

Welcome to the Section 504 Repair Loan and Grant Program training. This session is conducted by the Single Family Housing Direct Loan Division with a revision date of 08-29-19.

The purpose of this presentation is to provide viewers a basic overview PN 527. By the end of this presentation, you should be able to:

• Understand the revisions made to HB-1-3550, Chapter 12

Objective

The objective of the recent 504 program changes is to improve delivery and create a consistent, streamlined process for staff and our customers.

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Although 504 loan obligations have increased comparing to the previous years, we understand there is always room for improvement. The revisions were made are in response to questions and concerns we received through partners and field personnel.

Implementation date is August 29, 2019, therefore the changes are applicable to all applications that have not been obligated. If funds were approved and obligated prior to the procedural notice the loan/combo should remain unchanged.

We recommend using the following material: • Procedure Notices posted under the Regulations and Guidelines tab on the USDA Website: https://www.rd.usda.gov/publications/regulations-guidelines/ • HB-1-3550, Chapter 12 (Regulation Website) https://www.rd.usda.gov/publications/regulations-guidelines/handbooks/. • Paper for taking notes.

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- Procedure Notices posted under the Regulations and Guidelines tab on the USDA Website: https://www.rd.usda.gov/publications/regulations-guidelines/
- HB-1-3550, Chapter 12 (Regulation Website)
 https://www.rd.usda.gov/publications/regulations-guidelines/handbooks).
- Paper for taking notes.

Since the Section 504 program has had extensive revisions, it is also recommended to re-read Chapter 12 and become familiar with the changes.

Income Calculation



All household income is calculated to determine 504 Program eligibility using the methods described in HB-1-3550, Chapter 4.

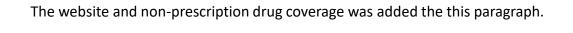
 Special attention to medical deductions for elderly households

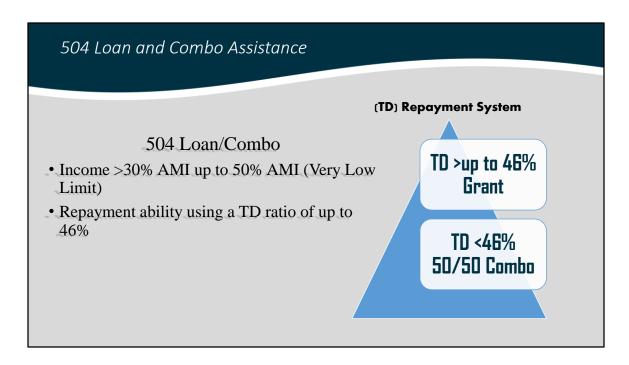
Clarification was added to paragraph 12.4A, regarding medical deductions and unreimbursed medical expenses.

Medical deductions for elderly households, age 62, or disabled at any age, play an important role when calculating income, since the deductions applied will define very-low income eligibility, and if the applicant is 62 or older, grant eligibility.

Applying medical deductions is simple, use the following as guidance:

Medical deductions in excess of 3% of annual income should be closely examined and applied <u>to</u> elderly applications, as described in HB 1-3550, Paragraph 4.4 (g). Consider the following unreimbursed medical expenses; Medicare premiums, supplemental insurance, long-term care insurance, prescription drug coverage, pharmacy expenses, co-payments, eyewear, hearing aid / batteries, exams, dental expenses, the greater of the actual travel costs for medical appointments or the published Internal Revenue Service mileage rate. You may not deduct funeral or burial expenses, nonprescription medicines, toothpaste, toiletries, cosmetics, a trip or program for the general improvement of your health, or most cosmetic surgery. Additional guidance on eligible medical expenses can be located on the <u>Internal</u> Revenue Service website.





Some important changes where made to chapter 12, paragraph 12.4, defining 504 Loan and Combination assistance:

- 12.4 D The term income-based eligibility was added. To define applicants with household income below 30% AMI.
- 12.4E (1) Added clarification for grant eligibility contingent upon meeting one of the three factors: 1) income-based, 2) lack of repayment ability, 3) exhausted all 504 potential.
- 12.4E (2) Removed three tier total debt calculation and replaced with 50/50 combination assistance for eligible applicants 62 years or older who's income exceeds 30% of AMI and have Total Debt is below 46%.
- 12.7B Clarified grants cannot be awarded unless the maximum level of loan as supported by repayment calculation not to exceed 46% TD or is awarded in combination with a loan.

