
Soft Costs*		\$5,000	\$7,000
<b><i>Public Services</i></b>			
Temporary Relocation Assistance (moving, lodging, and storage)		\$7,000 or 120 days	\$7,000 or 120 days

\* Direct costs specifically related to rehabilitation or reconstruction (utility disconnect or reconnect fees, permits, elevation certificate work, topographic survey costs, damage assessments/inspections, code inspections, homeowners insurance, flood insurance, unforeseen costs, etc.)

Multifamily housing assistance caps are outlined in Table 5. GLO-awarded funds may only be used to reimburse approved expenditures for hard construction costs including site work, direct construction costs, and other construction costs. Acquisition, and/or option contracts for the purchase and sale of real property, developer fees, soft costs, and financing costs will not be reimbursable under ARP.

**Table 5. Multifamily Housing Assistance Caps**

	Rehabilitation	Reconstruction	New Construction
<b><i>Multifamily Rental Housing (8+ Units)</i></b>			
Minimum Award Amount	\$500,000	\$500,000	\$500,000
Maximum Award Amount	\$7,500,000	\$7,500,000	\$7,500,000

**IV. FINANCIAL PROCEDURES**

**A. Procurement Requirements**

The GLO selected Housing Program vendors through an open, fair, uniform, and thorough process that ensured federal procurement requirements (2 CFR 200.317 and 24 CFR 570.489(g)) and state, local, and agency procurement law and policies were met.

**B. Conflict of Interest**

The GLO is required to have a conflict-of-interest policy that complies with the requirements of 24 CFR 570.489(g), (h), (l), and subparagraphs II.A.1.b(i) and II.A.1.d of HUD’s Universal Notice (90 Fed. Reg. 1754, 1764). This policy prohibits vendors who carry out work related to, make decisions related to, or gain inside information about CDBG-DR activities from directly benefiting from these activities or providing benefit to those with whom they have family (parents, grandparents, siblings, and children) or business ties. The conflict-of-interest policy is applied during the vendor’s tenure and for one year thereafter.

The GLO can consider granting an exception to the conflict-of-interest provision if the GLO determines that the vendor adequately and publicly addressed all concerns generated by the conflict of interest and an exception would serve to further the purposes of Title I of the Housing and Community Development Act of 1974 and the effective and efficient administration of the program. A vendor should not enter into a conflict of interest until the GLO receives and approves justification in accordance with applicable procurement laws.

**C. Audit Requirements**

Vendors employed by the GLO will be required to comply with the requirements of their executed contracts. The GLO has developed audit procedures to verify the accuracy of information provided by the public and monitor vendor activity. The GLO employs an internal auditor to provide programmatic and financial oversight of GLO and vendor activities. The GLO will complete a capacity assessment and staffing analysis that identifies potential areas of risk and determines how capacity gaps and gaps in training and technical expertise will be addressed. These audit requirements will support the GLO’s

efforts to verify all information provided by applicants and detect and prevent fraud, waste, and abuse of federal funds.

All GLO and vendor employees must attend fraud-related training provided by the HUD Office of Inspector General (OIG). The GLO must inform HUD and OIG in writing of any credible evidence of fraud, bribery, or gratuities that breaks Federal criminal law. All other instances of fraud, waste, and abuse can be referred to the HUD OIG Fraud Hotline (1-800-347-3735).

#### **D. Section 3 Requirements**

Section 3 of the Housing and Urban Development Act of 1968, as amended, requires the GLO to ensure that training, employment, and other economic opportunities generated by certain HUD financial assistance be directed, to the greatest extent feasible, and consistent with existing federal, state, and local laws and regulations, to low- and very low-income persons. The GLO will report Section 3 information on an annual basis.

#### **E. Expenditure of Funds**

The GLO is required to use HUD's Disaster Recovery Grant Reporting System (DRGR) to draw funds. The GLO will enter all activities from its approved Action Plan into the DRGR system. The GLO will update DRGR with quarterly records of performance (Quarterly Performance Report or "QPR"). The GLO will also report program income information as required.

### **V. PROGRAM IMPLEMENTATION**

#### **A. HUD Universal Notice Requirements for All Housing Programs**

##### **1. Marketing Plan**

As prescribed by the Americans with Disabilities Act (ADA), the GLO will provide accommodations during the program outreach, intake, and applications processes for persons with disabilities such as holding meetings in accessible buildings, providing a sign language or language interpreter, and/or providing special devices for the visually impaired, when requested. Every effort will be made to assist such applicants during the entirety of their program participation.

The GLO will regularly evaluate marketing and outreach activities. The GLO will retain all marketing and outreach materials and data and make them available to the public upon request.

##### **2. Displacement of Persons and/or Entities**

Displaced people, regardless of income, can receive benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("URA" or "Uniform Relocation Act"). URA applies to both temporary (during construction activities) and permanent (one year or greater) displacement. However, displacement due to the GLO's Housing Programs is always temporary in nature. Temporary Relocation Assistance (TRA) is outlined in section V.B.2.a.ii.

The GLO established a Residential Anti-displacement and Relocation Assistance Plan (RARAP) to minimize displacement, provide assistance to displaced individuals, and help meet the

disability-related needs of the displaced. The RARAP emphasizes the GLO's commitment to planning construction activities that allow tenants to remain in their dwellings as long as possible, prioritizing the rehabilitation of empty units or buildings, and prioritizing the rehabilitation of housing rather than demolition to avoid displacement. Additionally, the RARAP includes adopting tax assessment policies (e.g., deferred tax payment plans) to reduce the impact of increasing property tax assessments on lower income owner-occupants or tenants, and/or targeting only properties deemed essential to the project.

### **3. Mitigation Requirements**

Mitigation activities are defined as activities that “increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to, and loss of property, and suffering of hardship, by lessening the impact of future disasters.” The GLO will integrate mitigation activities into each single- and multi-family reconstruction project and rehabilitation projects may include mitigation measures as appropriate to the approved scope of work. Examples of mitigation activities include elevation of the first floor of habitable area, retrofitting, and the use of green infrastructure, breakaway ground floor walls, impact-resistant windows, fiber cement siding, hurricane straps, wind-rated structures and roofs, storm shutters, etc.

### **4. Environmental Requirements**

The GLO must complete an Environmental Assessment of the HUD MID areas that complies with 24 CFR 58 and Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA) and issue a Finding of No Significant Impact (FONSI). No commitment or disbursement of funds will occur prior to the completion of this review.

This assessment will be tiered in accordance with 24 CFR 58.15. Broad Review will identify potential effects of single- and multi-family rehabilitation, reconstruction, and elevation activities at a county-wide level and ensure their compliance. If compliance cannot be determined in the Broad Review, then the GLO will define a strategy for how compliance will be determined and how impacts will be mitigated during Site-Specific Review. Site-Specific Review requirements are outlined in section V.B.1.c.vi.

### **5. Complaints and Appeals Process**

The GLO accepts complaints and appeals from applicants and community stakeholders. Complaints are generally related to a dispute over a program policy or experience. Appeals are generally a contest of ineligibility, award type, or award amount. Contests of maximum assistance amounts should be considered appeals and will be reviewed on a case-by-case basis. The GLO uses a 2-tiered complaints and appeals process. Complaints and appeals are first submitted to the GLO's vendors for resolution. If a resolution is not reached with the vendor, then stakeholders may submit a secondary complaint or appeal directly to the GLO. Secondary complaints and appeals can be submitted via the GLO hotline (844-893-8937), the GLO inbox ([CDR@recovery.texas.gov](mailto:CDR@recovery.texas.gov)), the GLO's online form (<https://www.glo.texas.gov/disaster-recovery>), or by mail.

The GLO will acknowledge receipt of all incoming complaints and appeals within five (5) business days. The GLO will then research the complaint or appeal to determine whether it pertains to a GLO application. The GLO will confirm whether additional information is needed from the complainant or the appellant. The GLO will then identify a path to resolution and continue to follow the complaint or appeal until that resolution is reached. Before closing most complaints (simple vendor complaints that do not require extensive research or follow-up are excluded), the GLO must issue a formal resolution letter to the complainant or appellant. The GLO will attempt to provide this letter within ten (10) business days, where possible. If additional time is needed, then the GLO will provide updates to complainants or appellants at least two (2) times per month.

The GLO will document all complaints and appeals information (complainant or appellant contact information and application ID, related program documents, documentation submitted by complainant or appellant, call records, emails, letters, review notes, guidance provided to vendor, builder, or GLO staff related to resolution, date of closure, any other action taken, etc.) in the GLO's system of record (TIGR).

## **6. Additional Reporting Requirements**

In addition to financial information, the GLO must also enter project summaries, monitoring reports, and technical assistance reports into DRGR. For direct benefit activities, the GLO must report the property address, whether the household is LMI, and the race, gender, and the ethnicity of the applicant(s) in DRGR. The GLO must also enter mitigation performance measures (e.g., when a structure constructed in the floodplain is elevated) into the DRGR system.

## **B. Single Family Housing Programs**

Primary eligible activities under the Single Family Housing Programs include rehabilitation of a disaster-impacted home, reconstruction of a disaster-impacted home or manufactured housing unit (MHU), and reimbursement for disaster-related home repairs. Individuals who are deemed eligible for rehabilitation may also benefit from secondary eligible activities such as demolition, hazard mitigation, and/or TRA. In addition to the secondary activities possible with rehabilitation, individuals who are deemed eligible for reconstruction may also receive elevation. Secondary eligible activities will not be made available unless a primary eligible activity has been approved.

### **1. Program Requirements**

#### **a. Application Intake and Case Management**

##### **i. Application Announcement and Intake**

The GLO will use their website and social media to announce the date that Single Family Housing Program applications will open. All applicants must submit a signed and dated application, which will be assigned a unique application ID. The application can either be submitted virtually via the GLO's online application portal or delivered to one of the GLO's Regional Offices in paper form. The GLO must enter all paper applications into the GLO's online portal within 24 hours of receipt. The GLO's vendors will manually update the submission date of the virtual application to reflect the date that the paper application

was received. Program funding is limited. Applications will be processed on a first come, first served basis based on the submitted by date of the complete application.

Both virtual and paper applicants must include a signed and dated acknowledgment page that includes the following statement: “Warning: By signing this application, the applicant(s) authorizes the state or any of its duly authorized representatives to verify the information contained herein, including this section. Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government.

The GLO will be available to assist with application intake. Intake staff will be trained in all housing recovery activity requirements. Intake staff will also provide applicants with referral services (HUD Certified Housing Counselors, Legal Aid, community non-profits, etc.), where appropriate. Hearing impaired, visually impaired, and LEP applicants must be provided with translation and interpretation services, as required by 24 CFR §8.6 and the effective communication requirements under section 504 and the Americans with Disabilities Act. The GLO’s vendors will arrange home visits to assist homebound applicants with their application intake needs.

## **ii. Case Management**

The GLO will provide one-to-one case management from the time of application until the close-out of the file. The applicant will be provided with direct contact information (phone number and email address) for their case manager. The case manager will remain consistent throughout the application process. If an applicant’s case manager is no longer available, another one will be assigned. The new case manager must contact the applicant and provide their direct contact information within three business days. Case managers will be required to contact each applicant via their preferred method of contact (email or phone) any time a document is required or the status of the application changes. At a minimum, case managers must make contact once every 30 days. Case managers will document all applicant interactions in TIGR.

## **iii. Alternate Methods for Checking Application Status**

The GLO will ensure that all applicants are provided with multiple methods to check their application status in a timely manner. In addition to direct contact with their case manager, applicants can view their current application status through the GLO’s online portal. The online portal will automatically notify the applicant via email every time the application status changes. Applicants can also contact the GLO’s hotline at 844-893-8937 or the GLO’s email inbox at [CDR@recovery.texas.gov](mailto:CDR@recovery.texas.gov) for assistance with their application status.

## **b. Applicant Eligibility Requirements**

### **i. Location of Damaged Address**

The damaged address must be located in one of the HUD MID areas in Table 2 for the property to be eligible for assistance. If the damaged address is located outside of the HUD MID areas, then the applicant will be made ineligible.

Applicants located in City of Houston's extraterritorial jurisdiction (ETJ) and/or Harris County will not be eligible for GLO assistance. HUD allocated funding directly to the City of Houston and Harris County so that they may develop and administer their own disaster recovery programs for the 2024 Disasters.

### **ii. Proof of Identity**

The GLO must make every effort to obtain a valid form of identification for all applicants, additional owners, and household members. Identification cannot be expired. Acceptable forms of proof of identity include:

- Texas driver license or Texas Identification Card,
- Other State/Government-issued ID,
- Passport,
- Department of Homeland Security of U.S. Citizenship and Immigration Status documents,
- U.S. military ID card for active duty, reserve, or retired personnel,
- Birth Certificate (**only** for children under 18 years of age with **no other photo identification available**).

If the GLO is initially unable to obtain identification from all applicants, additional owners, and household members, then they will obtain the reason in writing. The GLO will not provide a public benefit to any applicant, additional owner, or household member aged 18 and over who cannot provide proof of identity.

The GLO must also make every effort to verify the identity of all applicants, additional owners, and household members in person using the Verification of Identity and Legal Status form. One form will be completed per household. This step will not be required for any household member under the age of 18 who cannot provide proof of identification (confirmed in writing). The file will also not be made ineligible if the identity of a household member under the age of 18 has not been verified by the time of the Pre-Construction Conference and every effort has been made to do so. However, the GLO will not provide a public benefit to any household that has an applicant, additional owner, or household member aged 18 and over who does not verify their identity in person.

The information on identification documents, such as name and date of birth, must match the information included on the application forms. If an applicant, additional owner, and/or household member's name listed on the identification is different than the name listed on

other submitted documents, then he/she must complete a Declaration of One and Same Person.

### **iii. Proof of Legal Status**

As outlined in the HUD Memorandum 25-03 (March 31, 2025) revisions to 90 Fed. Reg. 1754, the GLO must make every effort to obtain proof of legal status for all applicants, additional owners, and household members. Proof of legal status must not be expired. Acceptable forms of proof of legal status include the following:

- Social Security Card,
- USCIS/Alien Registration Number (A-Number),
- Form I-94, Arrival/Departure Record Number,
- Student and Exchange Visitor Information System (SEVIS) ID number,
- Naturalization/Citizenship Certificate Number,
- Card number/I-797 Receipt number,
- United States Visa Number

Applicants, additional owners, and household members should submit as many of these documents as possible.

