PINAL COUNTY

WIDE OPEN OPPORTUNITY

OWNER OCCUPIED EMERGENCY REHABILITATION PROGRAM GUIDELINES

Table of Contents

Purpose……3
Eligibility Requirements……...3
Emergency Repairs or Standalone Improvement Projects……..……..4
Rehabilitation Standards……5
Homeowner Information…….....5
Environmental Reviews……7
Contractor Selection……...7
Notice to Proceed……8
Pre-construction Conference……8
Property Inspections……..…..……8
Change Orders…….. ….9
Payments and Invoices……..9
Complaint Resolution Procedures……9
Program Management……9
Fair Housing and Equal Opportunity……10
Conflict of Interest……10
Temporary Displacement……10
Complaint/Grievance Procedure……..……11

I. PURPOSE

The purpose of the Pinal County Owner Occupied Emergency Rehabilitation Program is to assist low-income homeowners with the repair of housing in which they reside. Projects such as correcting code violations and solving health and safety issues are the focus of the Program. These guidelines are a modification of the County's Owner Occupied Housing Rehabilitation Program and were created solely for the use as an emergency repair program when funded through the Arizona Department of Housing's Housing Trust Funds. This program provides financial assistance to eligible homeowners to make emergency repairs or complete standalone improvements such as Americans with Disabilities Act (ADA) accommodations or weatherization projects for an existing residence.

II. ELIGIBILITY REQUIREMENTS

To be eligible for the Program, the applicant and property to be rehabilitated must meet the following criteria:

Applicant must:

- Have a gross household income of 80% or less of the Area Median Income (AMI), based on household size. Proof of income is required and verified every 6-months.
- Legally own the housing unit to be rehabilitated and the property on which it is located. This includes the property on which manufactured or mobile home housing units are located.
- Have resided in the housing unit to be rehabilitated as a principal residence for the past 12 months, and currently reside in the property as a principal residence.
- Preferences made be identified by the state or the county within their application for assistance. Preferences may include priority populations such as persons over the age of 62, persons with a disability, persons with HIV/AIDS, families with children, of households who are extremely low income (at or below 30% AMI).

Property must:

- Be located in an unincorporated area of Pinal County or in the cities of Eloy, Florence, Mammoth or Maricopa.
- Not be located within a 100 year floodplain ("A" zone).
- Be one of the following types of properties:
    a. Traditional single family housing
    b. A condominium unit
    c. A manufactured home built after 1976, including a mobile home.
        i. Must be permanently attached to a foundation at the time of project completion.
        ii. Must be connected to permanent utility hook ups at the time of project completion.

- Be free of any encumbrances such as liens or judgments. Properties may be encumbered by a mortgage in first position so long as a financial institution or other such mortgage company holds that mortgage.
- Be current on mortgage payments, insurance premiums, and property and assessment taxes.
- Be insured for fire and liability protection in the form of fire and liability insurance.

III. EMERGENCY REPAIRS OR STANDALONE IMPROVEMENT PROJECTS

Financial Assistance for emergency repairs or standalone improvement projects shall be in the form of a grant which requires no repayment. Because the assistance is in the form of a grant, no program income is anticipated.

A. Emergency Repairs

When bringing an entire property up to the County or city's housing code is not feasible, or the structure currently meets Pinal County's Rehabilitation Standard, financial assistance for emergency repairs to eliminate an imminent threat to life, safety or health may be granted. Immediate needs will be addressed and the home may later be rehabilitated to meet Pinal County's Rehabilitation Standard. Examples of emergency repairs include roofs, heating and cooling, plumbing, electrical, and hot water heating systems.

- Minimum assistance per housing unit is $1,000.
- Maximum assistance per housing unit is $25,000. No exceptions will be made to increase this amount.
- Financial assistance shall be in the form of a grant.

B. ADA Accommodations

Homeowners may request assistance to make their residence physically accessible without rehabilitation to bring the entire property up to the county or city's housing code. Assistance may be either structural changes or purchase of durable medical equipment (if it becomes a part of the structure) and may include ramps, grab bars, handrails, raised toilets, lowered light switches, automatic door openers, visual alarms, transfer shower benches, and hand held showers.

- Minimum assistance per housing unit is $1,000.
- Maximum assistance per housing unit is $25,000. No exceptions will be made to increase this amount.
-
- Financial assistance shall be in the form of a grant.

C. Weatherization

Standalone weatherization projects not included with other rehabilitation activities should be directed to the Community Action Human Resources Agency (CAHRA) Weatherization Assistance Program.