504 Loan/Combo eligibility is income greater than **30% AMI and up to 50% AMI (Very Low Limit) and is based on a repayment ability using a TD ratio of up to 46%.**

Eligible Applicants who 62 years or older with household income exceeding 30% AMI otherwise not income based eligible for a grant will be reviewed for a loan/grant combination eligibility using a Total Debt Repayment calculation:

- 1. TD greater than 46% will receive 100% grant assistance.
- 2. TD equal or less than 46% will receive a 50/50 equal combination split

Combination Loans will **generally be calculated with a 50/50 split, except** in the following circumstances:

- If the loan amount is **less than \$2,000** or greater than \$15,000. For example: If the applicant is requesting an initial loan of \$1,500, the first \$1,000 will be a loan and \$500 a grant. This is due to the minimum loan requirement for all initial loans.
- If the applicant is close to the 46% TD threshold, the applicant will receive a loan up to 46% and the remaining will default to a grant.
- If the applicant has received previous assistance this will be deducted from amount awarded
- If a portion of the project cost is not considered a health and safety hazard, that portion will remain loan only

Special Note:

 Ratio waivers can also be utilized to meet project costs with supporting documentation of compensating factors, refer to HB-1-3550, Chapter 12, Paragraph 12.7 (A) for further guidance.

Determine eligibility in four steps.

First step is to determine the applicants age:

- 1. Is the applicant 62? If so proceed to step 2.
 - ➤ No, determine the total debt repayment up to 46% for a 504 Loan only.

Second is to determine if the applicant qualifies for income based grant assistance according the adjusted household income and AMI.

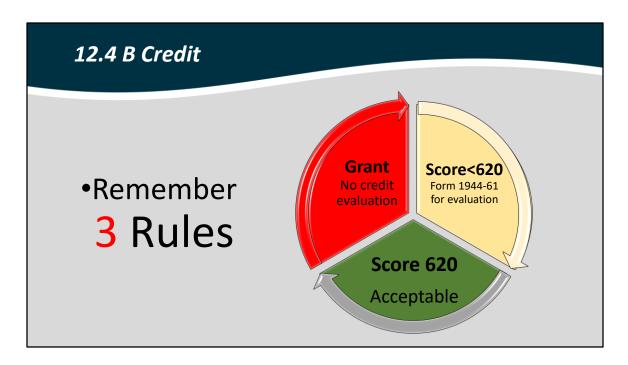
- Is the adjusted household income exceeding or below 30% Adjusted Median Income (AMI.)
 - ➤ If less than 30%, the applicant automatically qualifies for grant assistance. Proceed with 100% grant assistance up to the allowable \$7,500 maximum lifetime assistance.
 - ➤ If the adjusted household income exceeds 30% AMI, move to step 3.

Third, is to determine the applicant's repayment ability. Their total debt ratio will determine what type of assistance the applicant qualifies for.

- 3. Determine the applicants total debt ratio (TD):
 - ➤TD Exceeds 46%=Grant Only
 - >TD Less than 46%=Combination loan/ grant with a 50/50 split

Fourth, how much assistance will the applicant(s) be awarded?

- 4. A calculation of up to 46% TD will be used to determine amount of assistance the applicant qualifies for.
- NOTE: the \$1,000 minimum requirement for initial loans.
- Note signors or parties to the note will consider their Debt calculation to include: mortgage, taxes, insurance, homeowners association dues, plus reoccurring monthly obligations using the minimum monthly payments from traditional or non-traditional credit.



Clarification was added to paragraph 12.4B. An infile credit report is considered reliable with no minimum tradeline requirements. Also, added streamlined credit score is acceptable with the exception of a delinquency of a federal debt. Also, added if the applicant has a DNP response showing a federal debt is owed, assistance for a loan and **grant** can not be processed until it is resolved.

Remember three rules:

- 1. Applicants who receive grant only assistance (otherwise known as income based grant assistance) do not to be evaluated for credit purposes. However, infile credit reports can be ordered for applicants with adjusted median income greater than 30% of AMI and Tri-Merge Credit Report (TMCR) must continue to be ordered for those receiving a loan equal to \$7,500 or greater. If an applicant who is qualified for income based grant assistance (<30% AMI) requests a combination loan/grant, an infile credit report can be ordered.
- An applicant with a credit score of 620, without significant delinquency or an outstanding delinquent federal debt are automatically classified as having acceptable credit. However, a 620 credit score is NOT the minimum score requirement.
- 3. An applicant with a credit score less than 620 must use Form RD 1944-61, Credit

History Worksheet to conduct a credit analysis and demonstrate a history of reliable traditional or non-traditional credit. Loan Approval Official will document a credit history that indicates a reasonable ability to meet obligations.