Each applicant, additional owner, and household member must also submit a signed Declaration of Consent to Verification of Legal Status and Identity. The form may be prepared and signed by a guardian if the individual is under the age of 18 or is otherwise incapacitated. In the Declaration of Consent to Verification of Legal Status and Identity, the individual must attest that they entered the United States legally and are lawfully present in the country. An application will not be approved for award if any applicant, additional owner, or household member refuses to submit a Declaration or submits a Declaration that does not confirm they entered the country legally and are lawfully present in the country.

If the GLO is initially unable to obtain legal status documentation from all applicants, additional owners, and household members, then they will obtain the reason in writing. The GLO will not provide a public benefit to any applicant, additional owner, or household member aged 18 and over who cannot provide all required legal status documentation.

The GLO will use legal status documentation to verify legal status using the Department of Homeland Security's (DHS) Systematic Alien Verification for Entitlements (SAVE) system. Results will be recorded on the Verification of Identity and Legal Status form. One form will be completed per household. If deemed necessary by SAVE, then the GLO may require additional documentation to further verify legal status. More information about SAVE documentation requirements can be found at <https://www.uscis.gov/save/current-user-agencies/commonly-used-immigration-documents>. If SAVE confirms an unlawful legal status for any applicant, additional owner, or household member run through the system, then the application will be made ineligible.

#### **iv. Previous Fraud**

Applicants who have been federally prosecuted for the fraudulent use of federal funds will not be eligible for assistance. The GLO will use SAM.gov to confirm federal ineligibility status. More information about SAM.gov can be found at <https://sam.gov/>.

#### **v. Proof of Disaster Tieback**

Applicants must have damage that ties back to the 2024 disasters to be eligible for assistance. The GLO will take the following steps to determine tieback:

- The GLO will maintain a Duplication of Benefits (DOB) database that includes FEMA, SBA, National Flood Insurance Program (NFIP), Texas Windstorm Insurance Association (TWIA), and Texas Floodplain Administrators (TFPA) claims data. This database will be updated as frequently as data is made available to GLO. The DOB database will be the primary source used to determine tieback. If the applicant received funds from FEMA, SBA, NFIP, TWIA, or TFPA, then the GLO will use the distribution of these funds as proof of disaster tieback.
- If there is no claims data listed for the applicant's address in the DOB database, but the applicant provides a FEMA, SBA, NFIP, TWIA, or insurance claims number on their application for the same address, then the applicant can submit an award letter corresponding to the claim to substantiate disaster tieback.
- If there is no DOB database information or award letter available, or if the applicant's original claim was denied due to lack of disaster tieback, then the GLO will complete a tieback inspection of the home to confirm whether disaster-related damage is present. The GLO will complete the project's Disaster Tieback Inspection Checklist and include supporting photographs of storm tieback. GLO inspection staff must be certified and/or licensed (e.g. HQS certification, TREC license, or similar credentials).
- If the GLO determines that disaster tieback is inconclusive after the tieback inspection, then the applicant can submit additional documentation to support their tieback claim. This documentation can include dated photographs or videos of the disaster, neighborhood media reports that tie the disaster to the specific area where the home is located, and/or third-party reports from disaster recovery agencies not listed above. Documentation should show how the damaged address was directly impacted by the disaster. Broad county-wide declarations of disaster will not be considered. Supplemental documentation will be considered on a case-by-case basis.

#### **vi. Proof of Primary Residence**

Applicants must have maintained a primary residence at the damaged home during the time of the disaster to be eligible for assistance. Per HUD guidance, a "primary residence" refers to a dwelling where an owner maintains or will maintain their permanent place of abode, and which the owner typically occupies or will occupy for the majority of the calendar year. As outlined in 42 U.S.C. 5305(a)(4), properties that served as a secondary home at or

after the time of the disaster are not eligible for assistance. Vacation and rental properties are considered secondary homes.

Applicants can demonstrate primary residence through property tax homestead exemptions. If the GLO identifies that an applicant owns multiple properties in the state of Texas, then the GLO may ask for additional documentation to support primary residence at the home in question.

Applicants may also use alternate forms of documentation to prove primary residence, including utility bills (electric, phone, water, etc.) that were active at the time of the disaster and display consistent use, voter registration cards, credit card statements, bank account statements, tax returns, driver's licenses or state/government issued ID, homeowners insurance policy declarations pages, and rental agreements. Alternate forms of primary residence must be accompanied by a signed and notarized Affidavit of Primary Residence form.

### **vii. Proof of Ownership**

Applicants must own the damaged property to be eligible for assistance and provide documentation evidencing ownership interest in the property. Primary forms of ownership documentation include:

- A valid Warranty Deed that has been recorded in the records of the county in which the home is located; or
- For MHUs:
  - A Statement of Ownership from the Texas Department of Housing & Community Affairs (TDHCA), file-stamped to show recordation in the records of the county in which the MHU and underlying lot are located; and
  - Proof that the MHU is considered real property fixed to the lot:
    - Wheels and axel must be removed; and
    - SOO must be filed with TDHCA.

Applicants may also provide one or more alternate forms of ownership documentation for GLO consideration on a case-by-case basis. Alternate ownership documentation must be accompanied by a signed and notarized Affidavit of Ownership form. Alternate forms of ownership documentation must show the applicant's ownership interest in the property at the damaged address. The GLO may request additional information (e.g., utility bills in the applicant's name at the damaged address that show consistent use) to support alternate forms of ownership. Alternate forms of ownership documentation include:

- A Last Will and Testament devising an ownership interest to the applicant, that has been filed in the records of the county in which the home is located;

- Documentation establishing a life estate property interest in the damaged home by the applicant (for HAP projects, parties holding remainder interests in the property must complete Affidavit of Additional Owner Consent forms);
- Trust instrument in which the damaged home is named as a trust asset and the applicant is a named beneficiary;
- A contract for deed;
- A 99-year lease;
- A Court Order granting to the applicant an ownership interest in the damaged home;
- An Affidavit of Heirship, signed, notarized, and recorded in the records of the county in which the property is located, naming the applicant as an heir to an ownership interest in the damaged home;
- A Deed of Trust or mortgage documentation for the damaged home; and
- Property tax records in the applicant's name for the damaged home from the most recent taxable year.

For HAP projects, if there is any owner of the damaged property that is not also named as an applicant on the application, then the owner must provide a signed and notarized Affidavit of Additional Owner Consent allowing the applicant(s) to participate in HAP and act as the owner's authorized representative(s) in relation to the property.

If primary or alternate forms of ownership documentation are not already established at the time of the disaster, then the GLO may consider documentation that an applicant submits during Eligibility Review, Project Setup, and Project Review processes. The GLO will not accept additional ownership documentation after the Project Review process is completed.

#### **viii. Proof of Mortgage Payment and Lender Consent**

An applicant who has an active mortgage on their damaged property must be up to date on their mortgage payments to be eligible for assistance. An applicants must provide a statement from their mortgage lender that clearly documents they are not more than 30 days delinquent in the payment of their mortgage. An applicants seeking rehabilitation or reconstruction of their home through HAP must also provide proof of lender consent through a signed Lender Consent to Applicant Home Repair form to be eligible for assistance.

#### **ix. Proof of Income**

The GLO will use at least 70 percent of funds designated for Housing Programs to serve LMI households. The remainder of the funds may be used to serve non-LMI households. The GLO will determine an applicant household's annual income and use it to identify the

household's percentage of AMI using the most current HUD Home limits available at the time of Eligibility Review. HUD posts these income limits online at <https://www.huduser.gov/portal/datasets/il.html>.

To determine annual income, the GLO will require the following documentation from each household member over 18 years of age:

- One of the following:
  - A signed and filed tax return (IRS form 1040 or 1040-SR, as applicable) from the most recent taxable year;
  - Pay stubs covering the previous three full months and a signed Form 1408, Verification of Employment;
  - A signed statement from each current employer of the household member stating the household member's wage and frequency of payment and a signed Form 1408, Verification of Employment; or
  - A signed Declaration of Zero Income form.
- And all of the following, if applicable:
  - A signed Form 14.09, Verification of Income from Business, and supporting documentation;
  - A signed Form 14.10, Verification of Social Security Benefits, and supporting documentation;
  - A signed Form 14.11, Verification of Pension and Annuities, and supporting documentation;
  - A signed Form 14.16, Verification of Recurring Cash Contributions, and supporting documentation; and
  - Letters of benefits that verify the amount of each additional, regularly recurring monetary benefit received by the household member (disability, retirement, TANF, pension or annuity, etc.) that are not otherwise captured in the forms listed above, prepared by the sources of the benefits (e.g. disability insurer, Texas Health and Human Service Commission, retirement fund manager, trustee) no more than 90 days prior to the filing of the application.

After 60 percent of funds have been obligated, non-LMI applicants may be placed on hold until the GLO meets LMI targets. Non-LMI applicants will be deemed ineligible once the GLO reaches the 30 percent non-LMI funding target.

**x. Proof of Flood Insurance for Applicants who had AMI >120 percent and Resided in the Floodplain at the Time of the Disaster**

Applicants who resided in the floodplain and had an annual income totaling greater than 120 percent of AMI of at the time of the disaster event (see Table 6) must provide proof that they had in place at the time of the storm, and have maintained, an active flood insurance policy to be eligible for assistance.

**Table 6. 2024 Disaster Incident Periods**

<b>Disaster</b>	<b>DR #</b>	<b>Disaster Incident Period</b>
Texas Hurricane Beryl	DR-4798-TX	July 05, 2024 – July 09, 2024
Texas Severe Storms, Straight-line Winds, Tornadoes, and Flooding	DR-4781-TX	April 26, 2024 – June 05, 2024

The GLO will determine annual income and percentage of AMI using the procedure described at <https://www.glo.texas.gov/sites/default/files/resources/cdr/documents/grant-administration/grant-implementation/housing/housing-administration/flood-grant-administration/2h-adjusted-gross-income-hh.xlsx>. However, if the disaster incident period differs from the dates of service covered by the income documents used for eligibility verification, as described in V.B.1.b.ix., then the GLO will require additional disaster-specific income documentation from the applicant. This ensures that flood insurance requirements are applied based on the household income at the time of the disaster.

When appropriate and as requested by the GLO, each household member over 18 years of age must provide:

- One of the following:
  - A signed and filed tax return (IRS form 1040 or 1040-SR, as applicable) for the taxable year 2024;
  - Pay stubs covering the three full months immediately prior to the incident period of the corresponding disaster (e.g., May 2024 – July 2024 for Texas Hurricane Beryl) and a signed Form 1408, Verification of Employment;
  - A signed statement from each employer of the household member at the time of the corresponding disaster, stating the household member’s wage and frequency of payment as of the date of the disaster event, and a signed Form 1408, Verification of Employment; or
  - A signed Declaration of Zero Income form for the incident period of the disaster event.

- And all of the following covering the incident period of the disaster event, if applicable:
  - A signed Form 14.09, Verification of Income from Business, and supporting documentation;
  - A signed Form 14.10, Verification of Social Security Benefits, and supporting documentation;
  - A signed Form 14.11, Verification of Pension and Annuities, and supporting documentation;
  - A signed Form 14.16, Verification of Recurring Cash Contributions, and supporting documentation; and
  - a) Letters of benefits that verify the amount of each additional, regularly recurring monetary benefit received by the household member (disability, retirement, TANF, pension or annuity, etc.) at the time of the disaster that are not otherwise captured in the forms listed above, prepared by the sources of the benefits (e.g. disability insurer, Texas Health and Human Service Commission, retirement fund manager, trustee) no more than 90 days prior to the filing of the application.

#### **xi. Flood Insurance for Individuals Who Received Previous Disaster Assistance**

Section 582(a) of the National Flood Insurance Reform Act of 1994, as amended (42 U.S.C. 5154a), requires the owner of any property where Federal flood disaster assistance was previously provided to immediately obtain and maintain flood insurance on that property if the. This requirement transfers from property owner to property owner. The GLO will use the GLO's DOB database to determine the most recent Federal disaster assistance provided to the damaged address. Applicants must provide proof that either they or then current property owner(s) obtained flood insurance within 30 days after the assistance was issued and maintained that insurance until the date of application to a Housing Program. This documentation must be accompanied by a signed Declaration of Insurance. The GLO will not consider situations where the applicant or other property owner(s) had any lapse in a required flood insurance policy. The GLO will also not consider exceptions based on documented hardship. Applicants without continuous coverage will be deemed ineligible for assistance.

If applicants state that they did not have flood insurance at the time of the relevant 2024 disaster, then they must indicate this on a signed Declaration of Insurance. The GLO will not consider exceptions based on documented hardship in the year of the disaster.

#### **xii. Proof of Property Tax Payment**

Applicants must be up to date on their property taxes for the damaged property to be eligible for assistance. An applicant must provide a statement from the local Tax Assessor's office that clearly documents they are not delinquent on any property taxes assessed on the property for which the applicant is requesting Housing Program assistance.

If an applicant is not current on their property tax obligations, then the applicant may submit any of the following alternate forms of documentation:

- A signed property tax payment plan with the local Tax Assessor’s office and a statement clearly documenting that the applicant is current on their obligations under the plan at the time of filing the application under a Housing Program; or
- Documentation of a tax deferral granted by the chief appraiser for the county appraisal district (CAD) in which the damaged property is located, as allowed under Texas Tax Code sections 33.06 or 33.065.

Additionally, if the household has gone through bankruptcy and the payment of property taxes was a requirement of the bankruptcy court’s order, then the applicant must provide all documentation associated with the bankruptcy and documentation of the property tax payments.

**xiii. Proof of Child Support Payment**

Pursuant to Texas Family Code §231.006, any individual who is more than 30 days delinquent in paying child support is not eligible to receive payments from a state office. Each household member over the age of 18 must submit a signed and notarized Affidavit of Child Support, attesting that the household member is either not required to pay child support or is required to pay child support and is no more than 30 days delinquent in their child support obligations. An application will not be approved for award if a qualifying household member refuses to submit an affidavit or is delinquent on child support obligations and cannot remedy the delinquency before final Project Review. A household member with child support obligations must provide a formal payment plan from the Office of the Texas Attorney General (OAG) that is signed by all applicable parties and proof that child support payments are up to date at the time of Eligibility Review.

**c. Site Eligibility Requirements**

**i. Unit Location**

The housing unit must be located in a HUD MID area (see Table 2) to be eligible for assistance. Units that map outside of the HUD MID areas will automatically be deemed ineligible for assistance.

