

Meeting Agenda
City of Wyoming Community Development Committee

November 6, 2013, 6:30 p.m., Wyoming City Hall, West Conference Room

Agenda Topic

- A. Call to order of the Wyoming Community Development Committee
 - Welcome new member Tamara Lopez
- B. Approval of Agenda
- C. Approval of Wyoming Community Development Committee Minutes of the October 2, 2013 meeting
- D. Public Comment on Agenda Items (limit to 3 minutes)
- E. Presentation of 2014-2015 Grant Management Schedule
- F. Rehab Manual Changes
- G. Letters of Intent
 - Identification of Applications Received
 - Code Enforcement Presentation
 - Wyoming Police Department Presentation
 - Determine invitees for additional Presentation, Consideration
- H. 2013-2014 Action Plan/Grant Update
 - Pinery Park Restroom/Concession Project Update
 - Wyoming Senior Center Project Update
- I. Community Development Review Focus Group Update
- J. Committee Member Concerns and Suggestions
- K. Public Comment in General (limit to 3 minutes)
- L. Motion to Adjourn the Wyoming Community Development Committee Meeting

(Next meeting: December 4, 2013)

COMMUNITY DEVELOPMENT COMMITTEE
MEETING MINUTES OF OCTOBER 2, 2013
CITY HALL WEST CONFERENCE ROOM
CITY OF WYOMING, MICHIGAN

- MEMBERS PRESENT: Hall, Jackson, Krenz, Wright, Ziemba
- MEMBERS ABSENT: None
- STAFF PRESENT: Rynbrandt, Director of Community Services
Lucar, Administrative Aide

Call to Order

Vice-Chair Krenz called the meeting to order at 6:33 p.m.

Approval of Agenda

Motion by Wright, supported by Ziemba, to approve the agenda as presented. Motion carried unanimously.

Approval of Prior Committee Minutes

Motion by Hall, supported by Ziemba, to approve the prior meeting minutes of September 4, 2013. Motion carried unanimously.

Public Comment on Agenda Items

There was no public present.

Conflict of Interest

Rynbrandt noted at one of the HUD regulation training sessions they stressed the importance of implementing conflict of interest language in CDBG documents, such as contracts, contractor applications and housing rehabilitation applications. There is also a need for committee members to sign a conflict of interest attestation. She asked committee members to sign the attestation either declaring they do not have a conflict of interest in serving on the committee, or declaring a conflict of interest in writing on the attestation. She gave several examples of possible conflict of interest scenarios.

HUD Monitoring Report

Rynbrandt referenced the HUD monitoring report included in the Commissioner's

packets. The HUD monitoring by HUD Financial Analyst Cindy Vails went well. She was impressed with our overall program, especially our time tracking system. She also provided some technical assistance during her visit. Her HUD monitoring report has been received, and it contained one concern and two findings:

Concern – *“The CDBG housing rehabilitation program could improve in the areas of ensuring lead-safe work practices and occupancy protections are carried out by the contractors and that the proper permits are processed when required.”* HUD’s recommendation is that we monitor our rehab contractors on a random basis while performing lead abatement work. This will be done by Rehab Inspector Ken Dalga. Also the Rehabilitation Manual will be amended to address compliance with 24 CFR Parts 35.1350 regarding lead-safe work practices and Part 35.1345 regarding occupancy protections.

Finding #1 – *“There were insufficient controls in place to ensure compliance with CDBG code enforcement eligible activity regulations.”* The City can no longer classify the CDBG portion of its code enforcement program to correct code violations as a CDBG code enforcement activity. As a result, program income derived from remediation activities, such as lawn mowing, can no longer go back into the CDBG portion of the code enforcement program as of July, 2013. Rynbrandt explained the budget amendments that will be made to reflect this change. Program income designated for code enforcement will be deleted, and the expense reduced to \$55,000 for code enforcement. Demolition funds have also be reduced from \$10,000 to \$5,000, as applicants will need to be low/moderate income qualified now to receive a demolition grant, and this is anticipated to reduce the number of applicants. This leaves \$50,504 of entitlement funds in reserve, depending upon how much program income is received through the housing rehabilitation program.

One of the other corrective actions concerning this finding was CDBG-eligible code enforcement activities must also take place in designated deteriorating or deteriorated areas. Rynbrandt noted the State’s definition of blight will be inserted into the Housing Code to address this concern.

Finding #2 – *“There were inadequate controls for managing procurement related to clearing subcontractors through the HUD listing for debarred and suspended participants, and having procedures in place for reaching out to minority and women contractors.”* Rynbrandt noted it has been the procedure to check general contractors for debarment, but now the subcontractors will be checked also.

We will also be making more of a robust effort in reaching out to minority/women/ Section 3 certified contractors. Meetings with Purchasing have already occurred to implement new strategies.

Rynbrandt will submit a response to HUD within 30 days of the report regarding the concern and findings.

Consolidated Plan Review with Kent County Outcome

Rynbrandt recently met with Kent County Community Development staff members to explore continued opportunities for collaboration. The next Analysis of Impediments to Fair Housing will most likely be done in cooperation with Kent County. It was originally thought that the Five-Year Consolidated Plan could possibly be done with Kent County and Grand Rapids. However, HUD State Director Keith Hernandez confirmed that a joint Con Plan can only be done if a regional consortium is formed, which would receive a single grant allocation.

Letters of Intent, Presentations Requested/Invited

Rynbrandt mentioned the 2014-15 Letters of Intent applications have been sent out to numerous organizations. The deadline for submission is October 24th. Staff will do the initial vetting of the applications, checking whether they meet the HUD national objectives and regulations. The Committee will be reviewing the applications at their November 6th meeting and deciding who they will interview. The interviews will take place at their December meeting. She thought the code enforcement and community policing presentations could possibly be made at the November 6th meeting.

2013-2014 Action Plan/Grant Update

Pinery Park Restroom/Concession Project Update – The new restroom/concession building is about 80% complete. It should be done by the end of October.

Wyoming Senior Center Project Update – This multi-purpose room renovation project has been bid out and bid proposals are due by November 5, 2013. There will be a pre-bid meeting held on October 21st. Construction will begin in January 2014. CDBG funds of \$100,000 will be spent on this project, with additional funding provided through the Parks and Recreation millage (\$100,000) and Wyoming Senior Fellowship Club (\$60,000), the Center's non-profit organization.

Community Development Review Focus Group Update

Rynbrandt noted she had submitted information regarding CDBG staff administrative time to the consultants. She and Krenz will attend the next focus group meeting on October 17th.

Committee Member Concerns and Suggestions

Wright announced he will be moving to East Grand Rapids, so unfortunately he will

Page 4

have to resign from the committee because he will no longer meet the residency requirement. The committee members thanked him for his service.

Election of Officers

Rynbrandt opened the nominations for the position of Chair. Motion by Wright, supported by Krenz, to nominate Hall for the position of Chair. Hall accepted the nomination. Motion carried unanimously.

Chairman Hall opened the nominations for the position of Vice-Chair. Motion by Wright, supported by Ziemba, to nominate Krenz for the position of Vice-Chair. Krenz accepted the nomination. Motion carried unanimously.

Public Comment in General

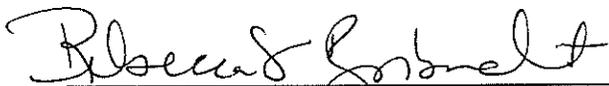
There was no public present.

Adjournment

Motion by Wright, supported by Ziemba, to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 7:25 p.m.

(The next meeting is scheduled for November 6, 2013.)



Rebecca L. Rynbrandt
Director of Community Services

TENTATIVE SCHEDULE
HUD PLAN SUBMITTALS
COMMUNITY DEVELOPMENT PROGRAM, 2014/2015

<u>Date</u>	<u>Action</u>
1/14/2014	5:00 PM Deadline to submit CD Committee Public Hearing Notice to be published by the Clerk. (Publish date 1/18/13 Saturday; Hearing date 2/5/2013 Wed.)
1/18/2014	Publish CD Committee Public Hearing Notice (for 2/5/2013).
1/30/2014	SF-425 Federal Cash Transactions Report (Accounting submits)
2/5/2014	CD Committee Meeting and Approval (15 days from publishing).
2/12/2014	12:00 PM Deadline to submit Council Resolution to set Public Hearing to Clerk. (2/17/2013 Monday)
2/17/2014	City Council to set Public Hearing date (4/7/2014) for citizens' views on Proposed Action Plan.
2/17/2014	Send Correspondence/Proposed Action Plan to DEQ and State Historic Preservation Office
2/25/2014	5:00 PM Deadline to submit Proposed Action Plan & Public Hearing Notice to be published by the Clerk. (Publish date 3/1/2014 Saturday)
2/27/2014	Send Proposed Action Plan to Interested Parties.
3/1/2014	Publish Public Hearing Notice (PH on 4/7/2014).
3/1/2014	Publish Proposed Action Plan. Post at Wyoming Public Library.
4/1/2014	12:00 PM Deadline to submit Council Resolution to approve Proposed FY 2014-2015 Action Plan to Clerk. (4/7/2014 Monday)
3/27/2014	Complete Environmental Review Record.
4/1/2014	Semi-Annual Labor Standards Report (HUD Form 4710) Due
4/7/2014	Hold Public Hearing on Proposed Action Plan (3/1/2014 to 4/7/2014 = 35+ days)
4/7/2014	Obtain City Council Approval of Proposed Action Plan.
4/8/2014	5:00 PM Deadline to submit Final Action Plan to be published by the Clerk. (Publish date 4/12/2014 Saturday)
4/8/2014	5:00 PM Deadline to submit Environmental Impact Notice and Intent to Request Release of Funds to be published by the Clerk. (Publish date 4/12/2014 Saturday)
4/12/2014	Publish Availability of Final Action Plan
4/12/2014	Publish Environmental Impact Notice