What are the differences between the 502 program:

- 620 is a streamlined credit score vs 640.
- For loans less than \$7,500 an infile credit report's score is deemed reliable as opposed to reviewing two or three scores.
- There is no trade line requirement "within 24 months period." This was intended to help those with limited use of traditional credit and are fiscally responsible.

Question 1:

If the applicant is not income based eligible for a grant only assistance and has indicators of unacceptable credit, are they eligible for a Combo/Loan?

Answer:

The answer is contingent upon what is reflected on their credit report. If their credit report shows sources of unacceptable credit but the applicant has paid their mortgage and utilities on time, they may be eligible for a credit waiver. However; if the applicant has not demonstrated history of acceptable credit they should be issued a denial and given appeal rights. PLEASE NOTE: if issuing a denial you must base the denial off a TMCR report and not an infile credit report.

Question 2:

Does Do Not Pay apply to grants?

Answer:

Yes, delinquency of a federal debt applies to all federal assistance. Grant assistance was added for clarification.

Single Family Housing Residential Unit

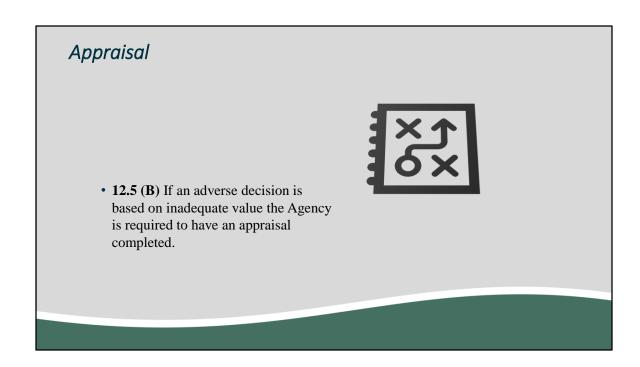


- Property must be deemed as a Single Family Housing residential unit.
- Accessory dwelling units are NOT acceptable.

Guidance was added to paragraph 12.5A, regarding the property must be deemed a single family housing residential unit. The agency will not use program funds to improve a multi-family or accessory dwelling unit. An accessory dwelling unit is a single family housing dwelling with an attached or detached living quarters that operates independent of the primary unit located on the same lot.

To be eligible for Section 504 funds, the property must be owner occupied and the applicant's sole and primary residence. The property must be considered typical and modest for the area

Additional real estate owned by the applicant (i.e. separate parcels) remains excluded from net family assets when the real estate cannot be converted to cash within 90 days. However; net rental income from other real estate owned is included in income calculations.

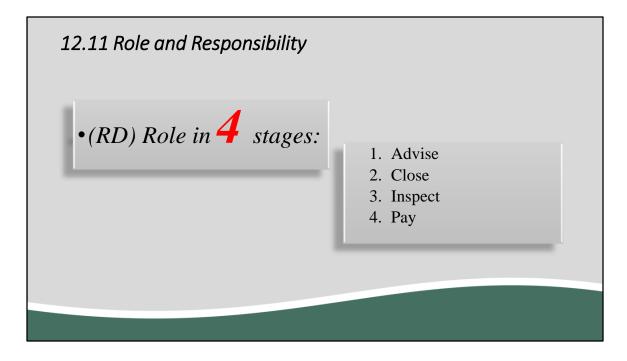


Clarification was added to paragraph 12.5 (B) The Loan Approval Official will determine whether an appraisal is needed to assure adequate security exists for the proposed loan. The value and the method used to develop the estimate should be documented in the running record. Utilization of assessments, and real estate websites such as Zillow.com, Trulia.com and Realtor.com may be considered as a tool to estimate the value of security. NOTE: If an adverse decision is based on inadequate value the Agency is required to have an appraisal completed.

| CLOSE Form RD 3550-7 (Rev 5-19) OMB No. 0375-0172 | Funding Commitment | |
|--|--|---|
| Form RD 3550-7, Funding Commitment is required (again) for secured loans. The commitment is required (again) for secured loans. | Form RD 3550-7, Funding Commitment is required | Form RD 1856-7 Gree 5-19 United States Department of Agriculture Rural Housing Service FUDDING COMMITTENT ADD NO OFF5-0172 ADD NO OFF5-0172 United States Department of Agriculture Rural Housing Service FUDDING COMMITTENT ADD NOTIFICATION OF LOAN CLOSING |

Paragraph 12.8A Added form RD 3550-7, Funding Commitment is required to be used when approving **SECURED** loans. This form was reinstated to include acceptance by the applicant relating to TRID requirements.

Handbook Letter 12(3550) is used for unsecured loans and grants.