**ii. Unit Types**

The GLO will only serve single family units under its Single Family Housing Programs. The GLO will reference the CAD record for the property to determine the unit types and number of units present. Properties with multiple housing units and properties with single family units that share a common wall (e.g., duplexes, townhomes, semi-detached homes, homes with attached commercial units, and homes with attached rental units) will automatically be deemed ineligible for assistance. The GLO will allow multiple MHUs on

a property if all other MHUs have different owners (not the applicant(s)) and are not located within the construction zone of the damaged home.

MHUs will only be eligible for reconstruction or reimbursement, not rehabilitation. Reconstructed MHUs will be replaced with stick-built homes.

### **iii. Unmet Needs**

Only applicants with an unmet need related to the 2024 disasters will be eligible for assistance. The GLO will determine unmet need using the GLO's DOB database, other disaster recovery claims data provided by the applicant, the Statement of Repairs and supporting documentation supplied by the applicant(s), the GLO Estimated Cost of Repairs (ECR) supplied by the GLO, and/or the GLO Damage Repair Valuation (DRV) supplied by the GLO. The GLO will complete a DOB analysis using the GLO's DOB Calculation Workbook.

Applicants seeking rehabilitation or reconstruction who have less than \$8,000 in remaining damage to their home will not be eligible for assistance. Applicants seeking rehabilitation or reconstruction with a positive DOB amount who choose not to take a reduction in their approved Scope of Work (e.g., reduction in number of bedrooms, square footage, replacement of nonessential components like tile floors for laminate floors, etc.) and cannot provide proof of funds to cover the cost of that DOB will not be eligible for assistance. Applicants seeking reimbursement with a positive DOB amount will not be eligible for assistance.

- **Statement of Repairs**

Applicants must provide a signed Statement of Repairs at the time of application that lists all disaster-related repairs they completed since the disaster occurred, the cost of the repairs, and whether or not the repairs can be substantiated with a receipt. The GLO will not consider repairs made after the date of the signed Statement. Applicant(s) must complete a Declaration Concerning Independent Repairs confirming that they understand they cannot make additional repairs to their home. Applicants must also provide receipts to support their purchases. If a home is damaged by a subsequent Presidentially-declared natural disaster and the applicant lost their receipts due to the damage the disaster caused, then the GLO will accept a Statement of Repairs without receipts.

- **Estimated Cost of Repairs (ECR)**

For applicants seeking rehabilitation or reconstruction under HAP, the GLO will visit the damaged home to complete a damage inspection. Applicant(s) must sign a Right of Entry Release Form allowing GLO inspection staff to enter their property. GLO inspection staff must be certified and/or licensed (HQS certification, TREC license, or similar credentials). GLO staff will take photographs of the high-water mark on the

home and all disaster-related damage. They will create an ECR using standard pricing set by the GLO and Xactimate software. The ECR will list all damaged features of the home and their associated estimated values. Damaged features will include those that were not damaged by the 2024 Disasters, but still require repair to meet local code and Texas Real Estate Commission (TREC) requirements. The ECR will total the amount of estimated damage left to repair.

- **Damage Repair Valuation (DRV)**

For applicants seeking rehabilitation, reconstruction, or reimbursement, the GLO will visit the damaged home to complete a damage repair inspection. GLO inspection staff must be certified and/or licensed (HQS certification, TREC license, or similar credentials). GLO staff will take photographs of all repairs listed on the Statement of Repairs. They will create a DRV using standard pricing set by the GLO and Xactimate software. The DRV will list all repaired features of the home and their associated estimated values. It will total the amount of damage that has already been repaired.

- **Duplication of Benefits Analysis**

Section 312 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5115) prohibits individuals from receiving additional federal assistance for damaged property when they have already received federal assistance for the property. A household's DOB amount (also referred to as GAP amount when related to rehabilitation or reconstruction projects) is the difference between the amount of disaster assistance the household already received for the purpose of home repair and the amount the household spent to complete home repairs. The GLO will record all assistance received and funds expended on the GLO's DOB Calculation Workbook to determine a household's DOB amount. The GLO will only include awards made for the same use (i.e.: home repair). The GLO will not include awards designated for a different use (e.g., temporary housing, home contents, repair of ineligible features).

The GLO will use the GLO's DOB database to list all FEMA, SBA, NFIP, and TWIA award data for the household related to the 2024 Disasters. If a household declined or cancelled an award that is listed in the DOB database, then the household must provide formal documentation from the awarding agency that confirms the award was declined or cancelled and the applicant(s) must sign a Declaration of Award Cancellation that confirms they will not reinstate the award.

Applicants will be responsible for submitting an award letter and Scope of Work for each insurance, non-profit, and/or charity award the applicant received that is not included in the GLO's DOB database. Applicants will be asked to list these awards on their application and must submit a signed Declaration of Insurance form that states they reported all insurance claims to the GLO. Awards that are applied to a forced mortgage payout will not be added to the household's DOB amount.

The GLO will use the Statement of Repairs and corresponding receipts, the ECR, and/or the DRV to list all eligible verifiable repairs made to the home. The GLO will credit the household using standard pricing unless the household provides a receipt. When a receipt is present, the GLO will use the receipted price if it is cost reasonable. However, the GLO will revert to the standard price if the receipted price is not cost reasonable (e.g., high grade/luxury materials such as marble or granite). The GLO will also credit receipted repairs that were re-damaged because the original repairs were temporary in nature or because documented contractor fraud, vandalism, theft, or a subsequent disaster took place. The GLO will not credit the household for expenses that are unrelated to home repair (e.g., temporary housing, home contents, repair of ineligible features).

For reimbursement only, the GLO will use specific ineligible expenses, referred to as allowable expenses, to reduce an applicant's DOB amount. See section V.B.3.c for a list of all allowable expenses. Repayment of SBA loan debt is not considered an allowable expense.

Once the calculation is complete, if the total previously awarded is greater than or equal to the total expenditures, then the household has a positive DOB amount and will not be eligible for assistance unless it is resolved. If the total previously awarded is less than the total expenditures, then the household has an unmet need and may receive assistance through a Housing Program.

#### **iv. Floodway Restrictions**

The GLO must follow the Federal Flood Risk Management Standard (FFRMS) Final Rule at 24 CFR part 55 to determine a home's flood risk. The GLO will use FEMA's Flood Insurance Rate Map (FIRM) 500-year (also referred to as 0.2-percent-annual-chance) data, when available. FIRM 500-year data accounts for horizontal and vertical extent. If an effective FIRM, a pending FIRM, and a Preliminary FIRM (PFIRM) are all available, then the GLO will use the map depicting the greatest flood risk for the property. If a 500-year FIRM or PFIRM is not available, then the GLO will use the freeboard value approach (FVA) to determine flood risk. FVA is calculated by adding two feet (vertical extent) to the Base Flood Elevation (BFE) (horizontal extent) of the site.

The GLO may consider an applicant property for rehabilitation, reconstruction, or reimbursement services if part of the property is located in a floodway, but the footprint of the home is not; however, if an applicant's damaged home is located in a floodway, it may be eligible for reconstruction if the property is large enough to move the home's footprint outside of the floodway. Such determinations will be made on a case-by-case basis. Homes that are located in floodways will not be eligible for rehabilitation or reimbursement.

## **v. Elevation Requirements**

The GLO must follow the Federal Flood Risk Management Standard (FFRMS) Final Rule at 24 CFR part 55 to determine a home's flood risk. The GLO's procedures for determining flood risk is outlined in section V.B.1.c.iv.

The FFRMS floodplain includes Zones A, AE, B, and Shaded X. Zones V, VE, and the inland limit of Coastal A where waves can reach heights between 1.5 and 3 feet during a base flood event (also known as Limit of Moderate Wave Action, or LiMWA) are also considered part of the FFRMS floodplain but have a special coastal high hazard distinction.

Homes located in the FFRMS floodplain with a substantial improvement (SI) value greater than 50 percent must be reconstructed and elevated. The GLO will calculate a home's SI using the following information:

- The last appraised CAD value of the home before the disaster occurred; and
- The DRV determined during the GLO's inspection (see section V.B.1.c.iii.).

The DRV will be divided by the CAD value and multiplied by 100 to obtain percent SI. The GLO will not replace the property's CAD value, DRV, or ECR with any other information supplied by the applicant(s) or the local jurisdiction.

Homes that are located in the FFRMS floodplain and have a substantial damage (SD) value greater than 50 percent must be reconstructed and elevated. The GLO will calculate a property's SD value using the following information:

- The last appraised CAD value of the home before the disaster occurred; and
- The ECR determined during the GLO's inspection (see section V.B.1.c.iii.).

The ECR will be divided by the CAD value and multiplied by 100 to obtain percent SD. The GLO will not replace the property's CAD value, DRV, or ECR with any other information supplied by the applicant(s) or the local jurisdiction.

Furthermore, if a home is located in the FFRMS floodplain and the GLO determined during inspection that the home has an ECR (see section V.B.1.c.iii) greater than the rehabilitation cap (see Table 4), then the home must be reconstructed and elevated.

The GLO will not elevate homes for which the applicant applied for rehabilitation services because the cost to elevate would exceed the rehabilitation cap. However, if a damaged home under application for rehabilitation services is located in the floodplain and has a FEMA Information Data and Analysis (FIDA) high water mark (HWM) from the past 5 years that indicates flood waters entered the home, then the GLO will offer to convert the project type from rehabilitation to reconstruction and elevate the reconstructed home.

The FFRMS Final Rule requires the GLO to elevate to the 500-year floodplain (if FIRM is used), two feet above BFE (if FVA is used), or the one-percent-annual-chance floodplain if a special coastal high hazard distinction applies. The GLO will only elevate over two feet above BFE if required by state, local, and/or tribal codes. The GLO must document the final elevation of each home that it elevates with an Elevation Certificate. This document can be obtained after construction is completed.

#### **vi. Site-Specific Environmental Review**

The GLO will complete a Site-Specific Environmental Review on each home prior to any commitment of funds. This review will document compliance with 24 CFR parts 55 and 58 and all related laws and authorities by addressing all potential issues identified during the Broad Review, as described in V.A.5. Properties with adverse environmental conditions will not be eligible for assistance unless the adverse environmental conditions are corrected. Applicant(s) must sign a Right of Entry Release Form allowing environmental inspection staff to enter their property.

#### **vii. Historic Preservation Review**

The GLO is responsible for determining whether a damaged home is subject to historic preservation review under Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. Section 306108). The GLO defines historic homes as properties over 45 years old that are either individually listed or eligible for listing on the National Register of Historic Places or are located within historic or archaeological districts. The GLO will collaborate with the Texas Historic Commission (THC) and local historic preservation organizations to complete the historic preservation review for a qualifying property. The GLO retains a qualified historic preservation professional to assist with this collaboration.

The rehabilitation cap for historic homes is \$175,000 (see Table 4). The GLO will reconstruct historic homes only if permitted by the THC and local historic preservation office or landmark commission.

#### **viii. Lead-Based Paint, Asbestos, and Mold**

Requirements for addressing lead-based paint hazards are outlined in the EPA's Renovation, Repair, and Painting Rule (40 CFR 745), HUD's Lead Disclosure Rule and Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing 2012 (24 CFR 35, Subparts A, B, J, K, R), Texas Environmental Lead Reduction Rules (25 TAC 295 I), and OSHA's Lead In Construction Standard (29 CFR 1926.62 Lead) and must be met in the damaged home for it to be eligible for assistance. The GLO will require a lead clearance report for all rehabilitation and reimbursement projects. For reimbursement projects, this clearance report should be funded by and provided by the applicant.

The GLO must also ensure that asbestos has been properly abated in the damaged home and the National Emission Standards for asbestos demolition and renovation (40 CFR part 61.145) and waste disposal for manufacturing, fabricating, demolition, and spraying operations (40 CFR part 61.150) were met during the abatement process. Contamination

hazards must be analyzed using current techniques by qualified professionals. Homes that have not been properly abated will not be eligible for assistance.

Additionally, the GLO must confirm that all mold that can be tied to the 2024 Disasters has been mitigated. Homes with remaining mold that can be tied to the 2024 Disasters will not be eligible for assistance.

#### **ix. Radon**

Radon requirements outlined in HUD Notice CPD-23-103 and 24 CFR 58.5(i) must be met for a damaged property to be eligible for assistance. The GLO will test all homes that are identified as “at risk” during a desk review of Center for Disease Control (CDC) and National Environmental Public Health Tracking Network maps and data. If a home is located in a county that has at least ten documented test results below acceptable radon levels (4pCi/L) over the past ten years, then the GLO will not require radon testing. The GLO will also not test for radon if the proposed project does not include an enclosed building with ground contact (i.e. a home on piers with no enclosed crawlspace or garage), is a building that already has an existing radon mitigation system, or is a building that tested below acceptable radon levels within the past five years.

In instances where the GLO requires radon testing, a do-it-yourself radon test will be completed. If the test is above acceptable radon levels, then mitigation measures must take place. For rehabilitation and reconstruction projects, the GLO must employ radon resistant construction techniques and/or install a radon mitigation system. If radon mitigation exceeds the program cap of \$8,000, then the applicant will not be eligible for assistance.

In instances where a property is considered “at risk” and a radon mitigation system was already installed (rehabilitation and reimbursement), the GLO will require a post-installation radon clearance report completed by a licensed radon professional and either a current negative mitigation monitoring system reading or a negative result from a do-it-yourself radon test. For reimbursement projects, this clearance report must be funded by and provided by the applicant.

#### **d. Affordability Period**

The GLO will require each HAP and HRP participant to sign an Unsecured Forgivable Promissory Note (‘Note’) outlining the following obligations the participant must meet for the duration of the applicable Housing Program Affordability Period:

- Maintain ownership interest in the assisted property;
- Maintain primary residence at the assisted property;
- Maintain a zero balance or formal proof of payment plan on property taxes for the assisted property;
- Maintain homeowners insurance covering at minimum the full replacement value of the assisted property; and

- Maintain flood insurance covering at a minimum the full replacement cost value of the assisted property (only if property is located in the floodplain).

Details regarding the specific Affordability Periods for HAP and HRP are outlined in sections V.B.2.e and V.B.3.e.

Participants will also be held to the subrogation terms outlined in the Note signed at the pre-construction conference (see section V.B.2.a.iii). Participants must report any additional funds received for disaster recovery after program approval that may result in a DOB. If additional funding is received, then the GLO may recapture expended funds or adjust the project scope and budget.