CAHRA
109 N. Sunshine Blvd.
Eloy, AZ 85131
(520) 466-1112
https://www.cahra.org/contact-us

IV. REHABILITATION STANDARD

All rehabilitated properties assisted must comply with Pinal County's Rehabilitation Standard (Rehabilitation Standard). Upon project commencement, the entire property will be inspected for deficiencies. This program does not require the entire home be brought up to code, rather the emergency repair work will be in compliance with the Rehabilitation Standards.

The Rehabilitation Standard incorporates compliance with applicable state and/or local codes, defines standards for health and safety, and defines standards for the correction of Housing and Urban Development prescribed minimum deficiencies based on Uniform Physical Condition Standards. The Rehabilitation Standard also includes policies for repairs, methods, and materials to be used for rehabilitation activities and clarifies whether certain upgrades are permissible amenities for modest housing versus luxury items.

When determining the project scope, Pinal County will made every effort to promote and incorporate green technologies. Furthermore, the Program will adhere to the Arizona Department of Housing Weatherization Standards as they pertain to the proposed project.

V. HOMEOWNER INFORMATION

A. Marketing

Pinal County does not actively market the owner occupied housing rehabilitation or emergency repair program, however information pertaining to the availability of these services is available on www.pinal.gov. The extensive on-going waiting list maintained by Pinal County is evidence the program is widely known throughout the county.

The application for assistance is available on-line in English and Spanish. The application portal is accessible. Applicants may request assistance from the Program Coordinator to complete the application with them. Printed copies of the application are also available upon request.

B. Homeowner Application and Waiting List

Homeowner applications for the OOHR Program are available on the Pinal County Website at www.pinal.gov.

Applications will be received and processed on a first come, first served basis, with the exception of requests by households that meet the identified priority populations as identified by the funding source or the application.

When an application is received through the application portal, the Program Coordinator will review the application and determine if the applicant meets the eligibility requirements for the program. If program eligibility is met, the Coordinator may contact the homeowner to get more information about the requested repairs. Based on the information provided by the homeowner, the Program Coordinator will determine if the project is an emergency repair, standalone improvement project, or a housing rehabilitation project. An applicant's pre-screening will take place within 2 weeks of the application being submitted.

Emergency repairs must pose an imminent threat to health or safety and will be prioritized and addressed as promptly as possible. The Program Coordinator will contact the homeowner via telephone regarding all requests for emergency repairs.

The applicant will receive notice from the Program Coordinator notifying them of their placement on the waiting list. Homeowners will remain on the waiting list until they request to be removed or are contacted by the Program Coordinator to proceed to the next step.

C. Homeowner Interview and Whole House Assessment

When the County is ready to proceed with services, and the pre-screening has taken place more than 6-months prior to the time of service, the applicant must resubmit income documentation to be requalified as eligible based on updated income information. Notification of this is through the grant application portal. The Program Coordinator will also request updated homeowner insurance documentation.

Once the requested verifications are received, and the homeowner is determined to meet the eligibility requirements for the program, the Program Coordinator will contact the homeowner to schedule an on-site visit.

During the visit, the OOHR Program Coordinator will complete a Whole House assessment to identify repairs and deficiencies that must be addressed to be in compliance with the funding requirements. The Program Coordinator will need access to all rooms of the home during the whole house assessment. If the home was built before 1978, a Lead Paint Inspection may be conducted by a qualified contractor if determined to be applicable to the proposed project scope by the Program Coordinator

An Energy Audit may be conducted by a BPI certified contractor if determined to be applicable to the proposed project scope by the Program Coordinator.

D. Work Write-up and Bid Process

The Whole House Assessment, Lead Paint Inspection (if applicable), and Energy Audit will be used by the Program Coordinator to develop the work write-up for the project. The homeowner must approve the work write-up before the procurement process begins. All rehabilitation projects must be completed by a licensed contractor through the County's competitive solicitation process.

Once a contractor is identified, an agreement between the homeowner and contractor explaining each party's roles and responsibilities will be signed. No construction can begin until the agreement is fully executed and the contractor has received a Notice to Proceed from the Program Coordinator.

E. Construction

The homeowner is not authorized to make changes to the project scope of work. All requests for changes must be submitted to the Program Coordinator. Similarly, sweat equity is not allowable. All work must be completed by a licensed contractor.

The homeowner is allowed to select the following items:

1. One interior paint color
2. Exterior wall and trim color
3. Counter top color
4. One carpet color
5. One floor tile or laminate flooring color

VI. ENVIRONMENTAL REVIEW

If applicable, Pinal County will complete an environmental review on the units to receive assistance.