4/12/2014	Publish Intent to Request Release of Funds
4/28/2014	Submit Request to Release Funds (16 days from publishing)
4/30/2014	SF-425 Federal Cash Transactions Report (Accounting submits)
5/1/2014	Draft Subrecipient Agreements/Includes Subrecipients CDFA project funding
5/8/2014	Submit Final Action Plan
5/16/2014	Action Plan due to HUD (45 days before beginning of program year)
6/10/2014	5:00 PM Deadline to submit Public Notice-Federal Funds Awarded (Sec. 3 Labor requirement)
6/14/2014	Publish Public Notice-Federal Funds Awarded (Sec. 3 Labor requirement)
6/30/2014	Run LA Pro Reports for CAPER & Accounting (Outstanding Loans & Deferred Loans)
7/30/2014	SF-425 Federal Cash Transactions Report (Accounting submits)
7/30/2014	Enter Federal Funding Accountability & Transparency Act Subaward Reporting System data in FSRS system (contracts over \$25,000)
8/12/2014	5:00 PM Deadline to submit CAPER Public Hearing Notice to be published by the Clerk. (Publish date 8/16/2014)
8/16/2014	Publish CAPER C.D. Committee Public Hearing Notice (P.H. on 9/3/14)
8/26/2014	5:00 PM Deadline to submit Notice of Availability of CAPER (Publish date 8/30/2014)
8/30/2014	Publish Notice of Availability of CAPER (15 day comment period) (Post at Wyoming Public Library)
9/3/2014	Hold C.D. Committee Public Hearing on CAPER
9/27/2014	CAPER Due
9/30/2014	Section 3 Summary Report (HUD Form 60002) Due (Submit On-Line)
9/30/2014	5:00 PM Deadline to submit Public Notice-Request for Letters of Intent for potential subrecipients FY 2015/16 (Publish 10/4/2014)
10/4/2014	Semi-Annual Labor Standards Report (HUD Form 4710) Due
10/4/2014	Publish Public Notice-Request for Letters of Intent for potential subrecipients FY 2015/16
10/11/2014	Contractor, Subcontractor Activity Summary Report (HUD Form 2516) Due
10/23/2014	Deadline for potential subrecipients FY 2015/16 to submit Letters of Intent
10/30/2014	SF-425 Federal Cash Transactions Report (Accounting submits)

Color Key:

One Year Action Plan

Semi-Annual Labor Standards Report (HUD Form 4710)

HUD 425 Federal Cash Transactions Report (Accounting submits each quarter)

Contractor, Subcontractor Activity Summary Report (HUD Form 2516)

CAPER

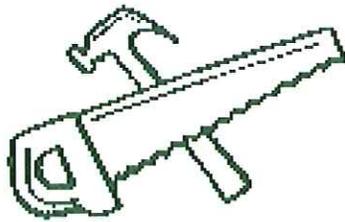
Section 3 Summary Report (HUD Form 60002)

Environmental Review

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CITY OF WYOMING REHABILITATION MANUAL



REHABILITATION MANUAL

Guidelines for Rehabilitation Programs

Sponsored by the

Community Development Program

CITY OF WYOMING, MICHIGAN

Wyoming Community Development Committee Approval:	4/3/13
Wyoming City Council Adoption:	5/20/13
Wyoming Community Development Committee Revised:	
Wyoming City Council Revised:	

Complaint and Appeals Tier Chart	25
IX. Homeowner Housing Rehabilitation Program Administration	26
A. Introduction	26
B. Application Process	26
C. Bidding and Approval Process	27
D. Financial Settlement	28
E. Contract Management	28
F. Case Close Out and Required Records	29
G. Monthly Loan Payments	31
H. Late Loan Payments	31
I. Subordination	32
X. Commercial Rehabilitation Program Administration	33
A. Introduction	33
B. Application Process	33
C. Bidding and Approval Process	34
D. Financial Settlement	34
E. Contract Management	35
F. Case Close Out and Required Records	35
G. Late Loan Payments	35
H. Subordination	36
XI. Demolition Program Administration	37
A. Introduction	37
B. Application Process	37
C. Bidding and Approval Process	37
D. Settlement Documents	38
E. Contract Management	38
F. Case Close Out and Required Records	39
XII. Homeowner Housing Emergency Repair Program Administration	41
A. Introduction	41
B. Waiver Allowances	41
Appendix A Classification of Eligible Work Items	42
A. Introduction	42
B. Work Item Classifications	42

REHABILITATION MANUAL
LIST OF PARTICIPATING OFFICIALS
WYOMING, MICHIGAN

CITY COUNCIL

Jack Poll Mayor
William VerHulst 1st Ward
Richard Pastoor 2nd Ward
Joanne Voorhees. 3rd Ward
Kent Vanderwood At-Large
Sam Bolt At-Large
Dan Burrill At-Large

COMMUNITY DEVELOPMENT COMMITTEE

Christopher Hall - Chair
Deborah Krenz – Vice Chair
Tyler Jackson
Tamara Lopez
Phillip Ziemba

REHABILITATION COMMITTEE

Rebecca Rynbrandt Director of Community Services
James DeLange Chief Building Official
Timothy Cochran City Planner

PROJECT STAFF

Curtis Holt City Manager
Barbara VanDuren Deputy City Manager
Rebecca Rynbrandt Director of Community Services
Kimberly Lucar Administrative Aide
Kenneth Dalga. Building Rehabilitation Specialist

TABLE OF CONTENTS

I.	Introduction	1
A.	Description of the Community Development Rehabilitation Program	1
B.	Use of the Rehabilitation Manual	2
C.	Effective Date	2
II.	Definitions	3
III.	Homeowner Housing Rehabilitation Program	5
A.	Purpose	5
B.	Eligibility Requirements	5
C.	Funding Limitations	6
D.	Mortgage Requirements	6
E.	Eligible Improvements	7
F.	Deferred Loan/Grant or Loan Approval Authority	8
IV.	Commercial Rehabilitation Program	9
A.	Purpose	9
B.	Loan Eligibility Requirements	9
C.	Funding Limitations	9
D.	Mortgage Requirements	10
E.	Eligible Improvements	10
F.	Federal Regulations	11
G.	Loan Approval Authority	11
V.	Demolition Program	12
A.	Purpose	12
B.	Eligibility Requirements	12
C.	Funding Limitations	12
D.	Eligible Work	13
E.	Demolition Approval Authority	13
VI.	Homeowner Housing Emergency Repair Program	14
A.	Purpose	14
B.	Eligibility Requirements	14
C.	Funding Limitations	14
D.	Approval	14
VII.	General Administrative Responsibilities	15
A.	Community Development Committee	15
B.	The Rehabilitation Committee	16
C.	Community Development Department Staff	18
D.	Rehabilitation Program Loan Recipient	19
E.	Rehabilitation Contractor	20
VIII.	Appeals Procedure	23
A.	Purpose	23
B.	Basic Rights and Rules	23
C.	Review, Determination and Notification	24
D.	Judicial Review	24

SECTION I
INTRODUCTION

A. DESCRIPTION OF THE COMMUNITY DEVELOPMENT REHABILITATION PROGRAM:

1. Administration:

Since 1975, the Department of Housing and Urban Development has annually made available grants to communities for various community improvements under HUD's Community Development Block Grant Program (CDBG). HUD has set parameters for use of the grant monies, but the individual communities may design their own programs and activities within the federal parameters. In Wyoming the CDBG Program has been guided by the Five Year Consolidated Strategic Plan for the City of Wyoming, that sets general guidelines relative to where to spend the monies and for what purposes. The annual City HUD application refines and details the Plan guide. It is called the Wyoming Consolidated Housing and Community Development Plan (CHCDP) One Year Action Plan.

The Wyoming City Council adopts the CHCDP and approves the annual CHCDP application. However, to provide additional citizen input, the Council has appointed a citizens advisory committee known as the Community Development Committee to make recommendations to it covering the overall CDBG Program and the five year Plan.

While not involved with recommendations for the five year Plan or annual CDBG application, another Committee has responsibilities in the approval of site specific activities, based on the Plan and application. This is the Rehabilitation Committee, consisting of three staff members from the Community Services area.

Housed within the City of Wyoming's Community Services Division, the Community Development Department handles the day-to-day administration of the CDBG Program and serves as staff advisor to the Council, Community Development Committee and Rehabilitation Committee. The Community Development Department has such functions as preparing the CHCDP and annual CHCDP application, implementing CDBG projects and satisfying the HUD administrative requirements. Five other City departments have continuous input into the CDBG Program. The Planning Department assists in the identification of blighted areas, land use planning, and housing needs; the Building Inspections Department provides expertise in specialized building rehabilitation; the Engineering Department supervises major construction projects; the Accounting Department does the financial bookkeeping; and the Treasurer's Office acts as the collection agent for loan payments. Other City departments provide periodic assistance as needed.

For a more detailed description of the key Committees and C.D. Staff involved in the CDBG Program, refer to Section VII.

2. Objectives:

Beginning in 1974 and periodically thereafter, studies of the City have been conducted by

the Planning/Community Development Department staff to determine City and citizen needs within the framework of HUD-guidelines. These studies have located pockets of low and moderate income families and neighborhood development needs, including physical deterioration in housing and various City services. Based on the studies, the following CDBG Program objectives were developed and approved by the City Council:

- a. Elimination and prevention of slums and blight.
- b. Improvement of the health, safety and welfare of the City's low and moderate income residents.
- c. Conservation and preservation of housing.
- d. Improvement of neighborhood economic and social conditions.

The CHCDP and annual CHCDP applications and subsequent projects reflect these objectives.

B. USE OF THE REHABILITATION MANUAL:

This manual describes those adopted City policies, programs and administrative processes related to the structural rehabilitation portion of the overall CDBG Program. Program elements not included in the Manual include new construction and equipment projects, social programs, and other non-rehabilitation activities. An outline of the Manual follows:

- Sections I-II: Introductory Materials
- III-VI: Programs
- VII-VIII: General Administration
- IX-XII: Program Administration
- Appendix A: Classification of Eligible Work Items

Refer to the TABLE OF CONTENTS for the location of each of the sections.

C. EFFECTIVE DATE:

This manual supersedes all prior City of Wyoming Rehabilitation Manuals and is effective as of the date of Wyoming City Council adoption as noted on the title page.

SECTION II

DEFINITIONS

The definitions listed here are included to provide full understanding of the guidelines set forth in this Manual. Whenever possible, the definitions of terms are those set forth in the Municipal Codes and Ordinances of City of Wyoming, Michigan. None of the terms listed here are intended to nullify the provisions of any local code or ordinance.