Additionally, if a participant located in the floodplain sells the home after the Affordability Period ends, then they must inform the buyer in writing of the requirement to maintain flood insurance coverage on the property. This obligation remains in effect indefinitely and transfers from homeowner to homeowner (42 U.S.C. 5154a). If the new homeowner fails to obtain and maintain insurance, then the property will not be eligible for future federal disaster assistance.

## **2. Homeowner Assistance Program (HAP)**

### **a. HAP Specific Case Management Requirements**

#### **i. Midpoint Eligibility Verification**

After applicant eligibility requirements are met, but before site eligibility requirements are checked, the Case Manager will hold a Midpoint Eligibility Verification meeting with the applicant to verify information that may impact the project type and the household's additional needs.

The following will take place during the Midpoint Eligibility Verification process:

- The Case Manager will verify whether the applicant is willing to accept both rehabilitation and reconstruction as possible outcomes for a project type. The Case Manager will use eligibility documents to explain which project type is most likely to be awarded. The Case Manager will also explain what may happen during site eligibility review to impact the project type. The Case Manager will make sure that the applicant is comfortable with the likely project type before moving forward with site eligibility review and the associated expenditure of funds.
- The Case Manager will verify if the applicant is interested in optional elevation if they qualify during site eligibility review. The Case Manager will explain that choosing optional elevation will result in the project type of reconstruction.
- The Case Manager will verify the household composition. The Case Manager will explain that changes to the household composition may be considered on a case-by-case basis but will no longer be considered after completion of the Project Review process.

- The Case Manager will verify whether the household has any accommodation needs that were not reported with the application. If an additional accommodation need is identified, then the Case Manager will provide the applicant with a Form 14.27, Verification of Disability, and set a deadline for its completion. The Case Manager will explain that the project’s timeline and/or an analysis of the project’s cost reasonableness may result in the denial of an accommodation request if the need for accommodation is further developed after permits are approved and construction starts.
- The Case Manager will verify whether the household will be in need of Temporary Relocation Assistance (TRA) during construction if they qualify. TRA is described in V.B.2.a.ii.

The applicant(s) and the Case Manager will sign the Midpoint Eligibility Verification form at the time of the meeting to confirm the information above was discussed.

## **ii. Temporary Relocation Assistance (TRA)**

After applicant eligibility requirements and site eligibility requirements are met, the GLO will determine whether households who identified a need for TRA during their Midpoint Eligibility Verification are eligible. TRA provided to an applicant may cover expenses for lodging, moving, and storage off of the damaged property during the construction activities. To be eligible for TRA, a household must be LMI or have an annual income less than 80 percent of AMI. Applicants are responsible for submitting three bids per type of need for the GLO’s cost reasonableness review. Bids must be for facilities or services located within a reasonable distance from the damaged property. The GLO will choose the most feasible cost reasonable bid for each type of need. The GLO will pay TRA costs directly to the selected service providers. The GLO will not pay the applicant directly for TRA benefits.

The TRA cap per household is \$7,000 over the 120-day construction period (see Table 4). Applicants are responsible for covering all TRA costs over the \$7,000 cap out of pocket.

If construction exceeds 120 days, then the assigned builder will be responsible for covering an additional \$2,000 in TRA. Applicants are responsible for covering TRA costs over the additional \$2,000 out of pocket.

## **iii. Pre-Construction Conference**

Once site and demolition plans are completed and all necessary permits are obtained by the assigned builder, the GLO will hold an in-person pre-construction conference. GLO staff, staff from the assigned builder, and the applicant must be present at this pre-construction conference.

All parties will review and sign the Form 11.17, Scope of Work Write-Up, the demolition plan, the floorplan, the site plan, and construction procedural documents including the Homeowner – Contractor Construction Agreement and the Unsecured Forgivable Promissory Note. The applicant(s) will be allowed to ask clarifying questions regarding the

construction process. The applicant(s) will also be provided with a Homeowner Selection Sheet to make certain cosmetic and fixture selections for the home.

If an applicant or household member identifies an accommodation need during the Midpoint Eligibility Verification process that was not identified at the time of application, then the applicant or household member (or representative) will be asked to complete a Form 14.27, Verification of Disability, that allows applicants to request ADA accommodation options like vinyl floors, ADA bathroom and/or kitchen features, and lifts. The Case Manager will explain that the project's timeline and/or cost reasonableness factors for the project may result in the denial of an accommodation request if the need for accommodation is further developed after permits are approved and construction starts.

The applicant(s) must acknowledge that they must remove all debris, abandoned vehicles, and buildings that pose a safety and/or health threat before construction starts. If the damaged home is located in the FFRMS floodplain, then the applicant(s) will also acknowledge that they were notified of their property's FFRMS floodplain status, that flood insurance is required, that elevation is required, of the location of ingress and egress or evacuation routes, of previous flood insurance claims on the property available from FEMA, and emergency notification resources. Applicant(s) will also be asked to describe any flood-related infrastructure impacting the site (dams, levees, etc.).

The applicant(s), a representative for the assigned builder, and the Case Manager will sign the Pre-Construction Verification form at the time of the meeting to confirm the information above was discussed.

#### **iv. Insurance**

The GLO will provide one year of homeowners insurance to all applicants with an annual income of less than 80 percent AMI. The insurance policy will start on the day of the post-construction conference. The GLO will also provide applicants with an < of less than 80 percent AMI other site-specific insurance policies (flood, windstorm, etc.), as required.

#### **v. Post-Construction Conference**

Once the final/100% inspection, local code inspection, and TREC inspection are complete and all deficiencies are addressed (may take up to 30 days), the GLO will hold an in-person post-construction conference at the completed home. GLO staff, staff from the assigned builder, and the homeowner must be present at this post-construction conference. All parties will complete a walk-through of the home and discuss any concerns. Unless concerns are major (not cosmetic in nature), these concerns will be addressed during the one-year warranty period.

All parties will sign the builder's one-year materials and workmanship warranty and ten-year structural warranty, which include direct contact information and instructions for how to file a warranty claim. The builder will obtain the homeowner's signature on any insurance policies (flood, wind, etc.) that were included in the approved Form 11.17, Scope

of Work Write-Up. The builder will also provide the homeowner with all manufacturer's warranty information and instruction booklets for installed equipment and the keys to the home.

The applicant(s), a representative for the assigned builder, and the Case Manager will sign the Post-Construction Verification form at the time of the meeting to confirm the information above was discussed.

If the homeowner refuses to sign the warranty and insurance documents and accept the keys to the home, then the GLO will accept the work on behalf of the homeowner and place their keys in a lockbox on the property with an access code provided in writing to the homeowner. For audit purposes, the GLO will place a note in the project file that explains the steps taken to address the homeowner's concerns and the reason why the lockbox was used.

#### **vi. Warranties**

The assigned builder will guarantee all work outlined in the project's approved Form 11.17, Scope of Work Write-up, for a period of one year after the post-construction conference. The assigned builder will also guarantee the structure of any reconstructed home (e.g., foundation, joists, beams) for a period of ten years after the post-construction conference. The homeowner will receive the assigned builder's direct contact information during the post-construction conference. The homeowner should use this contact information to file all warranty claims. If the assigned builder fails to respond to the warranty claim in a reasonable amount of time (approximately two weeks, but sometimes longer depending on the scope of the claim), then the homeowner may contact the GLO directly using the procedures described in V.A.6 to file a complaint and seek resolution.

The GLO will issue an expiration reminder to the homeowner via email and Certified Mail one month prior to the one-year warranty expiration date.

### **b. Project Type Distinction**

#### **i. Construction Type**

Applicants seeking home repair who meet the applicant eligibility criteria and site eligibility criteria outlined in sections V.B.1.b and V.B.1.c will be awarded a project type of either rehabilitation or reconstruction. The GLO will award a project type based upon the ECR outlined in section V.B.1.c.iii and housing assistance caps in Table 4. Non-historic homes with an ECR below \$90,000 and historic homes with an ECR below \$175,000 will be assigned the project type of rehabilitation unless there is a site-specific reason that requires reconstruction (see section V.B.1.c). Non-historic homes with an ECR above \$90,000 and non-historic homes with an ECR above \$175,000 will be assigned the project type of reconstruction. All eligible MHUs will be assigned a project type of reconstruction.

## **ii. Unit Size, Floorplan, and Scope of Work**

The GLO will determine the size of the unit using HUD HOME standards. These standards are based on household occupancy (also referred to as household composition) and require two persons per bedroom, where reasonable. The GLO will use household occupancy at the time of application to determine unit size. The GLO will consider modifying unit size to reflect changes to household occupancy that occur after application on a case-by-case basis. However, changes to household occupancy made after the Project Review process is completed will not be considered because it is not cost reasonable to change the plans to the home after the process to obtain a permit begins.

The GLO will also adhere to the following exceptions to HUD Home standards:

- No more than two persons will be required to share a bedroom.
- Persons of different generations (i.e., grandparents, parents, children), persons of the opposite sex (other than spouses/couples), and unrelated individuals over the age of 18 will not be required to share a bedroom.
- Couples living as spouses (whether or not legally married) must share a bedroom.
- If there is a documented need, a live-in aide may be considered a part of the household. Live-in aides will not be required to share a bedroom with another member of the household.
- If a member of the household has a documented medical need (e.g., chronic illness) that requires an additional bedroom, then that bedroom will be provided.
- Family members who will not reside in the home more than fifty percent of the time will not be provided a bedroom. This includes children who are temporarily absent from the home due to a shared custody agreement and children over the age of 18 who are away at school but live with the family during school recess.
- All children expected to reside in the home in the year following the completion of construction activities should be considered members of the household. This includes expected children of pregnant household members, children who are expected to be adopted by a household member, children who are expected to be placed in the custody of a household member, foster children who are currently placed in the home and are expected to reside in the home for a reasonable period of time, and children who are currently in foster care but are expected to return to the household. All of these circumstances must be documented in a formal way.

The GLO will consider additional exceptions to unit size that are not listed above on a case-by-case basis via the appeals process outlined in V.A.6.

The GLO will provide the applicant with a choice between standard floorplans for their unit size, when possible. In some cases, the GLO will not be able to provide a choice of

floorplan (e.g., small lot size, setback requirements, footprint overlap requirements, plans that are five bedrooms and larger, other custom plans, etc.). The square footage of GLO floorplans is based upon the livable area and does not include covered porches, garages, etc. The square footage listed on the applicant’s site plan may include covered porches, garages, etc.

The GLO uses the composite per-square-foot pricing established during the builder procurement process to value these floorplans.

The GLO will use the standard floorplan costs and add all site-specific, elevation, demolition, local code, accessibility, abatement, mitigation, and relocation costs to create the project budget, included on Form 11.17, Scope of Work Write-Up, for the project.

**Table 7. Single Family Housing Floor Plans**

<b>Floor Plans by Bedroom Count (square footage reflects livable area)</b>							
<b>2 Bedroom 1,000 – 1,330 SF</b>		<b>3 Bedroom 1,331 – 1,425 SF</b>		<b>4 Bedroom 1,426 – 1,500 SF</b>		<b>5 Bedroom 1,501 – 1,650 SF</b>	
Weston	1,064 SF	Magnolia	1,354 SF	Roslin	1,456 SF	Presidential	1,618 SF
Raleigh	1,064 SF	Mimosa	1,352 SF	Bonsai	1,457 SF		
Hibiscus	1,167 SF	Sunflower	1,356 SF				
Kincaid	1,204 SF						
Augustine	1,231 SF						
Willow	1,237 SF						
Custom Floor Plan: Case by Case							

**c. Construction Standards**

**i. Eligible Expenses**

- Improvements to meet HUD Housing Quality Standards and Cost-Effective Energy Measures (Title 24, Section 570.20).
- Repairs to permanent structures that are physically attached to the house (e.g., sheds or garages).
- Lead-based paint abatement, asbestos abatement, mold remediation, accessibility for families with disabilities or special needs, energy efficiency, ventilation items such as ceiling fans and window screens, and resiliency measures such as gutters.
- Repairs or addition of necessary appliances such as ranges, refrigerators, dishwashers, and hot water heaters, (when not present or repair is not cost effective).

- Inspection of all and replacement of any unsafe electrical components (service meter, wiring, fixtures, etc.), even if no electrical work is being specified. All exposed wiring, switches, and light bulbs in living areas must be encased.
- Smoke detectors installed in conformance with code.
- Items required by local code or homeowner associations/civic clubs (e.g., garages, fencing, brick or masonry, etc.) that do not exceed the Housing Program expense cap (see Table 4).
- Required permits, if any, will be obtained by the contractor or builder at his/her expense and will be included as part of the composite price.
- Waivers accepted on case-by-case basis.

## **ii. Ineligible Expenses**

- Luxury items, including, but not limited to, garage door openers, security systems, sprinkler systems, swimming pools, fences, and television satellite dishes.
- Electricity will not be connected to other structures (detached garages, outbuildings, etc.) on the property.
- Well houses will not be replaced or added.
- Garages, fences, and brick or masonry (unless required by local code and/or homeowners associations/civic clubs) are not eligible improvements.
- Overdue utility fees that the applicant had before construction began.
- Regular use utility fees that occur before utility disconnect and after utility reconnect.

## **iii. Building Codes**

Housing that is reconstructed or rehabilitated with CDBG-DR funds must meet all applicable local codes, rehabilitation standards, ordinances, and zoning ordinances at the time of project completion.

All housing units participating in HAP will be required to meet HQS detailed in 24 CFR 982.401, Fair Housing Accessibility Standards, and Section 504 of the Rehabilitation Act of 1973 requirements. Housing activities must also meet all local building codes and standards that may apply. All single-family homes should also incorporate resiliency solutions which may include elevating the first floor of the habitable area, breakaway ground floor walls, reinforced roofs, storm shutters, energy efficient appliances and fixtures, and mold and mildew resistant products (rehabilitation projects only).

The International Residential Code 2012 or higher (IRC) (with windstorm provisions) and the International Building Code (IBC) must be met where they apply. To avoid duplicative inspections when Federal Housing Administration (FHA) financing is involved in a CDBG-DR assisted property, an inspection must be performed by a qualified person. All rehabilitation and reconstruction projects should be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigating the impact of future disasters. Whenever feasible, the state should follow best practices, such as Professional Certifications and Standard Work Specifications provided in the U.S. Department of Energy's Guidelines for Home Energy Professionals.