VII. CONTRACTOR SELECTION

The County will follow the Pinal County Procurement code and 2 CFR 200 when procuring construction services. An on-call contractor list will be created. Contractors will rotate for each project.

The OOHR Program Coordinator will prepare a scope of work based on the initial inspection of the property. A pre-bid meeting will be scheduled at the project site. The pre-bid meeting will be used to answer questions and offer information to the contractor and property owner. The contractor may not contact the homeowner prior to this meeting.

The County will obtain the bid and will evaluate the bid based on recent cost estimates to determine if the bid is the reasonable, responsible, and responsive.

Pinal County and the homeowner have the option to not accept a bid and request a bid from the next contractor on the on-call list.

Federal and County procurement rules prohibit the County from receiving a bid from a contractor on the on-call list, rejecting the bid, obtain a bid from another contractor the list, rejecting that bid, and returning to the original bidder. Therefore, the homeowner may not arbitrarily select a contractor. Likewise, the homeowner may not perform any of the project work.

County procurement staff will verify applicable State and Federal contractor clearances through (license, insurance, DUNS number, Federal tax Id number and the System for Award Management (SAM)) prior to execution of the rehabilitation contract.

VIII. NOTICE TO PROCEED

Once the contract between the homeowner, contractor, and the County has been fully executed, the Program Coordinator shall issue a Notice to Proceed to the contractor. The contractor must begin construction within seven days of the start date indicated on the Notice to Proceed. The homeowner may follow the progress of their project through the application portal.

IX. PRE CONSTRUCTION CONFERENCE

A pre-construction conference will be held at the property to be rehabilitated and will involve the homeowner, the contractor, and the Program Coordinator. This conference will cover all aspects of the rehabilitation project to assure any questions or concerns are addressed and to prevent any misunderstandings between the parties involved. All pre-construction conferences will be documented. Any special accommodations required such as translation services will be made available through the County upon request.

X. PROPERTY INSPECTIONS

The Program Coordinator will monitor and document all rehabilitation work during the course of construction and conduct regular inspections, accompanied by the homeowner whenever possible.

The County will not release final payment to the contractor until a final inspection has been completed on the home and the homeowner and County have signed off on the completed work. All concerns should be discussed with the contractor during the final walk through.

XI. CHANGE ORDERS

Change orders may be requested to cover situations which were not included in the original work write-up due to unforeseen circumstances or project modifications. Change orders require the concurrence of the homeowner and the Program Coordinator. The contractor must have written approval from the County before undertaking any change order work. Change orders will be limited to a total of 10% of the awarded contract bid amount.

XII. PAYMENTS AND INVOICES

All payment requests shall be subject for approval to the Program Coordinator and the Grant Specialist. The Program Coordinator will review and approve payment requests based on work completed. Payment requests will be forwarded to the Grant Specialist by the Coordinator for processing and payment. The contractor may request a 50% draw when one-half of the contracted work is completed and a 40% draw when 90% if the work is completed. The County will hold 10% retention for up to thirty (30) calendar days at the end of the contract to cover closeout contingencies. The contractor must submit all lien waivers, warranties/guarantees prior to the release of the 10% retention.

Final draw shall not be released until final inspections are completed, the Program Coordinator and the homeowner have signed and accepted all repairs and the contractor has provided all necessary lien waivers. The contractor shall warrant in writing all work performed under the contract for a period of two years from the date of final acceptance, and provide the homeowner with all manufacturers' and suppliers' written guarantees and warranties covering materials and equipment furnished under the contract.

XIII. COMPLAINT RESOLUTION PROCEDURES

In the event of a disagreement between the homeowner and the contractor with respect to rehabilitation work to be performed under the contract, the OOHR Program Coordinator and County staff will mediate a satisfactory resolution of the dispute. If this mediation is unsatisfactory, either party may initiate the formal Complaint/Grievance Procedure adopted by Pinal County.

These procedures are attached, and also may be obtained at the Pinal County Grant Manager’s Office, P.O. Box 1348, Florence, Arizona 85132. Each homeowner is provided with a copy of this procedure, and project files are documented accordingly.