Applicant: A family, person or owner who is applying for rehabilitation assistance.

Assessed Value: The value of a piece of property for tax purposes, as determined by the Wyoming City Assessor. Assumed to be one-half of market value.

Code Violations: Those conditions that are not in conformance with applicable Federal, State, County and City health, housing, building, fire prevention, housing maintenance, zoning codes and other public standards.

Contract: A written, signed agreement to perform housing improvement or demolition work.

Contractors: Any general contractor, sub-contractor, worker or supplier who does rehabilitation work for applicants under this program.

Community Development Office: A department of the City of Wyoming's Community Services area that is responsible for administering the Community Development Program.

Deferred Loan/Grant: An award of Community Development funds to an eligible applicant to be used for home repairs. The required amount of repayment of the funds, if any, is based upon the number of years that the mortgage is in effect.

General Improvement Items: Those rehabilitation improvement work items which increase the general value of a residence, such as carpeting, cabinets, interior painting or wall coverings, air conditioning, refrigerator, stove or oven, but are not code violations.

Gross Family Income: All income according to the HUD definition of "Annual Income", except that past and future overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services shall not be considered if deemed to be nonrecurring by the Rehabilitation Committee.

Housing Improvement Area: A portion of the City, designated by the Community Development Committee and the City Council, in which funds may be expended for Community Development Program activities.

H.U.D.: An office of the federal government known as the Department of Housing and Urban Development.

Inspector: A city employee whose responsibility is to enforce Michigan construction and property maintenance codes.

Incipient Code Violations: Those conditions, in the judgment of the Code Enforcement Inspector, Building Inspector, or Building Rehabilitation Specialist that are likely to deteriorate into actual code

violations in the near future.

Liquid Assets: All assets of an applicant, which shall include, but are not limited to, cash, checking and savings accounts, stocks, bonds, mutual funds, IRA's and real estate other than the principal residence.

Loan: An award of Community Development funds to an eligible applicant to rehabilitate property, which must be repaid in installment payments to the City.

Mortgage: A security document, in favor of the City, placed against the property of a loan or deferred loan/grant recipient, which states the repayment terms of the rehabilitation loan or deferred loan/grant.

Owner (Legally Authorized Agent): Persons or families who are the fee owners or contract for deed purchasers of eligible properties.

Rehabilitation: A repair or renewal treatment used to restore or revitalize deteriorating properties.

Severe Code Violations: Those code violations that directly and immediately endanger the public health, safety and welfare.

Target Area: Same as Housing Improvement Area.

SECTION III

HOMEOWNER HOUSING REHABILITATION PROGRAM

A. PURPOSE:

As a means of maintaining and improving the structural condition of neighborhoods, and to provide housing assistance to low and moderate income homeowners, deferred loan/grants and loans are available to low and moderate income homeowners in Community Development Target Areas for housing rehabilitation. Policies and rules pertaining to the Homeowner Housing Rehabilitation Program follow.

B. ELIGIBILITY REQUIREMENTS:

1. Property:

- a. Type/Location: The property shall be a single-family residence located anywhere in the city.
- b. Zoning: The property must be residentially zoned, according to the Wyoming Zoning Ordinance.
- c. Limit: Only one deferred loan or loan may be given per property in any 20 year period.

2. Applicant:

- a. Ownership: The applicant must be an owner-occupant or purchaser-occupant of the residence. A title search will be obtained for the property.
- b. Limit: The applicant may receive no more than one deferred loan or loan in any 20 year period.
- c. Income: For deferred loans/grants the gross family income of applicants shall not exceed 50% of the most current applicable median gross family income of the Grand Rapids Standard Metropolitan Statistical Area (SMSA). For loans, the gross family income limit shall be 80% of the SMSA figure. These figures shall be calculated based on SMSA family income data provided by the Economic Market and Analysis Division of HUD. Income calculations shall be based on averaging the total previous tax year's income with the current projected year's income, based on a normal week's salary. However, if the current projected year's income exceeds the program's income standards, the applicant is ineligible for funds.
- d. Ability to Repay: The applicant must verify to the City the ability to repay a loan; this requirement is waived for deferred loan/grants. For loans, the following documents shall be submitted:
 - IRS Personal Income Tax Report for previous year.
 - Current Income Verification form from employer(s), three most current payroll

stubs and/or other verification of non-wages income.

- Personal Credit Report (Ordered and reviewed by the Community Development Department).

- Title Report (Ordered and reviewed by the Community Development Department) verifying proof of home ownership and clear title.

- Personal Financial Statement/Monthly Budget (The ability to pay index on the PFS must be greater than \$100 a month per household member to qualify for approval of the loan.)

- e. Assets: For deferred loan/grant applicants, liquid assets cannot exceed \$15,000. For loan applicants, there are no asset limits.

C. FUNDING LIMITATIONS:

1. Maximum: The actual amount of all eligible work item costs and closing costs shall be the amount of funding to a limit of \$20,000.
2. Contingency: Up to an additional 10 percent of the funding amount of the initial contract may be authorized by the City and the applicant to cover unforeseen expenditures during construction. The amount may be used to cover legitimate repair costs associated with the original bid items or work specified in the contract. If the added repair costs exceed the 10% amount, the owner may escrow the additional monies or the Rehabilitation Committee may approve the added costs, provided that the total costs remain within the maximum funding limits.
3. Overages: Any work completed, not previously authorized by the City, that exceeds the maximum funding limitations shall be at the discretion and obligation of the owner.
4. Existing Debt: Funds shall not be available to refinance existing debt on the property.
5. Change Orders: Change orders may be made to substitute for contract items in order to comply with the limits set forth in III(C)(1) and III(C)(2), with the written approval of the appropriate Community Development staff member, owner(s) and contractor.

D. MORTGAGE REQUIREMENTS:

1. Mortgage Recording: The city must record a mortgage in the name of the City against any property for which a deferred loan/grant or loan has been approved. In cases where an applicant will not agree to a mortgage, the Rehabilitation Committee must disapprove the application. For a property under land contract, the contract seller must also sign the mortgage, except that this condition may be waived in instances where the land contract seller refuses to sign a mortgage and the applicant signs an assignment of land contract as security.
2. Transfer of Title: If the title of the property is transferred by the recipient to any party, other than his or her spouse, then the outstanding balance of the mortgage shall become due and payable on the closing date of the title transfer.

3. Pre-Payment: There shall be no penalty for total prepayment of loans.
4. Term: The term for a deferred loan/grant shall continue indefinitely until the outstanding loan amount is repaid. The applicant may choose to repay the loan or portions thereof at any time. The repayment shall be due upon transfer of title under the conditions of III(D)(2). That portion of the deferred loan/grant to be repaid (with the remainder deemed a grant) shall be according to the following schedule:

<u>Length of Time from the Mortgage Date</u>	<u>Repayment Rate</u>
0-1 Year	100%
1-2 Years	90%
2-3 Years	80%
3-4 Years	70%
4-5 Years	60%
5 or More Years	50%

The maximum term for a loan is 15 years, except that the Rehabilitation Committee may require a shorter term. The minimum monthly loan payment is \$25.00

5. Interest Rate: No interest shall be charged for deferred loan/grants. The annual interest rate for loans shall be three percent (3%).

E. ELIGIBLE IMPROVEMENTS:

(See Appendix A, "Classification of Eligible Work Items" for a detailed description of Code Violations versus General Improvement Items.)

1. Code Violations: All code violations shall be repaired within the maximum limitations. In the event that costs for these corrections exceed the limits, deletions may be made on certain repairs at the discretion of the Rehabilitation Committee. The committee may require the applicant to escrow additional monies to cover those items, which exceed the limitations prior to the approval of assistance. Garage repairs are also eligible.
2. Incipient Code Violations: The application may include incipient code violation repairs.
3. General Improvement Items: General Improvement Items, as defined in this Manual, not to exceed \$5,000 in total costs, may be included in an improvement loan, but not in a deferred loan/grant. All code violations shall be included for correction before approval of any general improvement items as determined by the Rehabilitation Committee.
4. Self-Help: Deferred loan/grants or loans shall not be used to finance work performed by the recipient or any unlicensed contractor. All work shall be on a contractual basis between the loan recipient and a contractor.

F. DEFERRED LOAN/GRANT OR LOAN APPROVAL AUTHORITY:

Sole approval of a deferred loan/grant or loan shall rest with the City, through the Rehabilitation Committee. A majority vote of the Rehabilitation Committee is required for the final approval of a deferred loan/grant or loan.

SECTION IV
COMMERCIAL REHABILITATION PROGRAM

A. PURPOSE:

A deteriorating neighborhood commercial sector is a blighting influence on the nearby residential neighborhood. Inadequate business parking or cramped space also inconveniences or underserves the residents. In order to maintain a strong neighborhood commercial sector and safeguard the adjoining neighborhood, loans are available to property owners of businesses for property improvement. Policies and rules pertaining to the Commercial Rehabilitation Program follow.

B. LOAN ELIGIBILITY REQUIREMENTS:

1. Property:

- a. Location: The business shall be located in a qualified target area designated as part of the Wyoming Community Development Block Grant Program.
- b. Zoning: The property must be eligible for use as commercial activities, according to the Wyoming Zoning Ordinance.
- c. Type of Structure: The structure must be at least 50 percent commercial in structural design.
- d. Limit: Only one loan may be given per structure per 20 year period.

2. Applicant:

- a. Ownership/Unit Eligibility: The applicant must be the owner/purchaser of the structure or unit. A title search will be obtained for the property.
- b. Ability to Repay: The applicant must verify to the City the ability to repay the rehabilitation loan. The following documents shall be submitted:
 - Personal Credit Report (Ordered and reviewed by the Wyoming Community Development Department).
 - Title Report (Ordered and reviewed by the Community Development Department) verifying proof of home ownership and clear title.
 - Personal Financial Statement/Monthly Budget (The ability to pay index on the PFS must be great than \$100 per month to qualify for approval of the loan).
 - Profit and loss statement (for loans over \$10,000).
 - Personal Income Tax forms (for loans over \$10,000).