#### **iv. Green Building Standards**

HUD requires that all reconstruction and substantially rehabilitated projects meet an industry-recognized standard or rating system that has achieved certification under one of the following:

- ENERGY STAR (Certified Homes);
- Enterprise Green Communities;
- LEED (New Construction, Homes);
- ICC-700 National Green Building Standard (NGBS); or
- Any other equivalent comprehensive green building standard acceptable to HUD.

The GLO must identify which Green and Resilient Building Standard will be used in HAP's policies and procedures for replacement and reconstruction of residential housing.

A certificate of compliance issued as part of the chosen standard's compliance process will be required to be submitted as proof of compliance for each completed project. Homes in high wind and hurricane areas must also be built in compliance with Texas Department of Insurance (TDI) standards or any other equivalent comprehensive resilient or disaster resistant building program. These standards also apply to rehabilitation projects that fall within the HUD definition of substantial rehabilitation.

#### **• For Rehabilitation Projects Only**

The GLO must follow the HUD CPD Green Building Retrofit Checklist available at <https://www.hudexchange.info/resource/3684/guidance-on-the-cpd-green-building-checklist/>. The GLO must apply these guidelines to the extent applicable to the rehabilitation work undertaken, including the use of mold resistant products when replacing surfaces such as drywall. ENERGY STAR-labeled, WaterSense-labeled, or Federal Energy Management Program (FEMP) designated products and appliances are required when older or obsolete products are replaced.

## **v. Visitability Standards**

The GLO's Visitability Standards must be met for the first floor of a housing unit only, even if multiple floors exist. The following features will be required for all single-family homes:

- At least one 36-inch-wide entrance door (preferably the main entrance) on an accessible route served by a ramp or no-step entrance;
- Each interior door must be at least a standard 32-inch-wide door, unless the door provides access only to a closet of less than 15 square feet;
- Each hallway must have a width of at least 36 inches and be level with ramped or beveled changes at each door threshold;
- Each bathroom wall must be reinforced for potential installation of grab bars;
- Each electrical panel, light switch, or thermostat must not be higher than 48 inches above the floor;
- Each electrical plug or other receptacle must be at least 15 inches above the floor; and
- If the applicable building codes do not prescribe another location for the breaker boxes, each breaker box must be located not higher than 48 inches above the floor inside the building.

## **vi. Accessibility**

Single family housing units must meet the accessibility requirements at 24 CFR Part 8, which implements Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the GLO's Visitability Standards.

Applicants will discuss any ADA requirements at the Pre-Construction Conference referenced above. Accommodations will be discussed and agreed upon during the Pre-Construction Conference (see section V.B.2.a.iii).

## **d. Inspection Requirements**

Each project will require inspections during the lifecycle of the project (see Table 8). The required inspections are dependent on the activity type (reconstruction or rehabilitation). The program will only pay for one inspection per activity per phase.

**Table 8. Inspection Requirements**

<b>Single Family Housing Inspection Requirements</b>				
<b>Application Type</b>	<b>Progress/50% Inspection</b>	<b>Final/100% Inspection</b>	<b>TREC Inspection</b>	<b>Monitoring Inspection*</b>
Reconstruction	Yes	Yes	Yes	Yes
Rehabilitation	No	Yes	Yes	Yes

\*Monitoring inspections will be performed by GLO on approximately 5% of HAP projects, selected at random.

**i. Progress/50% Inspection**

The progress/50% inspections are only conducted for reconstruction projects, not for rehabilitation projects. The progress/50% inspection performed by the GLO serves three primary purposes: (1) to evaluate the contractor's progress on the project; (2) to confirm that local building codes and standards have been satisfactorily met; and (3) to confirm that all requirements of the project scope scheduled for completion on or before the date of the inspection have been met to the satisfaction of all parties. During a progress/50% inspection, the GLO will confirm the following:

- The home is in a “dried in” state, which means that all windows, doors, roof, and siding are in place, thus preventing rain penetration into the interior of the house.
- The rough-in plumbing is complete.
- The electrical rough in is completed, including (but not limited to) the placement of receptacle boxes, switch boxes, and the circuit breaker box.
- The HVAC mechanical system is in place, including the units themselves, the ductwork, and all drain lines.
- The inspection is taking place prior to insulation being installed.
- The GLO progress/50% Checklist is used to complete the inspection.

**ii. Final/100% Inspections**

When work on a project is nearing completion, the contractor will notify the GLO of a specific date when the project will be ready for a final/100% inspection. The purpose of the final/100% inspection is to guarantee that all work described in the approved Form 11.17, Scope of Work Write-Up, and the Homeowner-Contractor Construction Agreement is completed according to specification.

During a final/100% inspection, the GLO will confirm:

- All construction is complete.
- The project site is free of debris or construction materials.
- The home's interior is clean.
- The inspection is completed before key hand off to the homeowner.
- The GLO Final/100% Checklist is used to complete the inspection.

The GLO, builder, and the homeowner will sign off on the final/100% inspection when signing the Post-Construction Verification. Every attempt will be made to satisfy the homeowner's concerns at final/100% inspection. If the homeowner objects and refuses to sign off on the final/100% inspection, the GLO will move forward with closing and place a note in the file for audit purposes.

After documentation has been submitted to the GLO evidencing that the home passed the final/100% inspection and all warranties were issued, the project can be brought to final resolution. For purposes of accountability, HAP administrators must have written documentation that the assisted homeowner and the GLO accepted the work (the final/100% inspection requires signatures from the homeowner, contractor, and the GLO). A Certificate of Occupancy (if applicable) must be retained in the file.

### **iii. Texas Real Estate Commission (TREC) Inspections**

All construction projects (reconstruction and rehabilitation) must complete a TREC inspection after work is complete and the final/100% inspection has been passed.

The GLO can waive certain items found by the TREC Inspection that are not related to health and safety concerns (e.g. historic, cosmetic).

### **iv. Monitoring Inspections**

To ensure the compliance of GLO vendors and builders, GLO staff will conduct monitoring inspections for a random sample of approximately five percent (5%) of vendor construction projects completed each quarter. These monitoring inspections will take place at the same time vendor staff is completing progress/50% inspections and final/100% inspections.

### **e. Affordability Period**

The GLO will require a three-year Affordability Period for all HAP participants. Each participant must sign the Unsecured Forgivable Promissory Note ('Note') at the pre-construction conference (see section V.B.2.a.iii), that outlines the participant's obligations during the Affordability Period.

### **3. Homeowner Reimbursement Program (HRP)**

#### **a. HRP-Specific Case Management Requirements**

##### **i. Lead-Based Paint and/or Mold Notification**

The Case Manager will notify an applicant within 10 business days if lead-based paint, and/or mold are identified in the damaged home during the environmental site inspection. The applicant will be given 30 days to abate and/or remediate the environmental issue, at the applicant's expense, and provide the GLO with a clearance report. Lead-based paint and mold issues that are not cleared will result in the home being ineligible under HRP.

##### **ii. Applicant Award Notification**

After applicant eligibility requirements and site eligibility requirements are met, the GLO will issue an award notification letter that includes the amount of the eligible reimbursement.

##### **iii. Reimbursement Signing Event**

The GLO will hold an in-person applicant signing event after the award notification is issued. GLO staff and the applicant must physically attend this signing event. All parties will review and sign an Unsecured Forgivable Promissory Note. The applicant will be allowed to ask clarifying questions regarding the award and the affordability period. The reimbursement will be issued via electronic disbursement or paper check between 120 – 180 days after the signing event.

##### **iv. Uncashed Check Notification**

An applicant will be required to cash their reimbursement check within 90 days of receipt. If the applicant does not cash the check within 30 days, then the Case Manager will issue a written notification via email and Certified Mail. If the applicant does not respond, then the Case Manager will attempt to contact the applicant at least 3 times via phone. If the applicant becomes unresponsive and does not cash the check by the 90<sup>th</sup> day, then the GLO will cancel the reimbursement check and the award will be considered forfeited by the applicant. The Case Manager will complete an Uncashed Check Notification form for each project with a delayed deposit date.

#### **b. HRP Specific Eligibility Requirements**

##### **i. Income Requirements**

HRP will only serve LMI applicants (0 – 80% of AMI) for the first 60 days of the program, starting July 09, 2025. The GLO will determine annual income and AMI using the procedure outlined in section V.B.1.b.vii. All applicants whose annual incomes fall between 81% – 199% of AMI will receive submitted by dates for their applications and be placed immediately in the status 'Funding Not Currently Available' without further application processing. On September 07, 2025, these waitlisted applicants will be placed

back into active status and resume regular application processing. These applicants will be placed into the queue before all other individuals who submit their applications on September 07, 2025.

Applicants with annual incomes greater than 200% of AMI will not be eligible for HRP assistance.

## **ii. Unsafe Dwellings**

The damaged property must be safe to enter for inspection to be eligible for reimbursement assistance. Homes with unsafe structural integrity, infestation, and/or present any other safety or security risk to the inspector will be deemed ineligible under HRP.

## **iii. Property Insurability**

The damaged property must be insurable to be eligible for reimbursement assistance. Applicants who own any property with a SD value of greater than 50 percent (see section V.B.1.c.v.) must provide proof that the property is insurable, or their application will be ineligible for HRP assistance. Acceptable documents include proof of a current insurance policy (e.g., homeowners, flood, wind) or a letter from an insurance carrier stating that the property could be insured in its current state. No additional documentation will be required for individuals who provided proof of flood insurance to meet other eligibility requirements (e.g., annual incomes greater than 120 percent of AMI and resided in the floodplain at the time of the disaster and received previous disaster assistance).

## **iv. Repair Completion Date**

Repairs made before the disaster incident date (see Table 6) or after the date the application is submitted to the GLO will not be eligible for reimbursement under HRP. Applicants must list all completed repairs on the Statement of Repairs form and submit it with their application packet. Items that are not listed on the Statement of Repairs will not be added to the DRV. Applicants cannot modify their Statement of Repairs form to include additional items after the submission date of the application. The only exceptions will be applicant-paid costs associated with lead-based paint abatement, asbestos abatement, and mold remediation requirements that are identified during environmental site assessments.

## **v. Repairs Outside of the Damaged Home's Footprint**

Repairs made outside of the footprint of the damaged home will not be eligible for reimbursement. This includes repairs made to sidewalks, driveways, fences, sheds, or any other developed areas around the damaged home. The only exceptions to this are water well repair, septic system repair, utilities repair (e.g., plumbing, electrical, and gas systems), and removal of construction debris from the property following the disaster.

#### **vi. Repairs not Substantiated with Inspection**

Repairs that cannot be substantiated on the DRV (see section V.B.1.c.iii.) are only eligible for reimbursement assistance if they can be substantiated with a receipt and proof of payment (e.g., credit card statement, bank statement). Repairs that are not on the DRV and were paid in cash are not eligible for reimbursement assistance.

#### **vii. Non-essential Appliances**

Non-essential appliances such as clothes washers, clothes dryers, wine refrigerators, beverage coolers, mini-refrigerators, grills, pizza ovens, built in coffee makers, and countertop appliances are not eligible for reimbursement.

#### **viii. Labor Costs**

Labor costs are only eligible for reimbursement assistance if they are accompanied by a dated receipt and proof of payment (e.g., credit card statement, bank statement, etc.). Labor costs that were paid in cash are not eligible for reimbursement assistance.

### **c. Allowable Expenses**

Some expenses that are ineligible for reimbursement can be used to reduce the amount of an applicant's DOB (see section V.B.1.c.iii). These are called allowable expenses. Allowable expenses that exceed the amount of previous federal assistance cannot be applied to the reimbursement award. Repayment of SBA loan debt is not considered an allowable expense.

The following are all allowable expenses:

- Repairs outside of the damaged home's footprint (e.g., repairs made to sidewalks, driveways, fences, sheds, or any other developed areas around the damaged home)
- Repairs to bulkheads and seawalls
- Repairs for complete demolition of the home (including debris removal from demolition)
- Design, permit, and inspection fees
- Land surveys, soil tests, and borings
- Tree removal
- Construction equipment rental or purchase
- Damage assessment fees
- Forced mortgage payoff

- Attorney’s fees to collect insurance

**d. Award Amount**

Applicant awards will be determined based on DOB. The minimum reimbursement award is \$3,000. Any eligible applicant with a DOB < -\$3,000 will receive a reimbursement. The program cap for reimbursement is \$75,000. Applicants with a DOB < -\$75,000 will receive the maximum award.

**e. Affordability Period**

The GLO will require a one-year affordability period for all HRP participants. The participant must sign the Unsecured Forgivable Promissory Note (‘Note’) at the signing event (see section V.B.3.a.iii), that outlines the participant’s obligations during the Affordability Period.

**C. Affordable Rental Program**

The Affordable Rental Program will provide funds for rehabilitation, reconstruction, and new construction of affordable multifamily housing projects in the 2024 Disasters HUD MID areas. The GLO’s Housing Guidelines establish the application process and acceptance period, threshold criteria (including applicable building codes), and the award process. There will be a single application cycle open for all ARP funding requests, as detailed below.

The state may use CDBG-DR funds to rehabilitate units not damaged by the disaster if the activity clearly addresses a disaster-related impact and the units are located in a disaster-affected area. The impact can be demonstrated by the disaster’s overall effect on the quality, quantity, and affordability of the housing stock, and by the resulting inability of that stock to meet post-disaster needs and population demands.

Tie back to the disaster is accomplished either through documented direct damage or demonstrated loss to local housing markets.

Any award granted under ARP shall be structured as a grant directly to the Applicant in accordance with the general grant terms below. No alternative financial structuring shall be permitted, and refusal to agree to the terms presented shall be deemed grounds for Application ineligibility and loss of prioritization.

Applicants must complete the 2024 Disasters Affordable Rental Program application in the online Texas Integrated Grant Reporting (TIGR) Portal. The application period will start on March 10, 2026, and close on May 10, 2026. Applicants must request and be granted access to the TIGR Portal to apply. This can be done by filling out the TIGR System Access Form located at the following link: <https://www.glo.texas.gov/disaster-recovery/grant-administration/grant-administration-reporting>

Applicants located in City of Houston’s ETJ and/or Harris County will not be eligible for GLO assistance. HUD allocated funding directly to the City of Houston and Harris County so that they may develop their own disaster recovery programs.