XIV. PROGRAM MANAGEMENT

The OOHR Program Coordinator, with the assistance of the Grant Specialist, is responsible for all aspects of the implementation of the OOHR Program including,

but not limited to, application processing and verification procedures, maintaining all individual housing rehabilitation case files and updating the files on an ongoing basis, monitoring and tracking progress on all housing rehabilitation contract work. The Program Coordinator, with the help of the contractor, provides housing maintenance counseling pertaining to the work performed under the program. Additional homeownership education pertaining to budgeting, timely mortgage payments, and maintaining homeowner's insurance is also offered.

The Grant Specialist is responsible for assuring that program implementation occurs in accordance with applicable guidelines and contract requirements. The Grant Specialist is responsible for general administrative oversight, reporting procedures, recapture period and FDPL tracking.

The Grant Manager provides general program oversight and management of staff.

XV. FAIR HOUSING AND EQUAL OPPORTUNITY

The County conducts and administers all programs in conformity with the Civil Rights Act of 1968 (Fair Housing Act) and the Fair Housing Amendments Act of 1988. Pinal County shall administer all Program activities in a manner which affirmatively furthers fair housing and protects individuals from discrimination based on race, color, religion, gender, national origin, marital status, age, physical or mental disability, medical condition, or veteran status.

Pursuant to 24 CFR 5.105(a)(2), people shall not be denied HUD assisted housing services based on actual or perceived sexual orientation, gender identity, or marital status.

XVI. CONFLICT OF INTEREST

Any person who is an employee, agent, consultant, officer, or elected or appointed official of the County or the Cities of Eloy, Florence, Mammoth or Maricopa may not obtain a personal or financial interest or benefit from this activity, nor may they have an interest whatsoever, however remote, in a contract, subcontract or proceeds either for themselves, their family or business ties during their tenure, or for one year thereafter.

No contract will be awarded to a contractor who is related, or whose employee is related to the applicant by blood or marriage.

XVII. TEMPORARY DISPLACEMENT

In the event the homeowner requires or desires temporary relocation during the repair process, relocation shall be paid by the homeowner. The Program does not provide financial assistance for temporary relocation.

XVIII. COMPLAINT AND GRIEVANCE PROCEDURE

Pinal County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints or grievances concerning all aspects of the application for and implementation of Owner Occupied Housing Rehabilitation Program (OOHR).

Complaints or grievances concerning OOHR activities should be addressed to: Grants Manager, Pinal County Office of Budget and Finance, P.O. Box 1348, Florence, AZ 85132 Telephone Number (520) 866-6250. The procedure is as follows:

1. Complaints/grievances should be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations or the issue of non-compliance. Persons in need of special assistance in preparing the complaint or grievance should contact the Grants Manager.

2. A complaint/grievance should be filed within thirty (30) days after the complainant becomes aware of the alleged violation or issue of non-compliance.

3. A review, and investigation as may be appropriate, will follow filing of the complaint/grievance. The review will be conducted by the Grants Manager. These procedures contemplate an informal but thorough review process, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint/grievance.

4. A written determination as to the validity of the complaint/grievance and description of the resolution, if any, will be issued by the Assistant County Manager and a copy forwarded to the complainant no later than fifteen (15) days after its filing.

5. The complainant may request a reconsideration of the case in instances where he or she is dissatisfied with the determination or resolution. The request for reconsideration should be made in writing within fifteen (15) days of the initial response and should be directed to the County Manager at P.O. Box 827, Florence, Arizona 85132. A written determination in response to the request for reconsideration will be issued by the County Manager and a copy forwarded to the complainant no later than fifteen (15) days after its filing.

6. Any complainant who is dissatisfied with the determination resulting from the administrative review process may file an appeal. The appeal should be made in writing within fifteen (15) days of receipt of the reconsideration response and should be directed to the Pinal County Board of Supervisors at the address noted above. The complaint/grievance shall be placed on the agenda of the next regular meeting or special meeting of the Board to be held within fifteen (15) days following receipt of the appeal. Minutes of such meeting and action shall be maintained in the same manner as for other such regular or special meeting of the Board. A copy of such minutes shall be made available at cost to the

complainant within five (5) days of such meeting. The decision of the Pinal County Board of Supervisors shall be final.

7. Pinal County will maintain the files and records of any complaint/grievance filed under this Procedure for a period of five (5) years. These files and records will be available for public inspection and for review and monitoring by the Arizona Department of Housing, the Office of the Inspector General (HUD), and any other entity authorized by Pinal County.

8. The right of a person to a prompt and equitable resolution of the complaint/grievance filed here under will not be impaired by the complainant's pursuit of other remedies such as filing a complaint with the appropriate state or federal department or agency. Use of this complaint/grievance procedure is not a prerequisite to the pursuit of other remedies.