RD has four roles when processing rehabilitation assistance requests:

- Advise the applicant to determine whether building permits and licensed trades are required for the types of repairs or improvements they wish to have completed. Discuss any concerns in regards to the contractor or repair bids.
- **2. Closing:** Preconstruction conference must be held for all loans and grants prior to closing with all parties involved utilizing Attachment 12-F.
- 3. Inspections: The inspection(s) may be conducted on-site by Agency Staff utilizing Form RD 1924-12, Inspection Report, or by alternative methods such as photos, videos, and written reports provided to the Loan Official.
 - Qualified third party inspectors may be used when on-site inspections or alternative methods are not feasible and included in the loan or grant funds.
 - The number and timing of inspections varies by the type and extent of work performed.
- **4. Payment**: Prior to initiating payment to the contractor, RD must ensure that the homeowner is satisfied with the work completed

12.12 (C) Contract Forms

Contract/Bid \leq \$10,000

- Form RD 1924-6 Construction Contract or Bid/Proposal/Estimate to include applicants signature.
- 2. Form RD 1924-1, Development Plan
- 3. Detailed itemized cost estimate and specs.

Contract/Bid > \$10,000

- 1. Form RD 1924-6 Construction Contract
- 2. Form RD 1924-1, Development Plan, if multiple contractors
- 3. Detailed itemized cost estimate and specs.
- 4. 400 Series Forms.
- RD 1901-E, Exhibit C emailed to the <u>US Department of Labor</u> https://www.dol.gov/ofccp/contacts/regkeyp.htm

- Forms required are determined by individual contracts less than or greater than \$10,000 which was added to paragraph 12.12 (C)
- The Term Contract is interchangeable with Bid or Estimate, which is used to reference the quote a contractor/tradesman provides to define work to be completed and specifications included.

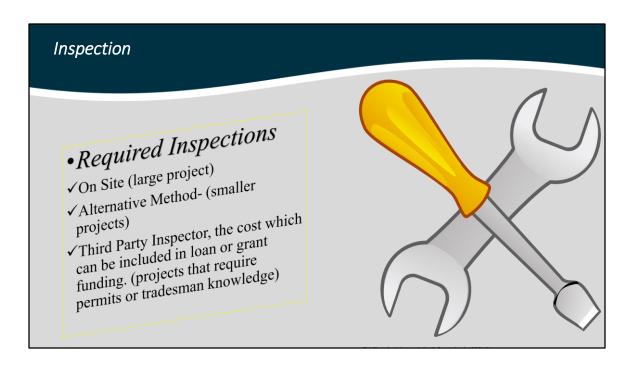
Contract/Bid ≤\$10,000

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Contract/Bid >\$10,000

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Agency inspections, or acceptable alternatives are to ensure the funds were used for the completion of the improvements, minor rehabilitation, or repairs as outlined without implication of duty or obligation to the homeowner.

The number or inspections vary according to the extent of work. **Required inspections can utilize one of the three methods** identified:

- 1. On Site (large project) Agency staff inspects utilizing Form RD 1924-12, Inspection report
- 2. Alternative method- (smaller projects), Photo's, videos or written reports of completed repairs, which can be provided by contractor or borrower.
- 3. Third Party Inspector, the cost which can be included in loan or grant (projects that require permits or knowledge of work completed)

Payment upon Completion Golden Rule # 1..... Payment = work completed Golden Rule # 2..... Payment = Homeowner is satisfied

This PN added clarification for calculation with multiple advances

Golden Rule # 1..... Payment is for work completed
There are two payment options: 1. The first and preferred method is a lump sum payment upon completion of work.

2. Is multiple advances for work in place

Note: Multiple Advances

• The second payment option is in accordance with Paragraph 12.12 (b) (1), Multiple advances are used to pay the contractor for work completed and calculated not to exceed 60 % of the value of work in place for that portion of the contract (i.e.; contract \$10,000, 25% of work completed, calculated as: 0.25 x \$10,000 x 0.60 = \$1,500 payment). When payment is made to multiple contracts, advances can be performed in lump sum to pay each contractor for work in place.

Golden Rule 2..... Payment is provided only when the homeowner is satisfied with work.

Borrower Method



Borrower Method

Occurs when the construction method is not feasible and the following applies to this method:

- Total cost of development does not exceed \$5,000.
- All labor and materials provided in writing
- Checks are paid directly to laborers, manufacturer supplies or to the borrower if the borrower has paid for labor with personal funds.

Paragraph 12.12 (C) Added clarification of the borrower method and required forms.