## 1. General Grant Terms

The parameters listed below will apply to projects awarded under the Affordable Rental Program:

- The minimum amount eligible for award for each grant is \$500,000.
- The maximum amount eligible for award for each grant is \$7,500,000.
- ARP funds may only be used to reimburse approved expenditures for hard construction costs, including site work, direct construction costs, and other construction costs. Acquisition, developer fees, soft costs, and financing costs will not be considered for reimbursement. All reimbursement requests for eligible funds will be approved at the sole discretion of the GLO.
- Applicants will be eligible for a Project Delivery budget, which will be capped at 12% of the total grant, and only the following costs will be eligible for reimbursement under Project Delivery: Grant administration, Engineering, Architecture, Environmental Service Provider, Single Audit, Insurance, and Payment and Performance Bonds
- Applicant properties must be physically located within the HUD MID Counties and, with the exception of new construction projects, have sustained damage or been destroyed by the 2024 Disasters.
- Rehabilitation and reconstruction project sites must have sustained damage or have been destroyed by the 2024 Disasters.
- Projects, including any new construction activities, even if combined with another type of construction, will be scored as new construction projects.
- Projects including a combination of rehabilitation and reconstruction activities will be scored as reconstruction projects.
- Rehabilitation, reconstruction, and new construction projects must consist of a minimum of eight (8) or more contiguous units OR meet the scattered site development criteria contained herein.
- Contracts will include a ten-year Land Use Restriction Agreement (LURA) for rehabilitation projects, and a twenty-year LURA for reconstruction and new construction projects. If an applicant chooses to combine types of construction (e.g., rehabilitation, reconstruction & new construction), the LURA will extend for the longest Affordability Period applicable to an included activity.
- At a minimum, 51 percent of the units must be restricted for the entire Affordability Period for LMI individuals earning 80 percent or less of the AMI at affordable rents. The rents must comply with HUD HOME Investment Partnership (HOME Rents) and any other existing LURA restrictions, if applicable.
- Scattered site properties (properties with units located on non-contiguous plots) require each site to be restricted to 100 percent LMI individuals.

- Only one award will be made per eligible County until an eligible application has been conditionally awarded within each County; remaining funds will then go to applications next on the list in the scoring category.

The following entity types are permitted to apply under ARP:

- Community Housing Development Organization (CHDO);
- 501(c)(3) or 501(c)(4) Not-For-Profit Organization (NPO);
- Local Public Housing Authority (PHA);
- Unit of local government;
- Private for-profit property owner (Residential Rental Property Owner); and
- Federally recognized Indian tribe.

Project applications will present a list of organizations with an ownership or special interest in the applicant and a list of development team members in the application. Organizations with a special interest in the project that appear on multiple applications will only be granted up to two awards across the Affordable Rental Program for 2024 Disaster funding.

Additionally, the applicant for the property must have been the owner of record at the time of the disaster for rehabilitations and reconstructions, and the applicant must have been the landowner of record at the time of the disaster for new construction. The applicant must be financially solvent and adequately capitalized. They must provide evidence of a construction loan or, at a minimum, a conditional loan commitment from an accredited financial institution that covers all project soft costs as well as an amount equal to 90 days of construction expenses. This documentation must be submitted through the TIGR portal as part of the required application materials.

## **2. Eligibility Criteria for Award Consideration**

The application process will help identify properties that benefit the community. The GLO will use the scoring criteria listed below to review all applications and award funds to projects that meet the program's objectives.

Applications that are determined to be unrealistic in terms of technical commitment, show a lack of technical competence, or indicate a failure to comprehend the risk and complexity of a potential contract may be rejected, at the sole discretion of the GLO.

Applications shall be consistently evaluated and scored according to the criteria below. Points correlating with the proposed construction type shall be awarded as a base score for each application. Additional points may be awarded for projects that meet or exceed the criteria listed below.

The total points awarded to applications will determine funding prioritization.

**Table 9. Eligibility Criteria**

<b>Criteria</b>	<b>Maximum Points</b>
<b>Project Type</b>	<b>50 Points Possible</b>
<i>Rehabilitation activity with a project size of 8 or more units</i>	<i>50 Points</i>
<i>Reconstruction activity with a project size of 8 or more units</i>	<i>40 points</i>
<i>New construction activity with a project size of 8 or more units</i>	<i>35 Points</i>
<b>Declaration Areas</b>	<b>10 Points Possible</b>
<i>Entity is within a CDBG-DR eligible county for <u>both</u> the Texas Severe Storms, Straight-line Winds, Tornadoes, and Flooding (DR-4781) <u>and</u> Hurricane Beryl (DR-4798).</i>	<i>10 Points</i>
<i>Entity is within a CDBG-DR eligible county for <u>only one</u> of the Texas Severe Storms, Straight-line Winds, Tornadoes, and Flooding (DR-4781) <u>or</u> Hurricane Beryl (DR-4798).</i>	<i>0 Points</i>
<b>Density</b>	<b>10 Points Possible</b>
<i>Project location has a density of under five hundred persons per square mile per census tract, per the American Communities Survey 5- year estimates for 2023- <a href="https://data.census.gov">https://data.census.gov</a></i>	<i>10 Points</i>
<i>Project location does not have a density of under five hundred persons per square mile per census tract, per the American Communities Survey 5- year estimates for 2023- <a href="https://data.census.gov">https://data.census.gov</a></i>	<i>0 Points</i>
<b>Energy Efficiency</b>	<b>10 Points Possible</b>
<i>Project meets minimum energy efficiency standards</i>	<i>10 Points</i>
<i>Project does not meet minimum energy efficiency standards</i>	<i>0 Points</i>
<b>Poverty Level</b>	<b>5 Points Possible</b>
<i>Property is located in a census tract with a poverty level less than 20% per the American Communities Survey 5- year estimates for 2023- <a href="https://data.census.gov">https://data.census.gov</a></i>	<i>5 Points</i>

<i>Property is not located in a census tract with a poverty level less than 20% per the American Communities Survey 5- year estimates for 2023- <a href="https://data.census.gov">https://data.census.gov</a></i>	<i>0 Points</i>
<b>Extremely Low-Income Residents</b>	<b>5 Points Possible</b>
<i>The property will reserve 20% of units for extremely low-income (30% AMI) residents</i>	<i>5 Points</i>
<i>The property will not reserve 20% of units for extremely low-income (30% AMI) residents</i>	<i>0 Points</i>
<b>Low- and Moderate-Income Residents</b>	<b>5 Points Possible</b>
<i>The property will reserve 70% of units for low- and moderate-income (80% AMI) residents</i>	<i>5 Points</i>
<i>The property will not reserve 70% of units for low- and moderate-income (80% AMI) residents</i>	<i>0 Points</i>
<b>Leverage</b>	<b>5 Points Possible</b>
<i>Entity has pledged to provide Non-CDBG Leverage (a minimum value of 25% of CDBG-DR funds)</i>	<i>5 Points</i>
<i>Entity has not pledged to provide Non-CDBG Leverage (a minimum value of 25% of CDBG-DR funds)</i>	<i>0 Points</i>

- **First Tie Breaker - Cost Effectiveness:** If, after all scoring has been completed, one or more applications yield the same point total, priority shall be given to the most cost-effective Project. Cost effectiveness shall be determined by calculating the lowest cost per unit (total number of units divided by the total amount of CDBG-DR funds requested).
- **Second Tie-Breaker - Total LMI units:** If, after all scoring and a first tie-breaker have been completed, one or more applicants yield the same lowest cost per unit, preference shall be given to the application with the highest total number of LMI units

**NOTE: To clarify any response, the application evaluation committee may contact references submitted in the application, contact the applicant’s clients, or solicit information from any available source concerning any aspect of the application documentation deemed pertinent to the evaluation process.**

### 3. Grant Award Process

- Application submission
- Applications scored by the evaluation committee
- Conditional awards issued (*Recipients of a conditional award will be responsible for providing the GLO with a 3rd party underwriting report for their project, a Phase 1 environmental report, and any other requested documentation or reports by the GLO within 60 days of receipt of a signed conditional award – the ‘due diligence’ period*)
- Due Diligence period completed
- Contract issued
- Preconstruction conference, confirmation of active Payment and Performance bonds, Notice to Proceed issued
- Construction begins

### 4. Types and Amounts of Assistance

Exact awards will depend upon the amount of storm damage and the cost reasonableness of funds to bring the property up to GLO Construction Standards. ARP funds may only be used to reimburse approved expenditures for hard construction costs, including site work, direct construction costs, and other construction costs. Acquisition, developer fees, soft costs, and financing costs will not be reimbursed. Acquisition and/or option contracts for the purchase and sale of real property will not be eligible activities under ARP. All reimbursement requests for eligible activities will be approved at the sole discretion of the GLO.

CDBG-DR funds may not be used to pay for damages covered by any FEMA reimbursement, SBA assistance, insurance claim payout, or any insurance policy, including delayed or future payments anticipated. A Duplication of Benefits (DOB) review must be completed for each ARP project to determine unmet needs prior to award.

ARP funds will be issued to a developer as a grant, which will be forgiven upon satisfactory completion of construction and compliance with the required Affordability Period described in the LURA.

Successful grant awardees must begin construction activities (Completion of a Preconstruction Conference with and issuance of Notice To Proceed by GLO) within 60 days of Contract execution with the GLO. All construction services performed must be completed within eighteen (18) months of Contract execution.

## **5. Property Eligibility**

Each proposed development must meet CDBG-DR eligibility requirements. All properties eligible for new construction, rehabilitation, and reconstruction must be located within an HUD MID county, and either the property must have sustained damage from the event, or the developer seeks to replace units destroyed by the event.

The GLO will hold an application process to fund the rehabilitation of existing multifamily housing developments or the replacement of damaged units through reconstruction or new construction. Projects submitted for awards are evaluated according to the priorities established in the Housing Guidelines, the application process developed by the GLO, and the Eligibility Criteria listed in Section V.C.2.

All proposed construction located in the FFRMS floodplain, as identified on the most current FEMA Flood Maps, must comply with 24 CFR Part 55.

At a minimum, 51 percent of all units must benefit low- to moderate-income persons earning 80 percent or less of Area Median Income as defined by HUD and detailed in the Housing and Community Development Act of 1974 (HCDA) Title I, 105(a). Scattered site properties (properties with units located on non-contiguous plots) require each site to be 100 percent LMI.

Rent-restricted units occupied by low- to moderate-income households must be occupied at affordable rents. The units occupied by low- to moderate-income households must comply with the HOME program's HUD HOME rent limits. Rent restrictions on units occupied by LMI households apply throughout the affordability period. Compliance with rent limits is determined by the GLO, and guidance is provided at or before project occupancy.

Affordable rents must not exceed the High HOME Investment Partnership (HOME) Rents or any other level established in the LURA, unless the resident receives a federal housing voucher.

All units occupied by LMI households must have finishes similar to those of market-rate (non-LMI) units and equal access to the same amenities.

## **6. Eligible Applicant Requirements**

For-profit, public housing authorities, units of local governments, CHDOs, UBs, and not-for-profit developers/borrowers acting individually or as participants in a limited partnership (LP) or limited liability corporation (LLC) are eligible to apply. Not-for-profit entities must provide evidence of IRS tax-exempt status. Developers are required to list properties on the local Public Housing Authority (PHA) landlord list and to notify Disaster Housing Assistance Program (DHAP) providers.

The applicant, development owner, principal, or developer/borrower must be in good standing with any outstanding loans and loan commitments.

The applicant, developer, owner, principal, development/borrower, or general contractor may not be “debarred” as cited on federal and state debarment lists in accordance with 24 CFR 570.609, as well as other applicable laws.

The applicant, developer, owner, principal, or development/borrower must provide a complete listing with addresses of multifamily properties owned or managed from January 1, 2020, to the date of application.

## **7. Ineligible Applicants**

The following circumstances may, at the sole discretion of the GLO, disqualify an applicant or a submitted application from award eligibility:

- The applicant is or was a party to a previously funded contract for which GLO funds have been partially or fully de-obligated due to failure to meet contractual obligations during the thirty six (36) months prior to Application submission date, unless the de-obligation was voluntary and approved by the GLO prior to the contract term expiration date or the de-obligated amounts were excess funds remaining on a completed contract;
- The applicant has failed to submit a response to a request for information providing an explanation, evidence of corrective action, or a payment of disallowed costs or fees, resulting in a monitoring review of an ARP contract;
- The applicant has failed to make timely payment or is delinquent on any loans or fee commitments made with the GLO as of the date of Application submission;
- The applicant or any managing partner, consultant, or other party deemed by the GLO to play a substantial role in the applicant’s course of business, has been or is currently barred, suspended, or terminated from procurement in a state or federal program or listed in the List of Parties Excluded from Federal Procurement or Non-Procurement Programs;
- The applicant, at the time of application submission, is subject to an enforcement or disciplinary action under state or federal securities law or by the Financial Industry Regulatory Authority (“FINRA”); subject to a federal tax lien; and/or is the subject of an enforcement proceeding with any governmental entity;
- The applicant, at the sole discretion of the GLO, has either:
  - Excessive omissions of documentation from the application submission or threshold criteria;
  - Provided application documentation that is unclear, disjointed, or incomplete, for which a thorough review cannot be reasonably performed by the GLO.

- The applicant, nor any of its affiliates, agents, or consultants, has any open GLO or HUD audit findings or concerns for which a satisfactory response has not been submitted as of the date of application submission;
- Any application that includes ownership interest by a person, partnership, or company, or any other party deemed by the GLO to play a role in the applicant’s course of business that has had a GLO contract terminated, or has failed to meet all contract milestones, within the last five (5) years.
- The applicant or any party with controlling ownership interest in the applicant’s organization with restricted rental housing properties in the State of Texas is in material noncompliance with a GLO LURA; or
- Any application that includes financial participation by a person who, during the five (5) year period preceding the date of application submission, has been convicted of violating a federal law in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of previous disasters occurring after March 10, 2021, or was assessed a federal civil or administrative penalty in relation to such contract.

## **8. Program Requirements**

Upon funding allocation, the property will undergo an environmental assessment and a cost reasonableness review.

For rehabilitation or reconstruction activities, the applicant must submit an acceptable Property Condition Assessment (PCA) conducted by a qualified third-party inspector at the applicant’s expense. In addition to repair costs identified in the PCA, other costs will be considered if they extend the useful life of the project. The project costs must be reasonable and typical in the current marketplace for projects of similar scope. Plans and specifications must be submitted for all units.

The project must comply with all applicable federal and state requirements.

## **9. Cost Reasonableness**

Proposed multifamily projects will undergo cost reasonableness/underwriting, which will review the ownership structure, property operations, sources and uses of funds, and the financial statements of the owner and guarantor (if applicable).