C. FUNDING LIMITATIONS:

1. Maximum: The applicant shall be eligible for a loan up to \$10,000 with no matching private funds required. For project costs exceeding \$10,000, a dollar for dollar applicant match is required of that amount over \$10,000. No Community Development loan shall exceed \$25,000. Also, no loan may be given if the debt on the property exceeds two times the current City assessed value of the property, except that other types of loan guarantees may be provided, as per Section IV(D).
2. Contingency: Up to an additional 10 percent of the funding amount of the initial contract may be authorized by the City and the applicant to cover unforeseen expenditures during construction. The amount may be used to cover legitimate repair costs associated with original bid items or work specified in the contract. If the added repair costs exceed the 10% amount, the owner must escrow the additional monies or the Rehabilitation Committee may approve the added costs provided that the total costs remain within the maximum funding limits.
3. Overages: Any work completed, not previously authorized by the City, that exceeds the maximum funding limitations shall be at the discretion and obligation of the owner.
4. Existing Debt: Funds shall not be available to refinance existing debt on the property.
5. Change Orders: Change orders may be made to substitute for contract items in order to comply with the limits set forth in IV(C)(1) and IV(C)(2), with the written approval of the appropriate Community Development staff member, owner(s) and contractor.

D. MORTGAGE REQUIREMENTS:

1. Mortgage Recording: The City will record a mortgage in the name of the City against any property for which a rehabilitation loan has been approved. However, the Rehabilitation Committee may accept a mortgage on an alternate property of the applicant, providing that it satisfies the requirements of Section IV(C)(1). In cases where the applicant will not agree to a mortgage, the Rehabilitation Committee must disapprove the loan.
2. Transfer of Title: If the title to the property is transferred by the recipient to any party, other than his or her spouse, then the outstanding balance of the mortgage shall become due and payable on the closing date of the title transfer.
3. Pre-Payment: There shall be no penalty for total prepayment of the loan.
4. Term: The maximum term of a loan is fifteen years. The Rehabilitation Committee may require a shorter term loan. Minimum monthly loan payment shall be \$25.00.
5. Interest Rate: The annual interest rate shall be three percent.

E. ELIGIBLE IMPROVEMENTS:

1. Priority and Types of Improvements: The following types of eligible improvements are listed in order of priority:
 - a. Correction of severe code violations (See Appendix A) items.

- b. Creation of five or more parking spaces, where there is a parking deficiency.
- c. Facade improvements.
- d. Correction of other code or maintenance items. (Items a-c above must be completed first.)
- e. Repaving of existing parking allowed only when any of the above items are also being done. (Maximum of 50% of a loan for repaving.)
- f. Fencing and landscaping improvements when auxiliary to any of the other above improvements.

2. Self-Help: Loans shall not be used to finance work performed by the recipient. All work shall be on a contractual basis between the loan recipient and a licensed contractor.

F. FEDERAL REGULATIONS:

All Federal Regulations shall apply as required by HUD, periodically amended. The following federal regulations, as well as any required updates, shall be adhered to in commercial loan cases:

- 1. Davis Bacon Wage Rates
- 2. Copeland "Anti-Kickback" Act
- 3. Wage, Hour and Safety Act
- 4. HUD Section 3 Training Act
- 5. Equal Opportunity Statement
- 6. Affirmative Action Plan (for loans over \$10,000)
- 7. Invitational open bidding through the Community Development Department (for loans under \$10,000)

G. LOAN APPROVAL AUTHORITY:

Sole approval of a loan shall rest with the City, through the Rehabilitation Committee. A majority vote of the Rehabilitation Committee is necessary for the final approval of the loan.

SECTION V

DEMOLITION PROGRAM

A. PURPOSE:

Certain structures in the City evidence physical deterioration, or obsolescence, to such a high degree that restoration is no longer economically feasible. Yet, such structures remain standing, often for years, and have a blighting influence on the neighborhood. Therefore, non-repayable grants are made available for the demolition of such structures. Policies and rules related to the Demolition Program follow.

B. ELIGIBILITY REQUIREMENTS:

1. Property:

- a. Type/Location: Grants may be given to demolish structures that are deemed, by the Rehabilitation Committee, to be physically decayed and a blighting influence on the neighborhood. For commercial projects only, obsolescence may also be a qualifying factor, if the demolition is part of a commercial improvement project under Section IV of this Manual. The structure to be demolished shall be located anywhere in the city.
- b. Limit: Only one grant may be given per property.

2. Applicant:

- a. Ownership: The applicant must be the owner of the structure to be demolished and the related land area. A title search will be obtained for the property.
- b. Income: For demolition grants, the gross family income of applicants shall not exceed 80% of the Grand Rapids Standard Metropolitan Statistical Area (SMSA). These figures shall be calculated based on SMSA family income data provided by the Economic Market and Analysis Division of HUD. Income calculations shall be based on averaging the total previous tax year's income with the current projected year's income, based on a normal week's salary. However, if the current projected year's income exceeds the program's income standards, the applicant is ineligible for funds.
- c. Authorization and Release of Liability: All persons and/or organizations with an interest in the property must sign an "Authorization and Release of Liability" form which releases the City from any possible liability resulting from the demolition.
- d. Limit: Only one grant may be given per property owner.

C. FUNDING LIMITATIONS:

1. Maximum: The amount of the grant shall not exceed the costs of demolition of the structure plus related eligible work as defined in Section V D.

2. Contingency: Up to an additional 10 percent of the funding amount of the initial contract may be authorized by the city and the applicant as a contingency to cover unforeseen expenditures during the work. The amount shall be used to cover legitimate repair costs associated with original bid items or work specified in the contract.
3. Overages: Any work completed, not previously authorized by the City, that exceeds the contract shall be at the discretion and obligation of the owner.
4. Change Order: Change orders may be made to substitute for contracted items, with the written approval of the applicable Community Development Department staff member, owner(s) and contractor.

D. ELIGIBLE WORK:

1. Eligible Items: The following items may be removed from the site, subject to the approval of the Rehabilitation Committee:
 - a. Building structures, including decks, fences, garages or other blighted structures.
 - b. Concrete foundations, pads, floors, driveways, sidewalks, etc.
 - c. Trees, stumps, bushes, fencing, etc., located on public property.
2. Self-Help: The grant shall not be used to finance work performed by the recipient. All work shall be on a contractual basis between the recipient and a qualified contractor.

E. DEMOLITION APPROVAL AUTHORITY:

Sole approval of a demolition grant shall rest with the City. The Rehabilitation Committee shall have approval authority, by majority vote. For grants of \$8,500 or more, the Wyoming City Council must also approve the demolition.

SECTION VI

HOMEOWNER HOUSING EMERGENCY REPAIR PROGRAM

A. PURPOSE:

The Homeowner Housing Emergency Repair Program allows for the expediting of repair to those housing code violations creating a severe and immediate threat to the homeowner's health and safety while waiting for processing to correct housing code violations in the dwelling under the normal housing rehabilitation process as described in Section III.

B. ELIGIBILITY REQUIREMENTS:

1. Property: The property must satisfy the requirements of Section III(B)(1).
2. Applicant: The applicant must satisfy the requirements of Section III(B)(2), except that family income verification will be based on a preliminary reduced investigation to allow for a faster decision on the request.
3. Security Requirements: Eligible applicants must sign a mortgage or an assignment of land contract as security.
4. Limit: Emergency repair funds may not be awarded for structures previously repaired within the past 20 years through the Homeowners Housing Rehabilitation Program (Section III).

C. FUNDING LIMITATIONS:

1. Emergency Determination: An emergency repair item shall be a furnace replacement and/or a roof replacement. The Building Rehabilitation Specialist shall determine if items are an emergency and make a recommendation to the Rehabilitation Committee.
2. Other Improvements: Applicants receiving emergency repair funds will be placed at the front of the Community Development Department's waitlist and all other eligible home improvements may be addressed at that time to be included in the home rehabilitation deferred loan/grant or loan, as per Section III. The number of emergency cases per year shall be monitored to review any noticeable increases in requests.
3. Disqualification: In cases where formal verification indicates that the applicant is ineligible for funds, the emergency repair costs shall be deemed as a debt of the applicant to the City and shall become due and payable within 30 days from the date of disqualification of the application.

D. APPROVAL:

The Rehabilitation Committee shall determine and approve any emergency repair items and the amount of funding.

SECTION VII

GENERAL ADMINISTRATIVE RESPONSIBILITIES

A. COMMUNITY DEVELOPMENT COMMITTEE:

1. Purpose:

This Committee is formed to provide citizen representation to advise staff and the City Council relative to the overall Community Development Program, including in particular the Community Development Plan and the annual Community Development Applications.

2. Members:

This Committee shall have nine members, appointed by the City Council. Members shall serve for two years. However, for any City Official appointment (e.g., Council, Planning Commission), if that City Official is not reelected or reappointed to the respective City Council or Commission, then there shall automatically be a like vacancy on the Community Development Committee, with the City Council charged with appointing a replacement to complete the member's term. **Each appointed member shall sign a Conflict of Interest Attestation, stating they will agree and will comply with the Conflict of Interest Clause, Part of 24 CFR 570.611.**

When making appointments to the Committee, the Council shall strive to maintain a broadly representative Committee, but with emphasis on such groups as current and anticipated Community Development Target Area residents and businesses, lower income families, minorities, elderly, females, City Council and other City government commissions related to developmental activities. The Chair of the Committee shall be elected annually by the members, at the first meeting occurring after January 1st. The Director of Community Services shall be an ex-officio member of the Committee. The Community Development Department Administrative Secretary/Aide shall serve as Recording Secretary for this Committee.

3. Duties:

The Community Development Committee shall review and make recommendations to the City Council relative to the following items:

- a. Consolidated Housing and Community Development Plan (CHCDP): Every five years, or sooner if necessitated by changing developmental conditions, a new CHCDP is prepared by the Community Development Department staff. The Committee shall review said Plan, relative to such content as selection of project Target Areas, determination of neighborhood needs, general improvements for funding and priorities and phasing of funding.
- b. Community Development Application: Annually, the City must make application for another year's C.D. funding. The Committee shall work with the Community Development Department staff in the preparation of said application, considering in particular its appropriateness to the recommendation of the CHCDP.

- c. Rehabilitation Manual: The Rehabilitation Manual represents City policy, responsibilities and regulations relative to various Community Development rehabilitation programs. The Committee shall review the Manual, as prepared by the Community Development staff, for its appropriate relationship to items VII A-3, a-b above, overall HUD and City program objectives, and sound administrative practices.
- d. Miscellaneous Assistance: The Committee shall provide additional assistance related to the Community Development Program as requested by the City Council or the Community Development Department staff.

4. Meetings:

The Committee shall meet as needed to accomplish Committee business. Minutes shall be kept.

B. THE REHABILITATION COMMITTEE

1. Purpose:

This Committee is formed for the purpose of reviewing and approving Community Development residential loan, residential deferred loan/grant, commercial loan, homeowner housing emergency and corrective repair, and demolition applications. Review responsibilities shall include applicant eligibility, work items, costs and contractor eligibility.

The Committee also makes determinations, when requested by the Director of Community Services, concerning actions to be taken relative to late loan payment cases.

2. Members:

The appointed members of this Committee shall be the Chief Building Official, the City Planner and the Director of Community Services. Each appointed member may authorize a substitute member to attend those meetings when the appointed member will be absent. The substitute member shall have the same voting privileges as the appointed member. There shall be a minimum of two appointed members and three total members at each meeting. The Director of Community Services shall serve as Chairman of the Committee.

3. Duties:

The Rehabilitation Committee shall have, but not be limited to the following duties:

- a. Committee Review: The Committee shall review all Community Development residential loan, residential deferred loan/grant, commercial loan and demolition applications and make appropriate modifications to contracts where necessary to promote the best interests of the program. Before the Committee shall approve a loan or deferred loan/grant, a minimum of two bids from qualified contractors must be received.
- b. Lowest Bidder: The Committee shall approve the lowest bidder, if qualified, to complete the work in cases of a deferred loan/grant. In loan cases, the Committee shall approve the lowest bidder, if qualified, unless the applicant requests to select a

qualified contractor with a higher bid. This higher bid shall be approved by the Committee, provided the applicant escrows with the City prior to the execution of the contract, the difference between the low bid and the higher bid.

- c. Rebidding: Rebidding to all general contractors shall be conducted when any of the following occurs after formal bidding and prior to contract signing:
 - 1. The applicant requests to include additional work items.
 - 2. The applicant requests to delete work items, which reduces the low bid by more than 20%.
 - 3. The applicant and City agree that there is an error in the bid specifications.
 - 4. If there are only two bidders on a job, and the low bidder withdraws, the applicant may request a rebid.
- d. Costs Exceeding Limits: The Committee shall have the discretion to approve a bid amount that is in excess of the maximum limits set forth in this Manual, provided that the applicant escrows with the City, prior to the execution of the contract, the difference between the maximum limits and the selected bid amount.
- e. Late Loan Payments: The Committee shall make determinations, if requested by the Director of Community Services, concerning actions to be taken in late loan payment cases.
- f. Waiver of Code Violations: The Committee shall have the discretion to waive code violations from being corrected in cases where the repair costs exceed the maximum limits for either a loan or grant, provided all serious code deficiencies are rectified and the applicant is financially unable to sustain the additional financial burden.
- g. Dilapidated Structures: The Committee shall have the discretion to determine whether any highly dilapidated structure shall be provided financial assistance. The Committee may recommend that the structure be acquired for demolition under the Community Development program or condemned by the City when it becomes vacant.
- h. Emergency Repair: The Committee shall have the authority to expend repair monies for Homeowner Housing Emergency Repairs. (See Section VI).
- i. Corrective Repairs: In instances related to the Homeowner Housing Rehabilitation Program (Section III) where construction problems may arise after closeout of the construction contract that relate either to: 1) incorrect original bid specifications to solve a specific rehabilitation problem, or 2) a contracted improvement proves faulty and the homeowner is unsuccessful in getting the contractor to rectify it, the Rehabilitation Committee may grant up to \$1,000 in Corrective Repair Funds to rectify the construction problem. However, the homeowner must make a written request for such funds within one year of the City Staff's final approval of the work from the original construction contract.

- j. Overcrowding: The Committee may approve the renovation of interior habitable space of a dwelling where there is evidence of overcrowding and a habitation violation will be rectified.
- k. Limiting Contractor Work: The Committee shall have the authority to remove a contractor from the bidders list if a contractor is exhibiting poor job performance or other violations of the Rehabilitation Manual. The Committee shall limit contractors to no more than five rehabilitation contracts at one time. The Community Development Department staff may not send out bids to any contractor having five contracts. If a contractor has fewer than five contracts, but is low bidder on sufficient rehabilitation jobs to result in the possibility of more than five jobs under contract, the homeowner(s) whose contract(s) would represent more than five to the contractor shall have the option of waiting for the contractor to complete other work to stay under the limit or to accept the price of the next lowest bidder.
- l. Waiver Clause: The Committee shall have the authority, based on unanimous decision, to waive any standards and requirements in any of the housing and commercial rehabilitation programs in instances where it determines that an emergency situation exists or where the waivers are of a type determined by the Committee to be within the overall intent of the programs. For any waiver granted, the specific description of the waiver and the reasons for it shall be indicated in the minutes of the Committee.

C. COMMUNITY DEVELOPMENT DEPARTMENT STAFF:

1. Director of Community Services:

- a. Function: The Director is charged with the overall management of the Department, including staffing and performance of the Community Development program.
- b. Sample Duties:
 - 1 Liaison with HUD, City Council, Community Development Committee, Rehabilitation Committee, other City Departments and Committees, and citizens.
 - 2 Overall planning, administration and implementation of all Community Development activities.
 - 3 Chairperson of the Rehabilitation Committee.

2. Administrative Secretary/Aide:

- a. Function: This position serves the Director of Community Services in various administrative aspects of the C.D. Program, particularly relative to satisfying HUD administrative paperwork. This position processes applications for structural rehabilitation loans and deferred loan/grants in the Department's Rehabilitation Programs (Sections III - VI).
- b. Sample Duties:

1. Maintains current knowledge of HUD Community Development Program requirements.
2. Assists in satisfying HUD administrative paperwork and reporting requirements.
3. Assists applicants in preparing the necessary forms for structural rehabilitation loan and deferred loan/grants.
4. Verifies the correctness of the applicant information, including financial qualifications and performs other required verifications.
5. Prepares the documentation and assists the Rehabilitation Committee in its determination relative to the qualifications of the applicant for funding.
6. Monitors repayment of loan monies, giving special attention to delinquent accounts.
7. Acts as the Recording Secretary of the Community Development Committee.

3. Building Rehabilitation Specialist:

- a. Function: The primary function of this position is to operate the structural inspection and rehabilitation aspects of the Department's Rehabilitation Programs (Sections III-VI).
- b. Sample Duties:
 1. Performs code inspections for the Community Development Program.
 2. Qualifies contractors.
 3. Prepares construction specifications and other documents related to job bidding and the structural rehabilitation aspects of the Residential Rehabilitation Program.
 4. Monitors contractor performance through job completion.
 5. Works with the general contractor and property owner to resolve construction problems.

D. REHABILITATION PROGRAM LOAN RECIPIENT:

1. Responsibilities:

The property owner who receives a loan or deferred loan/grant, has duties and responsibilities to insure that the repair work under the structural rehabilitation program (Sections III-VI) is a successful improvement undertaken with the full consent and satisfaction of the owner. These duties and responsibilities include:

- a. Asking questions to obtain a complete understanding of the program and its eligibility requirements, maximum fund limitations, and eligible repairs.
- b. Assisting the Administrative Secretary/Aide in confirming income, assets, and other required verification by providing employer, wage, dependent, bank, and other information.
- c. Carefully reviewing the work write-up prior to the bidding process and at the time of the preconstruction meeting, so that the nature and procedure of repair is fully understood.
- d. Working with the contractor and the C.D. Office in resolving any disagreements in a timely and equitable manner.
- e. Repaying loans or deferred loan/grants according to the contract agreement.

E. REHABILITATION CONTRACTOR:

1. Responsibilities:

Any contractor who participates in the structural Rehabilitation Programs is performing a vital role in improving the appearance, quality and longevity of structures in Wyoming. The contractor is an integral part of a team which is also composed of the Director of Community Services, Administrative Secretary/Aide, Building Rehabilitation Specialist, Rehabilitation Committee and the loan or deferred loan/grant recipient. Each participant must perform their expected function conscientiously and in a responsible manner so that unnecessary costs, construction delays, poor workmanship and other problems can be avoided. Contractor responsibilities may be amended from time to time in response to City of Wyoming and H.U.D. requirements. At a minimum, the contractor should realize this contribution and accept the duties and responsibilities which shall include:

- a. Inspecting the property for necessary repairs prior to submitting a bid proposal. This will reduce change orders and problems which can result from misinterpretations. Proposed repairs which the contractor is not technically familiar with should be inspected by the appropriate sub-contractor.
- b. Insuring that all workers and sub-contractors have the proper training, skills and certification.
- c. Supervising the workers and sub-contractors to insure that work is completed on time and in accordance with acceptable construction standards and procedures.
- d. Contacting the Community Development Office regarding any necessary contract revisions, change orders, or overages. The contractor must receive written permission before providing any additional work or materials.
- e. Taking pride in the job, regardless of the social or economic conditions of the property owner, or that governmental assistance is involved.

- f. Making sure the job site is kept as neat as possible while work is in progress, disposing of unused or discarded materials and cleaning the work site when the job is completed.
- g. Cooperating with the property owner and Community Development Department in resolving problems or complaints.
- h. If low bidder on a project, the contractor shall accept the job, unless the contractor provides a written bid withdrawal to the Rehabilitation Committee, stating the reasons therefore. If the job is rebid, the contractor may not submit a rebid. If the Rehabilitation Committee feels that a contractor has been misusing this privilege, it may disqualify the contractor from the program.