The project cost must be “reasonable and customary” as determined by an acceptable, independent third-party report, and considered reasonable as documented by a bidding process for entities that are subject to 2 CFR 200.318.326.

The property's underlying debt and operating expenses will be reviewed to determine whether the project is feasible during the affordability period and whether the income is adequate to cover operating expenses and applicable debt service.

Sources and uses of funds will be reviewed to determine the adequacy of the funding to complete the project in conjunction with the PCA.

## **10. Contracting and Construction**

### **a. Contracting Terms**

Following satisfactory due diligence, a contract will be executed between the applicant and the state. This contract will specify the terms under which the funding is provided for the project, the number of units to be renovated/developed, the Affordability Period, and other conditions of the agreement.

The applicant will be solely responsible for fulfilling all contractual obligations that result from an award contract. The applicant will not be relieved of the contractual obligations for any nonperformance by its subcontractors.

The GLO intends to grant multiple awards, as funding permits, for the services requested herein. Any grant award contract shall be effective upon execution and shall terminate after twenty-four (24) months. The GLO, at its sole discretion, may extend the contract, subject to mutually agreed terms and conditions.

### **b. Construction**

Housing that is constructed or rehabilitated with CDBG-DR funds must meet all applicable program requirements, rehabilitation standards, local codes, and ordinances at the time of project completion. In the absence of a local code, projects must meet the International Building Code 2012 (IBC 2012) or higher; or the International Residential Code 2012 (IRC 2012). All projects must meet or exceed the HUD Minimum Property Standards (MPS) outlined in 24 CFR 200.925 or 200.926. Additionally, multifamily housing developments must meet the design and construction requirements set forth in Title 10 of TAC 60.201-211.

When CDBG-DR funds are used for rehabilitation development, the entire unit must be brought up to the applicable property standards and meet Housing Quality Standards. The GLO will conduct a final inspection of the development. Common areas and units are subject to a Housing Quality Standards (HQS) or National Standards for the Physical Inspection of Real Estate (NSPIRE) inspection. Any deficiencies identified at inspection must be corrected before final retainage is released.

Housing developments must meet all accessibility requirements at 24 CFR Part 8, which implements Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). Covered multifamily dwellings, as defined at 24 CFR 100.201 as well as common use facilities in developments with covered dwellings, must meet the design and construction requirements at 24 CFR 100.205, which implement the Fair Housing Act (42 U.S.C. 3601–3619), the design and construction requirements of the Fair Housing Act Design Manual and the ADA 2010 requirements with the HUD exceptions (79 FR 29671, May 23, 2014). Additionally, developments involving new construction (excluding construction of nonresidential buildings) where some units are two-stories and are normally exempt from Fair Housing accessibility requirements, a minimum of 20 percent of each Unit type (e.g., one bedroom, two bedroom,

three bedroom) must provide an accessible entry level and all common-use facilities in compliance with the design and construction requirements of the Fair Housing Act Design Manual and include a minimum of one bedroom and one bathroom or powder room at the entry level.

A Certificate of Compliance issued under the chosen standard compliance process will be required as proof of compliance. Homes and multifamily homes in high wind and hurricane areas must also be built in compliance with FORTIFIED Home© standards. These standards also apply to rehabilitation projects that fall within the HUD definition of substantial rehabilitation.

Newly constructed, reconstructed, or substantially rehabilitated projects will be eligible to receive Energy Efficiency points towards their application score if the project meets one of the following HUD-recognized green building standards:

- ENERGY STAR (Certified homes or multifamily high-rise);
- LEED (New construction, homes, midrise, existing buildings operations and maintenance, or neighborhood development);
- ICC-700 National Green Building Standard; or
- Environmental Protection Agency Indoor AirPlus.

Properties located in a 100-year floodplain that are being rehabilitated or reconstructed must be elevated or have other acceptable flood mitigations in place in accordance with FEMA’s advisory flood elevations, as well as those mitigations required by the local jurisdiction, if applicable. Such developments will be subject to the requirements of 24 C.F.R. 570.605. Properties located within the boundaries of a designated floodway are not eligible, even when elevated above flood elevation.

Any substantial rehabilitation, as defined by [24 CFR 5.100](#), reconstruction, or new construction of a building with five or more rental units must include installation of broadband infrastructure or technology, except where the grantee documents that: (i) the location of the new construction or substantial rehabilitation makes installation of broadband infeasible; (ii) the cost of installing broadband would result in a fundamental alteration in the nature of its program or activity, or in an undue financial burden; or (iii) the structure of the housing to be substantially rehabilitated makes installation of broadband infeasible.

Prior to commencement of construction, a Notice to Proceed must be issued. The American Institute of Architects (AIA) Forms G702 and G703, or equivalent documentation at GLO’s discretion, will be required prior to funding each project draw request.

## **11. Payment and Performance Bonds**

Prior to commencing any activity under a grant award contract, Applicant is required to tend to the GLO performance and payment bonds, as required under Chapter 2253 of the Texas Government Code. Bonds must be provided by the Applicant or the Applicant’s prime contractor.

**a. Payment Bond**

A payment bond is required if the grant award or subaward is more than twenty-five thousand dollars (\$25,000.00). The payment bond is for the protection of the State and payment bond beneficiaries that have a direct contractual relationship with the Applicant or Applicant’s prime contractor or a supplier of materials and labor. The form of the payment bond shall be as approved by the Texas Attorney General. The payment bond must be in the full amount of the awarded GLO contract and must name the Texas General Land Office as a dual obligee.

**b. Performance Bond**

A performance bond is required if the grant award or subaward amount is in excess of one hundred thousand dollars (\$100,000.00). The performance bond is solely for the protection of the State, must be in the full amount of the grant award or subaward, and must be conditioned upon the faithful performance of the work within the scope of the grant award contract. The form of the performance bond shall be as approved by the Texas Attorney General. The performance bond must be in the full amount of the awarded GLO contract and must name the Texas General Land Office as a dual obligee.

**12. Labor Standards**

Grant recipients must comply with all applicable Labor Standards, Section 3 requirements, Minority Business Enterprise (MBE) and Small Business Enterprise (SBE) participation, and Contractor Clearance procedures. All projects are subject to the Davis-Bacon Wage Act (40 U.S.C. 276a–276a-5; 24 CFR Part 70), the Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.), the Copeland “Anti-Kickback” Act (18 U.S.C. 874), and Section 3 (24 CFR Part 135) requirements, including all associated reporting and performance goals. Project budgets must account for these requirements.

All multifamily developments, including scattered-site projects containing eight or more units under common ownership, must comply with applicable federal labor standards, including but not limited to Davis-Bacon prevailing wage rates. Under the Davis-Bacon Act, prevailing wages must be paid for all construction and related work performed on the project.

The following information will be provided on all projects to the GLO:

- Notice to Proceed/Permission to Construct;
- All Department of Labor (DOL) General Wage Determination reports showing prevailing wages applicable to each project throughout the construction phase;
- Final Wage Compliance Report; and
- Davis-Bacon and Related Acts (DBRA) communications, including:
  - Department of Labor communications;

- Letters to contractor(s) requesting payments of restitution owed to workers and liquidated damages, including copies of letters confirming contractor(s) compliance and/or resolution of labor-related issues. Department of Labor (DOL) Semi-Annual Report with all required reporting data associated with the CDBG-DR event award; and
- Additional documentation as required by GLO.

### **13. Relocation**

The applicant is responsible for the relocation activities related to the project, as applicable. The applicant shall comply with program regulations of the Uniform Relocation Assistance and Real Property Policies Act of 1970 (“URA”), as amended (49 CFR 24), and 104(d) of the Housing and Community Development Act of 1974, as amended (24 CFR 42) as stated in the Federal Register Notice for this allocation.

If applicable, the applicant shall submit all documentation relating to URA, including but not limited to, (1) a Relocation Plan with Assurance Letter, (2) Notice to Real Property, (3) Tenant Status Reports, and (4) all Notices with Tenant Acknowledgments as required.

As determined by the FR, Section 414 of the Stafford Act, the law that defines most federal disaster response and recovery programs requires disaster-displaced tenants from rental properties be provided Uniform Relocation Assistance (URA) if federal funds are being used to rebuild, acquire, or demolish a housing unit. This Federal Register limits the Section 414 provision to 1 year from the date of the disaster for tenants and indicates there is no requirement for the sub-grantee to comply with Section 414 after the 1-year anniversary. HUD waived the provision to reduce the administrative burden of continuing to locate displaced tenants years after the disaster. Regular Uniform URA requirements still apply for tenants present in the unit at the time a CDBG-DR assisted activity is implemented. The displaced person is eligible to receive a rental assistance payment that is calculated to cover a period of 42 months. (49 CFR 24.402(b))

The GLO will follow its Residential Anti-displacement and Relocation Assistance Plan (RARAP). The GLO will take the following steps and require subrecipients and developers to minimize the direct and indirect displacement of persons from their homes: (1) plan construction activities to allow tenants to remain in their units as long as possible by rehabilitating empty units or buildings first; (2) where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement; (3) adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods; (4) adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower-income owner-occupants or tenants in revitalizing areas; or (5) target only those properties deemed essential to the need or success of the project.

### **14. Project Completion and Release of Retainage Procedures**

When a project is completed, the documentation listed below must be submitted by the contractor to allow the GLO to release the retainage amount (the last 10 percent of the project budget):

- A Final Draw for Retainage (identical in form to interim draw requests and including the final inspection report from the third-party inspector indicating that the project is complete);
- A Final Wage Compliance Report;
- A Certificate of Occupancy for the project (for new construction);
- Confirmation from the third-party inspector that the project meets the requirements of the Americans with Disabilities Act;
- A Certificate of Substantial Completion and/or AIA G704 form signed by the property owner, general contractor, and architect (for rehabilitation and reconstruction developments), or equivalent documentation as deemed acceptable by the GLO and identifying the date of substantial completion;
- A Down Date Endorsement/Nothing Further Certificate from a title company on the subject property dated a minimum of 30 days after substantial completion to ensure no mechanics liens have been filed;
- A signed and notarized lien waiver and all bills paid affidavit from the general contractor to show that all subcontractors have been paid; and
- Any other requested documentation from the GLO.

A LURA will be placed on each multifamily development receiving disaster funds to repair, construct, or reconstruct rental units. The LURA sets forth income and rent restrictions applicable to units of affordable rental housing. This document will be filed with the local county clerk's office in the land records. The LURA must be approved by GLO, and the requirements imposed by the LURA will remain with the property for the full term of the affordability period.

## **15. Project Lease Up Procedures**

Multifamily developments assisted with CDBG-DR funds are required to have a Project Tenant Selection Policy (TSP), and a schedule of leases and rents to ensure compliance with CDBG-DR requirements. The TSP must be:

- Written and displayed at the project leasing in a common area;
- Consistent with the purpose of providing housing for families making 80 percent or less of AMI;
- Reasonably related to program eligibility and tenant's ability to perform under the lease;
- Chronological, so that tenants taken from a written waiting list are assisted in order; and
- Designed to give prompt written notice of the grounds for rejection to any lessee rejected based on income.

## **16. Annual Monitoring Procedures**

Completed projects require annual monitoring. Monitoring will be conducted by the GLO throughout the affordability period. The results and reviews of monitoring activities ensure the provision of safe, decent, affordable rental housing that is in compliance with all applicable regulations. The monitoring review also ensures that the project has achieved the National Objective of leasing at least 51 percent of the units to LMI residents. Income targets and rents must comply with ARP LURA requirements, NSPIRE, and other compliance requirements.

## **17. Files and Reports**

The state will maintain accurate Affordable Rental Program files and records for general administration activities for each development and tenant for the duration of the Program and during the affordability period. Such files will be open for inspection by funding-source representatives.

## **18. Changes, Waivers, and/or Conflicts**

The state's vendors and subrecipients may not change, modify, waive, or revoke all or any part of these Guidelines without the written approval of the GLO. The GLO reserves the right to change, modify, waive, or revoke any and all parts of these Guidelines.

## **19. Inquiries**

- **Contact**  
All requests, questions, or other communications about ARP – 24D shall be made via email to the GLO's dedicated inbox: [ARP2024Disasters@GLO.Texas.gov](mailto:ARP2024Disasters@GLO.Texas.gov)
- **Responses**  
All accepted questions will result in written responses in an FAQ that will be posted to the ARP page of the GLO's website, found at [www.glo.texas.gov/disaster-recovery/24DARP](http://www.glo.texas.gov/disaster-recovery/24DARP). It is the applicant's responsibility to check the GLO website for updated responses.

## VI. DEFINITIONS

**2024 Disasters:** Presidential disaster declarations DR-4781 and DR-4798 for disasters in Texas received funding through Public Law 118-158, known as the American Relief Act enacted on December 21, 2024.

**Action Plan:** State of Texas plan submitted to and approved by U.S. Department of Housing and Urban Development (HUD) that outlines the proposed activities for long-term recovery following a Presidentially declared disaster.

**Annual Income:** GLO calculates Annual Income according to HUD's definition of income for determining household eligibility. The GLO Annual Income Methodology may be found at: <https://www.hud.gov/sites/documents/calculatingattachment.pdf>

**Affiliate:** An individual or entity that, directly or indirectly, is in control of, is controlled by, or is under common control with Applicant. Applicant shall be deemed to control another entity if it, directly or indirectly, possesses the power to direct or cause the direction of the management and policies of the other entity, whether through the ownership of voting securities or membership interests, by contract, or otherwise.

**Affirmatively Furthering Fair Housing (AFFH):** AFFH is a legal requirement that federal agencies and federal grantees further the purposes of the Fair Housing Act.

**Affordability Period:** The period of time during which a property must comply with CDBG-DR program rules and regulations, including primary residency, income, and rent restrictions, as applicable.

**Affordable Rental Program (ARP):** GLO multifamily housing program (see Rental Activity definition)

**Americans with Disabilities Act (ADA):** A 1990 federal civil rights law (as amended in 2008) that prohibits discrimination against people with disabilities in everyday activities. The ADA guarantees equal opportunities for people with disabilities in employment, transportation, and public accommodations.

**Applicant/Homeowner/Survivor:** (Used interchangeably) Individuals whose homes or housing units were destroyed, made uninhabitable, needed repairs, or who suffered disaster-related displacement from their primary residences and/or loss of property.

**Area Median Income (AMI):** Calculated annual limits based on HUD-estimated median family income with adjustments based on family size used for demonstrating LMI beneficiaries in the programs. May also be referred to Area Median Family Income (AMFI) in other program documents.