2. Minimal Qualifications for Selection

- a. Possessing a Residential Builders License, with experience in more than one type of residential construction.
- b. At least \$25,000 in annual gross personal income for each of the last two years from residential repair or construction work.
- c. Within the last two years, have completed:
 - at least 20 home repair jobs costing at least \$150,000 or
 - at least 6 new home construction jobs; or
 - any appropriate combination of the above, but no less than ten jobs.
- d. As a general contractor, have utilized at least 20 subcontractor contracts.

3. Application Materials:

- a. A copy of the organization's IRS profit and loss statements from the last two years. (Signed form 1040 – Schedule C or Form 1065.)
- b. A proper insurance certificate showing minimum coverage of workman's compensation protection of \$500,000 per occurrence, bodily injury of \$1,000,000 per person and per occurrence and property damage of \$1,000,000 per occurrence. An Indemnification Agreement must also be signed.
- c. A detailed two year work/training history.
- d. Information concerning any pending lawsuits concerning construction work.
- e. Consent to have the City perform a personal credit review.
- f. Ten residential construction references.
- g. Two business/supplier references.

- h. A list of subcontractors intended to be used for electrical, heating, and plumbing work.
- i. A DUNS number (Data Universal Numbering System) must be submitted.
- j. A City of Wyoming Business License must be obtained.

4. Staff Investigation:

- a. Michigan Department of Licensing and Regulation, Grand Rapids Branch
- b. Better Business Bureau
- c. Area Rehabilitation/Inspection Departments
- d. Wyoming Building Inspections Department
- e. Credit Bureau
- f. HUD Debarred Contractors List

5. Conditions for Continued Contracting:

- a. The contractor will be on probation status until three jobs are satisfactorily completed. No more than three jobs may be undertaken during this probation period.
- b. The contractor must follow all rules as stated in the Rehabilitation Manual.
- c. A contractor may be disqualified from the Program for poor performance, as determined by the Rehabilitation Committee.
- d. If disqualified from the housing rehabilitation program, the contractor may not reapply for 12 months.
- e. A contractor may be disqualified for failure to bid on at least 25% of all rehabilitation jobs bid each fiscal year.

SECTION VIII

APPEALS PROCEDURE

A. PURPOSE:

This Section describes an appeals procedure for anyone not satisfied with decisions made by the Rehabilitation Committee or the Community Development Department Staff involving a Community Development Block Grant administration program.

B. BASIC RIGHTS AND RULES:

1. Right to Appeal:

A person may file an appeal in any case in which he/she believes that any person or group involved with a Community Development Program has made an unsatisfactory decision.

2. Right to Representation:

The appellant has the right to be represented by legal counsel and to be accompanied by an advisor, attorney or other representative in any personal appearance in connection with the appeal, but solely at the appellant's own expense.

3. Order of Appeal:

The appellant's request for an appeal must be in writing. It should be presented to the person or group who made the decision (see "Tier Chart"). The appellant may appeal a decision up the tier, one tier at a time, to the level deemed necessary.

4. Timing of Appeal:

Appeals of decisions made in the Community Development Program should be made within 30 days of the decision, except that complaints about completed rehabilitation work may be submitted to the City at any time within one year from the final inspection date of the rehabilitation project.

5. Content of Appeal:

The appeal request should be in letter form. It should include, at a minimum, the name of the appellant, the nature of the appeal and any available explanation details, such as dates and names of any persons or organizations involved.

6. Review of Files:

The Community Development office shall permit the person making a complaint or appeal to inspect and copy all files and records pertinent to his/her case, except materials deemed by the Director to be confidential. A Freedom of Information Act request must be made through the City Clerk's Office for copies of materials. The Community Development office shall send copies of pertinent information to higher tier persons or groups.

C. REVIEW, DETERMINATION AND NOTIFICATION:

1. Scope of Review:

All persons or groups in the appeal process shall review an appellant's request based on the following considerations:

- a. All applicable rules and regulations.
- b. All material submitted.
- c. All material upon which the appeal is based.
- d. Any other available information needed to insure a fair and full review.

2. Scope of Determination:

A written determination by the persons or groups in the appeal process shall include, but need not be limited to, the following:

- a. The person's or group's decision.
- b. The basis upon which the decision was made.
- c. A statement on how any relief will be provided, if applicable.

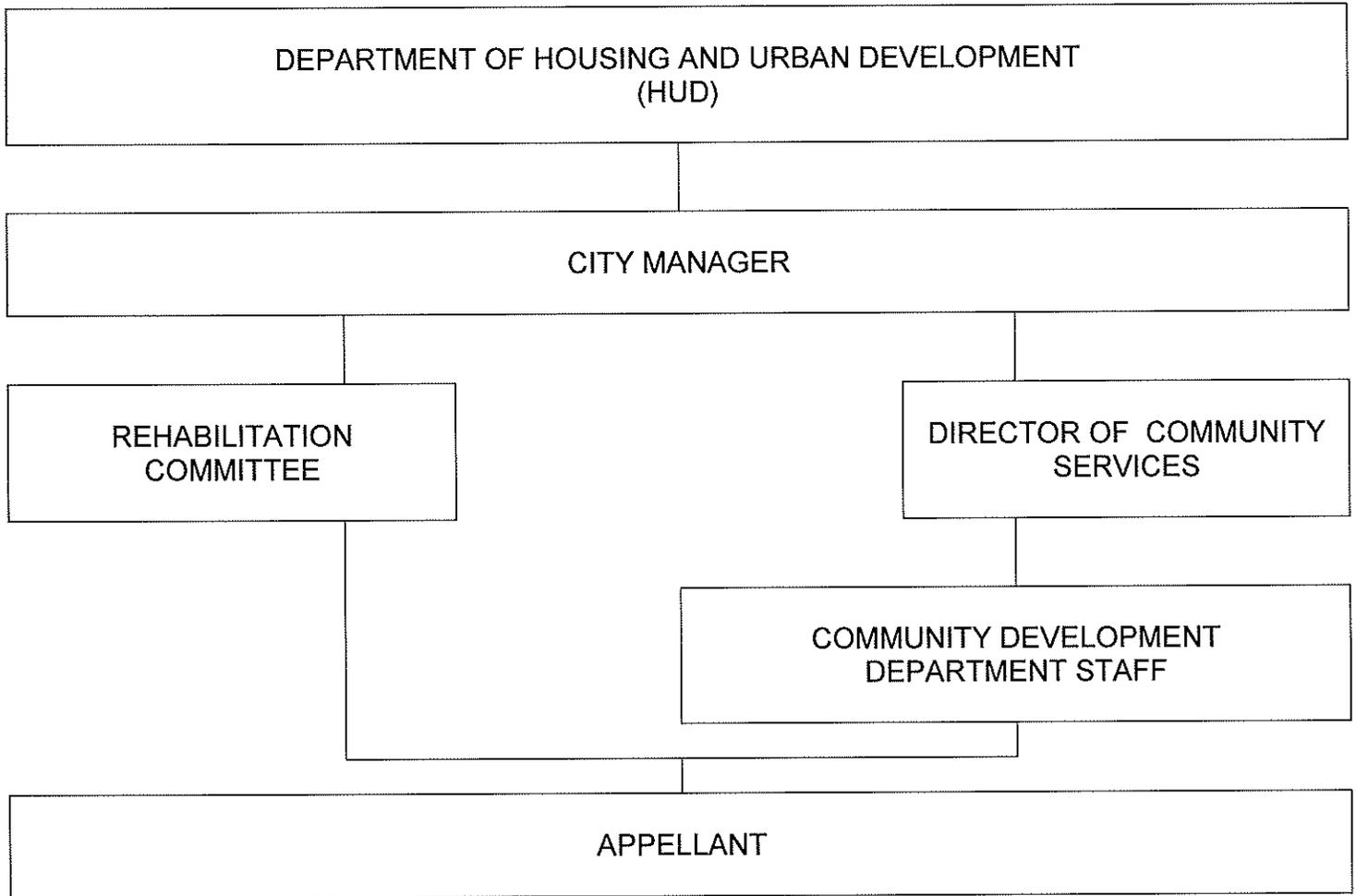
3. Timing and Notification:

The person or group involved in the appeal process shall make a written determination on each appeal within 30 days after receipt of the appeal request and shall furnish the appellant a copy of the decision.

D. JUDICIAL REVIEW:

Nothing in this section shall in any way preclude or limit an appellant from seeking judicial review of an appeal after exhaustion of such administrative remedies as are available under this Section.

COMPLAINT AND APPEALS TIER CHART



SECTION IX

HOMEOWNER HOUSING REHABILITATION PROGRAM ADMINISTRATION

A. INTRODUCTION:

This section is an overview of the administrative aspects of the Homeowner Housing Rehabilitation Program (Section III).

B. APPLICATION PROCESS:

1. Potential Applicants:

Potential applicants shall be notified of the opportunity to participate in the program through the use of mass mailing of pamphlets, meetings, newspapers and other advertising measures.

2. Applicant Waitlist:

Interested applicants shall notify the Administrative Secretary/Aide who shall record their name, address, telephone number and date of inquiry.

3. Selection of Applicants:

Applicants will be prioritized from the Applicant Waitlist by date of inquiry, except that shifts from the priorities may be made based on severity of need (e.g., emergency repairs such as a major wintertime roof leak or an irreparable furnace).

4. Eligibility Verification:

The Administrative Secretary/Aide shall verify the applicant's eligibility for assistance. The following checks will be performed:

- a. Title Search - Verification of property ownership
- b. Income Check - Verification of all sources of family income.
- c. Asset Check - Verification of savings and other assets.
- d. Credit Report - Confirmation of credit history of the applicant.
- e. Assessed Valuation Check - Determination of the current value of the property, property taxes owed, age of property and zoning classification.
- f. Employment Verification – Confirmation of employment status, history and current wage rate.
- g. U.S. Citizenship Verification – Signed confirmation by all household members of U.S. citizenship and/or legal residency.

5. Inspection:

A detailed inspection shall be done by the Building Rehabilitation Specialist.

6. Write-Up:

The Building Rehabilitation Specialist shall develop a work write-up which identifies the required work to be done with an estimate of costs involved.

7. Applicant Approval of Write-Up:

The applicant may then decide whether to continue with the application by approving the write-up.

8. Work Write-Up Review:

After eligibility has been verified, the amount and type of funds shall be determined. The work write-up may have to be changed, due to program funding limitations. The Building Rehabilitation Specialist will review and revise the work write-up if necessary.

9. Applicant's Final Approval of Work Write-Up:

The applicant shall review and approve the work write-up prior to bidding.

C. BIDDING AND APPROVAL PROCESS:

1. Prequalified Bidders:

The Administrative Secretary/Aide shall develop and maintain a prequalified contractors list which requires the approval of the Rehabilitation Committee.

The following checks are made to qualify contractors:

- a. Credit status
- b. Better Business Bureau Records
- c. Other municipalities' records
- d. City Building Department Inspectors
- e. State license
- f. Business performance
- g. Client references

Contractor application packets will be sent to the Small Business Administration, the West Michigan Minority Contractors Association and Section 3 Certified Contractors in an effort to take necessary affirmative steps to assure that minority firms, women's business enterprise, and labor surplus area firms are used when possible.

2. Bid Mailing:

Bid requests shall be sent to those contractors who have been prequalified.

3. Bid Openings:

The sealed bids will be received, publically opened and read by the City Clerk's Office, using standard City bidding procedure.

4. Contractor and Subcontractor Verification:

The Administrative Secretary/Aide shall check HUD's System for Award Management to verify debarment or excluded status **prior to contract award.**

5. Application Approval by City:

The Administrative Secretary/Aide shall prepare and present the final application and supporting materials to the Rehabilitation Committee for review. The Rehabilitation Committee shall review the application based on the applicant's eligibility, the work items to be done, the cost of the work and the eligibility of the contractor.

D. FINANCIAL SETTLEMENT:

1. Required Documents:

After obtaining Rehabilitation Committee approval, a financial settlement is held. The following documents shall be prepared by the Administrative Secretary/Aide and then received and signed as applicable, during the financial settlement meeting:

- a. Approved Application by Rehabilitation Committee
- b. Order to Proceed
- c. Truth in Lending
- d. Promissory Note
- e. Opportunity to Rescind
- f. Mortgage
- g. Contract
- h. Work Write-up

2. Contractor's Signature:

If the contractor cannot attend the financial settlement, the Building Rehabilitation Specialist shall obtain the signature of the contractor on the construction contract.

E. CONTRACT MANAGEMENT:

1. Proceed Order:

The Administrative Secretary/Aide shall forward the signed contract, work write-up and proceed order to the contractor and applicant.

2. Permits and Final Permit Inspections:

The Building Rehabilitation Specialist shall confirm that the contractor has obtained all required permits prior to commencement of the project.

3. Periodic Inspections:

The Building Rehabilitation Specialist shall make as many periodic inspections as may be required to insure the quality of the work.

4. Lead-Based Paint Poisoning Prevention in Certain Residential Structures:

The Building Rehabilitation Specialist shall perform lead risk assessments and clearances and regularly test to make sure contractors use lead-safe work practices and that occupancy protections are properly carried out.

5. Final Inspection:

After notification from the contractor that all work has been completed, the Building Rehabilitation Specialist will make a final inspection.

6. Applicant's Approval Statement:

Upon approval of the work, the Building Rehabilitation Specialist will obtain the applicant's approval of the completed work.

7. Contractor's Payment Request:

The Building Rehabilitation Specialist will notify the Administrative Secretary/Aide that payment may be given by submitting the following to the Administrative Secretary/Aide:

- a. Contractor's invoice
- b. Final Inspection/Completion Report
- c. Applicant's Approval Statement
- d. Loan Adjustment (if needed)

F. CASE CLOSE OUT AND REQUIRED RECORDS:

1. Invoice Submittal:

The Administrative Secretary/Aide shall submit the invoice for payment.

2. Loan Adjustment:

If the contingency amount of the loan agreement is not used (10% of construction costs), a loan adjustment is prepared by the Administrative Secretary/Aide, removing this amount from the mortgage balance. The signed original of the loan adjustment will be filed with the Clerk and shall supersede the mortgage and promissory note amount. A copy of the loan adjustment shall be sent to the Treasurer's Office, which shall receive the monthly loan payments.

4. Master Servicing File:

The recorded mortgage, promissory note and loan adjustment (if needed) shall be sent to the City Clerk's office for filing in their Master Servicing File.

5. Close Out Documents:

The Administrative Secretary/Aide shall close out the file by preparing a file cover sheet and checking that the following documents are in the file for HUD auditing purposes:

- a. Finalized Rehabilitation Application
- b. Draft Work Write-up and letter, signed only by homeowner
- c. Final Work Write-up
- d. Invoices, Purchase Orders and Change Orders (if any)
- e. Owners Completion
- f. Inspection Report
- g. Loan Adjustment (if applicable)
- h. Recorded Mortgage
- i. Promissory Note
- j. Title Search
- k. Assessor's Card
- l. Legal Documents (if any)
- m. Bid Tab
- n. Approved Bid
- o. Order to Proceed
- p. Contract Agreement
- q. General Agreement
- r. Truth in Lending
- s. Racial /Ethnic/Woman Contract & Subcontract Activity
- t. Affidavit of Contractor
- u. Original Application/Screening Questionnaire/Citizenship Verification

- v. Lead Based Paint/Environmental Protection Act Forms
- w. Income Verification/Financial Eligibility Information
- x. Warranty Information
- y. Historic Form
- z. Statistical Questionnaire
- aa. Lead Based Paint Report
- bb. Contractor Verifications
- cc. Environmental Review

G. MONTHLY LOAN PAYMENTS:

The Administrative Secretary/Aide shall send monthly billing statements the 15th day of each month to borrowers with outstanding loan balances. Payments are received by the Treasurer's Office and the payment records are forwarded to the Administrative Secretary/Aide for posting in the LA Pro database, which is the master database for the Housing Rehabilitation Program. The Administrative Secretary/Aide is responsible for the maintenance of this master database which contains all loans and deferred loans/grants information.

H. LATE LOAN PAYMENTS:

The actions described below will be taken when a loan recipient is delinquent with loan payments:

1. Routine Actions:

- a. Borrowers with outstanding loan balances are notified of past due amounts on a monthly basis on their billing statement.
- b. Delinquent Report: A report of loan delinquencies will be drafted by the Administrative Secretary/Aide and presented to the Committee on an annual basis. Following review of the report, the Committee may require collection actions to be taken.

2. Other Actions:

- a. Collection: The Committee may initiate any legal action, other than foreclosure, which is deemed necessary to affect collection (eg., temporarily reduce the payments, defer payments, extend the loan, small claims court, wage garnishment, calling the note).
- b. Foreclosure: If foreclosure procedures are deemed necessary, the Committee may recommend such action to the City Council for their approval.

I. SUBORDINATION:

A borrower may receive one subordination of the City's mortgage to a new or refinanced mortgage from a financial institution for any reason, provided that "cash out" does not exceed \$7,000 and the new debt-to-value is no more than 90%. A second subordination will only be considered if there is no cash out and there is an interest rate reduction of at least 1.0%. A charge of \$50 will be assessed to defer the city's costs for the subordination processing.

SECTION X

COMMERCIAL REHABILITATION PROGRAM ADMINISTRATION

A. INTRODUCTION:

This Section is an overview of the administrative aspects of the Commercial Rehabilitation Program (Section IV).

B. APPLICATION PROCESS:

1. Potential Applicants:

Potential applicants shall be notified of the opportunity to participate in the program through newspapers, meetings, door-to-door outreach and other advertising measures.

2. Applicants:

Interested applicants shall notify the Administrative Secretary/Aide.

3. Work Write-Up:

The applicant shall submit a work write-up listing the improvements requested for loan monies. The Administrative Secretary/Aide shall verify the loan eligibility of the improvement items.

4. Final Work Write-Up:

The Building Rehabilitation Specialist will assist in drafting plans and writing specifications if requested, but only in instances where an architect is not required to submit plans for obtaining a building permit. Plans must be approved by the applicant.

5. Eligibility Verification:

The Community Development Coordinator shall verify the applicant's eligibility. The following checks will be performed:

- a. Credit Report
- b. Financial Report
- c. Profit & Loss Report (for loans over \$10,000)
- d. Income Tax Report (for loans over \$10,000)

6. Pre-Application Approval by Applicant:

The applicant shall approve the pre-application. The Rehabilitation Committee shall review the pre-application, based on the applicant's eligibility and the work to be done.

C. BIDDING AND APPROVAL PROCESS:

1. Bid Packages:

A bid package will be prepared by the Administrative Secretary/Aide. The bid package shall contain:

- a. Plans or Work Write-Up
- b. Sample contract
- c. Federal Regulations
- d. Required wage rates
- e. Required City specifications
- f. Bid Proposal form

2. Applicant Receipt of Bids:

The applicant shall send out and receive bids from contractors of his choice. Two or more bids shall be obtained. The applicant shall select a contractor and submit the selection to the Administrative Secretary/Aide along with bid information from at least one other bidder.

3. Applicant Approval of Final Application:

The applicant shall approve the final application form.

4. Final Application Approval by City:

The Rehabilitation Committee shall review the final application, considering in particular any changed work items, the final cost of the work and the selected contractor.

D. FINANCIAL SETTLEMENT:

1. Required Documents:

The following documents shall be received and signed, as applicable, during the financial settlement meeting:

- a. Order to Proceed
- b. Truth in Lending
- c. Promissory Note
- d. Opportunity to Rescind
- e. Mortgage
- f. Contract

2. Contractor's Signature:

The Building Rehabilitation Specialist shall obtain the signature of the contractor on the contract.

E. CONTRACT MANAGEMENT:

1. Proceed Order:

The proceed order shall be sent to the contractor.

2. Building Permits:

The Building Rehabilitation Specialist shall obtain a copy of any required building permits

3. Non-Permit Items - Final Inspection:

After notification from the contractor that all non-permit items are completed, the Building Rehabilitation Specialist will make a final inspection.

4. Permit Items - Final Inspection:

After notification from the contractor that all permit items are completed, the Building Inspections Office will make a final inspection.

5. Applicant's Approval Statement:

The Building Rehabilitation Specialist will obtain the applicant's approval statement.