**Beneficiary:** The recipient deriving advantage from CDBG-DR funding.

**Builder/Contractor:** (Used interchangeably) A person who contracts to construct or repair houses or buildings and/or supervises building operations.

**Builder Assignments:** A qualified pool of builders developed by subrecipients or the GLO. They must also meet state and federal procurement requirements and possess controls that will ensure quality construction that meets the standards of the CDBG-DR Housing Program.

**Case Management:** Working with individual survivors and their families to understand the Program’s housing options, resulting in clear and transparent determination of eligibility. Case managers must consider all special circumstances of the survivor’s needs to decrease their barriers to participate in the program where possible. Staff should meet at designated locations and supply information in a standard format.

**Community Development Block Grant – Disaster Recovery (CDBG-DR):** federal program providing flexible, supplemental grants to cities, counties and states for long-term recovery, rebuilding and mitigation in the most impacted areas following presidentially declared disasters. Funding is authorized under Title I of the Housing and Community Development Act of 1974.

**Damage Assessment:** An inspection of the housing unit to document damage from the event. The assessment by a certified or licensed inspector (HQS, TREC, or similar license) is required to specifically and clearly document storm-related property damage via photographic evidence and detailed narratives (see the GLO’s Damage Assessment Guidelines, found at: <https://www.glo.texas.gov/disaster-recovery>). Damage assessments must include final cost of repair estimates according to local code, an assessment of the cost-effectiveness of each recommended activity (rehabilitation, reconstruction, or new construction), mold remediation, and assistance needed to bring the home up to code at completion.

**Davis-Bacon Act of 1931 (40 USC Part 3141 et seq.) and Related Acts (DBRA):** All laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed in whole or in part with assistance received under this chapter shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the DRBA, as amended. This applies to the rehabilitation and reconstruction of residential property only if such property contains not less than 8 units.<sup>1</sup>

**Developer:** Also referred to as “Provider,” means a private individual, or a profit-making, or non-profit organization, or public housing authority or unit of local government receiving award under this Program Overview for the purposes of completing new construction, reconstruction, or rehabilitation of multi-family residential properties for which at least 51% of the units shall be dedicated to serving low- to moderate-income residents.

**Duplication of Benefits:** The Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act) prohibits any person, business concern, or other entity from receiving financial assistance from CDBG-DR funding with respect to any part of a loss resulting from a major disaster as to which he/she has already received financial assistance under any other program or from insurance or any other source.

**Elevation Standards:** Standards that apply to new construction, repair of substantial damage, or substantial improvement of structures located in an area delineated as a flood hazard area or equivalent in FEMA’s data source identified in 24 CFR 55.2(b)(1).

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<sup>1</sup> <https://www.hudexchange.info/resources/documents/Housing-and-Community-Development-Act-1974.pdf>  
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**Environmental Review:** All qualified projects must undergo an environmental review process. This process ensures that the activities comply with National Environmental Policy Act (NEPA) and other applicable state and federal laws.

**Event:** The Presidentially-declared 2024 Disasters (DR-4781 and DR-4798), and subsequent flooding.

**Family:** The term family means all persons living together in the same housing unit, as further defined under 24 CFR 570.3.

**Federal Emergency Management Agency (FEMA)-Designated High-Risk Area:** Areas designated by FEMA as vulnerable to significant wind and/or storm surge damage and areas located in 100-year flood zones. These areas will be identified during the environmental review process for each participating jurisdiction.

**Federal Register (FR):** A daily publication of the US federal government that issues proposed and final administrative regulations of federal agencies.

**Flood Disaster Protection Act of 1973 and Sec. 582(a) of the National Flood Insurance Reform Act of 1994:** Compliance with the legal requirements of Section 582(a) mandates that HUD flood disaster assistance that is made available in Special Flood Hazard Areas (SFHAs) may not be used to make a payment (including any loan assistance payment) to a person for repair, replacement or restoration for flood damage to any personal, residential or commercial property if: (1) the person had previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance; and (2) that person failed to obtain and maintain flood insurance as required under applicable federal law on such property.

**Flood Hazard Area:** Areas designated by FEMA as having risk of flooding.

**Flood Insurance:** The Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) requires that projects receiving federal assistance and located in an area identified by FEMA as being within a Special Flood Hazard Areas (SFHA) be covered by flood insurance under the National Flood Insurance Program (NFIP). In order to be able to purchase flood insurance, the community must be participating in the NFIP. If the community is not participating in the NFIP, federal assistance cannot be used in those areas.

**Floodplain:** FEMA designates floodplains as geographic zones subject to varying levels of flood risk. Each zone reflects the severity or type of potential flooding in the area.

- “100-year floodplain” — the geographical area defined by FEMA as having a one percent chance of being inundated by a flooding event in any given year.
- “500-year floodplain” — the geographical area defined by FEMA as having a 0.2 percent chance of being inundated by a flooding event in any given year.

**General Land Office (GLO):** The Texas General Land Office is the lead state agency for managing the state's Community Development Block Grant - Disaster Recovery grants through the U.S. Department of Housing and Urban Development.

**Grant Agreement:** A funding agreement detailing eligible program costs and project-specific award agreements between HUD and the GLO, including regulatory provisions, certifications, and requirements.

**Green and Resilient Building Standards:** All rehabilitation (meets the definition of substantial improvement), reconstruction, or new construction must meet an industry-recognized standard that has achieved certification under at least one of the following programs: (1) ENERGY STAR (Certified Homes or Multifamily High-Rise), (2) EPA Indoor Air Plus (Energy Star a prerequisite), (3) LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development), or (4) ICC–700 National Green Building Standard.

**Hard Costs:** Construction-related costs deemed as eligible expenses under ARP.

**High Opportunity Zone:** Economically distressed communities, defined by the individual census tract level, as certified by the U.S. Secretary of the Treasury. [Hud.gov/opportunity-zones](https://www.hud.gov/opportunity-zones)

**Home/Housing Unit:** (used interchangeably) a house, apartment, group of rooms, or single room occupied or intended for occupancy as separate living quarters.

**Homeowner Assistance Activity:** The utilization of CDBG-DR funding to rehabilitate or reconstruct damaged homes for the applicant to remain in the original home at the original home site. The home to be assisted must have been owner-occupied at the time of the event.

**Household:** A household is defined as all persons occupying the same housing unit, regardless of their relationship to each other. The occupants could consist of a single family, two or more families living together, or any other group of related or unrelated persons who share living arrangements. For housing activities, the test of meeting the LMI National Objective is based on the LMI of the household.

**Housing and Community Development Act of 1974, as amended by the Supplemental Appropriations Act of 1984:** Established the program of Community Development Block Grants to finance the acquisition and rehabilitation of real property and which defined the recipients and uses of such grants, with the primary goal of benefitting LMI persons.

**Housing and Urban Development Act of 1968, Section 3:** Requires program administrators ensure that training, employment, and other economic opportunities generated by HUD financial assistance shall be directed to the greatest extent feasible and consistent with existing federal, state, and local laws and regulations, to low- and very low-income persons. Recipients of Section 3-covered funding ensure compliance and the compliance of their contractors/subcontractors with the Section 3 requirements, as outlined in 24 CFR 75.

**Housing Quality Standards (HQS):** The HQS establish certain minimum standards for buildings constructed under HUD housing programs. This includes new single family homes and multifamily housing as outlined in 24 CFR 982.401.

**Land Use Restriction Agreement (LURA):** Agreement that outlines the applicable Affordability Period and related provisions.

**Low to Moderate Housing (LMH) National Objective:** Any activity that involves the buyout, acquisition, or rehabilitation of property to provide housing or improve permanent residential structures will upon completion benefit and must be occupied by low- and moderate-income households (42 U.S.C. 5305(c)(3)). Income eligibility will be determined using Area Median Income (AMI), adjusted for family size and verified in accordance with GLO's Adjusted Gross Income Methodology. The most current income limits, published annually by HUD, shall be used by the subrecipient or the state to verify the income eligibility of each household applying for assistance at the time assistance is provided.

**Low to Moderate Income National Objective:** Activities which benefit persons of income that does not exceed 80 percent of the area median income:

- Very low: Household's annual income is up to 30 percent of AMI, as determined by HUD, adjusted for family size;
- Low: Household's annual income is between 31 percent and 50 percent of AMI, as determined by HUD, adjusted for family size; and
- Moderate: Household's annual income is between 51 percent and 80 percent of AMI, as determined by HUD, adjusted for family size.

**Manufactured Housing Unit (MHU):** A structure, transportable in one or more sections which in the traveling mode is 8 body-feet or more in width, or 40 body-feet or more in length, or when erected on site, is at least 320 square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

**Mitigation:** Measures aimed at reducing property damage, financial hardship, and long-term economic burdens. Notable and effective strategies of flood mitigation programs may involve the acquisition of flood-prone properties and the elevation of structures in high-risk floodplains. These mitigation initiatives serve to enhance the safety and resilience of residents and communities in the face of natural disasters.

**Modular Housing:** A home built in sections in a factory to meet state, local, or regional building codes. Once assembled, the modular unit becomes permanently fixed to one site.

**Multifamily Rental:** Eight or more rental units in the property.

**National Standards for the Physical Inspection of Real Estate (NSPIRE):** U.S. Department of Housing and Urban Development (HUD) inspection model prioritizing resident health, safety, and functional defects. The focus is on 3 areas – units, inside, and outside – with scoring, inspection, and a 24-hour to 30-day correction timeframe for deficiencies.

**New Construction:** Single-family housing unit or multi-family residential complex constructed on vacant land or replacing a demolished structure

**One for One Replacement:** Subpart B Requirements Under Section 104(d) of the Housing and Community Development Act of 1974, 24 CFR 42.375 provides for public and/or assisted lower-income

dwelling units to be demolished or converted to a use be replaced with comparable lower-income dwelling units.

**Program:** The GLO’s plan, process, and procedures to assist communities and distribute CDBG-DR funds to rebuild disaster affected areas and provide a broad range of housing recovery activities as provided in the GLO’s approved Action Plan and subsequent amendments.

**Program Income:** Net income derived from the sale of program assets that exceeds \$35,000 in the aggregate, in a single fiscal year, received by the subrecipient and directly generated from the use of housing CDBG-DR funds.

**Reconstruction:** Demolition and rebuilding of a stick-built or modular housing unit on the same lot in substantially the same footprint and manner. The number of units on the lot may not increase, and the total square footage of the original, principal residence structure to be reconstructed may not be substantially exceeded; however, the number of rooms in a unit may be increased or decreased based on the applicant’s current household size.

**Rehabilitation:** Repair or restoration of storm-damaged housing units in the impacted areas to applicable construction codes and standards.

**Reimbursement Program:** Program designed for eligible applicants who have used non-disaster relief funds for completed reconstruction, rehabilitation, elevation, and/or mitigation on single family homes prior to the start of the program on July 09, 2025. Reimbursement for costs after July 09, 2025 are ineligible.

**Rental Activity:** Acquisition, rehabilitation, or construction of affordable rental housing resulting in structures where at least 51 percent of units are occupied by LMI persons. Income and rent restrictions apply to the rental units to be built or assisted.

**Request for Applications (RFA):** A project announcement posted publicly indicating that bids for contractors to complete the project are sought.

**Scattered Site Developments:** Multiple contiguous or non-contiguous sites under the control of a single ownership entity. All sites in a Scattered Site Development must be located within an area that is one mile or less in circumference and 100% LMI.

**Single Family Home:** A single-unit family residence detached or attached to other housing structures.

**Substantial Damage:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred (44 CFR 59.1).

**Substantial Improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a structure which the cost equals or exceeds 50 percent of the fair market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either: (1) any project for improvement of a structure to correct existing violations of state or local

health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”(44 CFR 59.1).

**Texas Administrative Code (TAC):** The official, subject-based compilation of all rules and regulations enacted by Texas state agencies, managed by the [Secretary of State](#). Organized into 17 titles, it covers agency rules ranging from environmental quality to education, issued under authority granted by the state legislature.

**Temporary Relocation Assistance (TRA):** Funds directly paid to moving, lodging, and/or storage facilities to assist single family, owner-occupied housing participants who are voluntarily displaced during construction (under 12 months) due to a rehabilitation or reconstruction project. TRA specifics are also outlined in the GLO’s Optional Relocation Policy. Uniform Relocation Assistance (URA) does not apply to these circumstances.

**Texas Integrated Grant Reporting (TIGR):** TIGR is the GLO system of record for all CDBG-DR grant management and reporting.

**Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended (Title 49 CFR Part 24) (42 U.S.C. 4601 et seq.) (URA):** Applies to all acquisitions of real property or displacements of persons resulting from federal or federally assisted program or projects. URA’s objective is to provide uniform, fair, and equitable treatment of persons whose real property is acquired or who are displaced in connection with federally funded projects. For the purposes of these guidelines, URA mostly applies to multifamily damaged/occupied activities that require the relocation of the tenants. A displaced person is eligible to receive a rental assistance payment that is calculated to cover a period of 42 months, as waived by the FR.

**Unsecured Forgivable Promissory Note:** If the applicant qualifies for disaster recovery assistance and has been awarded funding, there are conditions placed on the applicant receiving the assistance. The conditions are outlined in an Unsecured Forgivable Promissory Note (the Note) between the assisted beneficiary and the subrecipient or the state that requires applicants to comply with several terms during a set affordability period. This includes repayment of any duplicative assistance if the beneficiary later receives other disaster assistance for the same purpose as disaster recovery funds already received. Once the homeowner complies with all the terms of the Note and the affordability period ends, the terms are forgiven.

**Urgent Need National Objective:** An urgent need that exists because conditions pose a serious and immediate threat to the health or welfare of the community; the existing conditions are recent or have recently become urgent; and the subrecipient cannot finance the activities on its own because other funding sources are not available. Subrecipients or the state must document how each program and/or activity funded under this category responds to a disaster-related impact. See 24 CFR 570.208(c).

**Vendor:** Vendors and private grant administrators procured by the state or subrecipients to provide supplies, equipment, or services necessary to implement the Program and to serve homeowner assistance needs. Upon approval, the vendor may implement the Program or act on behalf of the GLO or the subrecipient.

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*Any references contained in this Housing Guidelines may be updated or changed without notice, to reflect the most up to date information available.*

***The GLO Housing Guidelines provides guidance on how to design, implement, and close a CDBG-DR Housing Program, and should not be construed as exhaustive instructions.***

For questions regarding these guidelines, contact:

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