6. Contractor's Payment Request:

The following shall be received prior to processing the contractor's payment request:

- a. Invoice
- b. Final Inspection and Owners Completion Reports
- c. Loan Adjustment (if needed)

F. CASE CLOSE OUT AND REQUIRED RECORDS:

The Administrative Secretary/Aide shall be responsible for the case close out and required records according to the guidelines mentioned in Homeowner Housing Rehabilitation Program Administration (Section IX).

G. LATE LOAN PAYMENTS:

The same procedure concerning late loans will be used as stated in Homeowner Housing Rehabilitation Program Administration (Section IX).

H. SUBORDINATION:

A borrower may receive one subordination of the City's mortgage to a new or refinanced mortgage from a financial institution for any reason, provided that "cash out" does not exceed \$7,000 and the new debt-to-value is no more than 90%. A second subordination will only be considered if there is no cash out and there is an interest rate reduction of at least 1.0%. A charge of \$50 will be assessed to defer the city's costs for the subordination processing.

SECTION XI

DEMOLITION PROGRAM ADMINISTRATION

A. INTRODUCTION:

This Section is an overview of the administrative aspects of the Demolition Program (Section V).

B. APPLICATION PROCESS:

1. Potential Applicants:

Interested applicants should notify the Administrative Secretary/Aide, who shall pre-qualify the project based on proof of ownership, a field inspection by the Building Rehabilitation Specialist, and review of the program requirements.

2. Demolition Work Write-Up:

The Building Rehabilitation Specialist shall develop a detailed demolition work write up which identifies the required demolition work to be done, including the structures, foundations, trees and other items to be removed.

3. Applicant Approval of Work Write-Up:

The applicant shall approve the demolition work write-up.

C. BIDDING AND APPROVAL PROCESS:

1. Pre-Qualified Bidders:

The Building Rehabilitation Specialist shall pre-qualify contractors and maintain a demolition contractors list. However, contractors may be removed from the list, by action of the Rehabilitation Committee, based on poor performance. A State license is required for residential demolitions. The experience of the contractor shall determine qualifications for commercial demolition.

2. Bid Mailings:

Bid requests are sent to contractors on the demolition contractors list.

3. Bid Openings:

The sealed bids will be received, publically opened and read by the City Clerk's Office, using standard City bidding procedure.

4. Applicant Approval of Final Application:

The Building Rehabilitation Specialist shall obtain final approval of the applicant on the final application form.

5. Application Approval by City:

The Rehabilitation Committee shall review the application, the work items, the cost of the work and the contractor prior to approving the demolition project.

D. SETTLEMENT DOCUMENTS:

1. Required Documents:

The following documents must be executed by the applicant if the demolition project is not part of a commercial improvement project:

- a. Waiver of Claim to Personal Property
- b. Authorization and Release for the Removal of Real Property
- c. Proceed Order
- d. Contract

2. Contractor's Signature:

The Administrative Secretary/Aide shall obtain the signature of the contractor on the construction contract.

E. CONTRACT MANAGEMENT:

1. Utilities:

The Building Rehabilitation Specialist shall verify appropriate utility displacement. However, full responsibility for utility shut off or removal, as appropriate, shall rest with the owner and contractor prior to work being started.

2. Proceed Order:

The Administrative Secretary/Aide shall forward the contract and Proceed Order to the contractor and applicant.

3. Demolition Permit:

The contractor shall obtain the proper permit from the Building Inspections Office.

4. Project Management:

Any problems during the demolition work are to be worked out with the Building Rehabilitation Specialist, and/or the Building Inspections Office, as appropriate.

5. Final Inspection:

After notification from the contractor that all work has been completed, the Building

Rehabilitation Specialist shall do a final inspection.

6. Applicant's Approval Statement:

Upon doing the final inspection and the approval report, the Building Rehabilitation Specialist shall obtain the applicant's written approval of the demolition work.

7. Contractor's Payment:

A request for payment will not be processed until the following executed documents are received:

- a. Contractor's invoice
- b. Final Inspection Completion form
- c. Applicant's Approval statement

F. CASE CLOSE OUT AND REQUIRED RECORDS:

1. Submittal of Invoice:

The Administrative Secretary/Aide shall submit the invoice for payment.

2. Master Demolition File:

A record shall be posted to the file of the completed demolition work.

3. Close Out Documents:

The Administrative Secretary/Aide shall close out the case file by preparing a file cover sheet and checking that the following documents are in the file:

- a. Owner's request letter
- b. Inspection's "Dangerous Building" form, if applicable
- c. Approved application
- d. Contract
- e. Demolition Work Write-Up
- f. Invoices, Purchase Orders and Change Orders (if applicable)
- g. Proceed Order
- h. Inspections Report
- i. Applicant's Approval Statement

j. Environmental Review

SECTION XII

HOMEOWNER HOUSING EMERGENCY REPAIR PROGRAM ADMINISTRATION

A. INTRODUCTION:

This Section is an overview of the administrative aspects of the Homeowner Housing Emergency Repair Program (Section VI). The same administrative guidelines as discussed in Section IX (Homeowner Rehabilitation Administration) of this Manual shall apply for this Program, except for the additional waiver allowances listed below.

B. WAIVER ALLOWANCES:

Under emergency conditions, the Rehabilitation Committee may waive formal eligibility procedures and the formal bidding process. The work may be assigned by the Building Rehabilitation Specialist to a qualified contractor who can accomplish the job in a timely manner. Additional non-emergency repairs must meet the administrative guidelines as discussed in Section IX (Homeowner Rehabilitation Administration).

APPENDIX A

CLASSIFICATION OF ELIGIBLE WORK ITEMS

REHABILITATION PROGRAMS III, IV, VI

A. INTRODUCTION:

For a rehabilitation project, the Building Rehabilitation Specialist will make a determination on a final list of eligible work items using this classification system. In the event that all items on the list cannot be repaired due to maximum loan limits, deletions will be made based on the following described criteria. Severe code violations will not be deleted. Deletions of other items and/or violations shall be made in the following order:

1. General Improvement Items
2. Garage Repairs
3. Incipient Code Items
4. Code Violations

B. WORK ITEM CLASSIFICATIONS:

1. General Improvement Items:

These are improvements to residential property, other than code or incipient code items, that relate to the primary dwelling. Final approval of all general improvement items will be made by the Rehabilitation Committee.

Ineligible general improvement items include, but are not limited to:

Barbecue Pit	Kennels
Bath House	Tree Surgery (Other than a hazardous condition)
Burglar Alarms and Bars	Swimming Pools
Dishwashers	T.V. Antenna
Flower Boxes	
Green Houses	

2. Garage Repairs:

These are any item qualified under the Homeowner Housing Rehabilitation Program (Section III, Part E), except for general improvement items. Any new siding or roofing materials must match those on the house where feasible.

3. Incipient Code Items:

These are code items that, in the opinion of the Building Rehabilitation Specialist, will likely deteriorate into actual code violations in the near future.

4. Code Violations:

These are City Property Maintenance Code Violations not covered under the "Severe Code Violations" classification.

Included in this category shall be items required under the Michigan Building Code (MBC) and Michigan Residential Code (MRC), and Michigan State Energy Code to insure the adequate and efficient conservation of energy.

5. Severe Code Violations Listing:

These are City Housing Code violations that directly and immediately endanger the public health, safety and welfare. The following sections explain those situations considered to be extreme. These repairs must be done prior to that of any other repairs or improvements.

a. ELECTRICAL: An electrical deficiency shall be deemed severe if it contributes to any of the following:

1. Severe over-loading.
2. Non-insulated wiring in close proximity to heat runs, plumbing systems or appliances.
3. Completely failed system.
4. Failed system connected to electrically operated heating plants.
5. Unprotected (not fused or no breaker) circuits.
6. Ungrounded or improperly grounded circuits or systems.
7. Outlets, switches or fixtures that contribute to immediate shorts, shocks, sparks or possible fire.
8. The accumulation of water near electrical equipment appliances or fixtures.

b. PLUMBING: A plumbing system deficiency shall be deemed severe if it contributes to any of the following:

1. Severely leaking supply lines.
2. Severely leaking or obstructed waste lines, vents or traps.
3. Lack of an operable flush toilet.
4. Lack of operable washing and/or bathing facilities.
5. Cross connection of supply and waste lines.

6. Failed septic tanks and dry wells.
 7. Water heaters that are unsafe due to: a leaking heat exchanger or tank, lack of proper or obstructed venting, connection to an unsafe fuel supply, inoperable or lack of proper safety valves, switches or other safety controls.
 8. Any plumbing system deficiency causing a sewer gas leak into the interior of the structure.
- c. HEATING: A heating system deficiency shall be deemed severe if it contributes to any of the following:
1. Burned or rusted out heat exchanger.
 2. Obstructed or lack of proper venting.
 3. Connection to an unsafe fuel supply.
 - 4) Inoperable or lack of proper safety valves, switches and other safety controls.
 - 5) Incapable of adequately heating the living space.
- d. STRUCTURAL: A structural deficiency shall be deemed severe if it contributes to any of the following:
1. The structural system (walls, chimney, roof, foundation, ceilings and floors) not safely carrying design imposed loads- or exhibiting extensive sagging due to material decay, fracturing or improper design.
 2. The structural system in potential danger of collapse
 3. The structural materials being excessively deteriorated or damaged allowing animals or excessive amounts of water to enter the interior of the structure, excluding open porches or steps.
 4. Water drainage causing significant damage or seepage into the structure.
- e. SANITATION: A sanitation deficiency shall be deemed severe if it contributes to any of the following:
1. The presence of sewage above ground level from a failed or improperly maintained septic or other waste system.
 2. Dangerous infestation of the structure or exterior from insects or rodents.
 3. The dangerous accumulation of litter, garbage, debris or abandoned vehicles, endangering the occupants of the dwelling unit or other structures.

COMMUNITY DEVELOPMENT COMMITTEE

Nine Members
Two Year Terms

<u>Member</u>	<u>Term Ends</u>	<u>Telephone</u>
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Tyler Jackson 225 Maplelawn St., SW Wyoming, MI 49548	6/30/14	Home: 540-4606 Work: 575-1800 TJ@grar.com
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