Borrower Method

The borrower method means performance of work by or under the direction of the borrower. Development work may be performed by the borrower method only when it is not practicable to do the work by the contract method; ie limited contractors or the borrower possesses the necessary skill and managerial ability to complete the work satisfactorily.

When construction method is not feasible and total cost of development does not exceed \$5,000.

The borrower can purchase material and equipment to perform work. All labor and materials must be provided writing

The following documentation should be completed prior to final payment:

- RD Forms 1924-1, Development Plan,
- RD Form 1924-11, Statement of Labor Performed for each worker involved in

- performing labor,
- Invoice, and itemized statement of equipment and materials furnished,
- Homeowners' written acceptance of the completed work (if the work was not completed by homeowner),
- Photos of the completed work as provided by the borrower.

Checks are paid directly to laborers, manufacturer supplies or to the borrower if the borrower has paid for the labor with personal funds and obtained signatures on Form RD 1924-11.

Under no circumstances will loan funds be permitted to be used to pay the borrower for their own labor or labor performed by any member of the borrower's household.

A detailed estimate of labor and materials should be obtained in writing, with the exception for amounts less than \$100.

Construction Dispute

There's a dispute regarding payment, what do I do?

Common reasons for dispute:

- Work not completed
- Contractor and Homeowner disagreement of work completed
- Unsatisfactory workmanship

Paragraph 12.13 Added Closeout process to include guidance on returning unused funding, litigation, disbursements and cancellation of funds.

Disputes are very common, that is why it's important to have a detailed bid/estimate/contract and conduct the pre-construction conference to set expectations in advance for both parties.

However; sometimes conflicts cannot be avoided and for those scenarios, please follow these guidelines:

- If at all possible with the Agency's assistance try to resolve the dispute and/or explain funds will be applied to reduce the borrower's principal balance if an agreement cannot be reached.
- 2. If the homeowner refuses to pay the contractor due to a dispute or unsatisfactory workmanship, the State Architect/Engineer or third-party inspector will perform an on-site inspection.

Undisbursed funding can be processed in the following manner:

1. RD will hold funding if a civil court claim has been initiated within 90 days . When a court decision is rendered, disbursement will be applied accordingly.

2. If a civil court claim has **not** been initiated by the contractor, RD will return the funds to be applied to reduce the borrower's principal balance. The homeowner should be counseled on their right to obtain legal counsel should a civil court claim arise and the homeowner's responsibility to pay for these fees out of pocket.

Funds Remaining

- Funds remaining after completion of construction and disbursement payment is made to contractor is:
 - 1. Returned
 - Funds returned will be curtailed toward the principal balance and applied as an extra payment.
 - Combination loan and grant remaining funding returned will be applied as unused grant funds.
 - 2. Unused funds can be used toward an eligible repair.

12.13 A. Added to provide instruction for remaining funds.

Funds remaining after completion of construction and disbursement payment is made to contractor, may either be returned as unused funds or used toward an eligible repair.

Funds returned will be curtailed toward the principal balance and applied as an extra payment. However; if the borrower received a combination loan and grant the remaining funding returned will be applied as unused grant funds.

- A notice informing the grantee of their right to an appeal must be issued within 10 days of determination to return unused grant funds.
- The remaining funds must be applied toward the principle within 90 days.

Partial or full cancellation of loan and grant funds can be performed in accordance with DLOS instructions located in Chapter 8. If the check is received/ordered, it must be voided and returned to NFAOC on form RD 3550-17, "Funds Transmittal Report". The following codes may be used on the funds transmittal report:

05 Cancellations either loan or grant

• 20 SBA funds, Principal curtailment, Unused Funds

504 Packaging

Become A *Packager* and earn \$\$\$

- Who is an eligible packager?
- How much is the allowable fee for packaging?
- Is Certification Required?

- Who is an eligible packager? Any public body, tribe or private nonprofit organizations that are **tax exempt** under the Internal Revenue Code.
- How much is the allowable packaging fee? The packaging fee is \$750 for 504 loans only.
- Do you need to be a certified packager? The Section 504 Program is not part of the certified packaging process. Therefore; you do not have to be a certified packager or have intermediaries involved.
- With the **New 504 Automated Worksheet** and eligibility calculations its easy to determine the eligibility amount and if it could be a packaged application.

Start to Package 504 Loans

5 Simple steps to start packaging:

- 1. Become familiar with RD regulations.
- 2. Become familiar with your RD Service Center.
- 3. Apply for access to submit applications online. +
- 4. Start with a prequalification. +
- Gather information needed to package the application.
- 1. Become familiar with our regulations:
- Read HB-1-3550 attachment 3-A, specifically page 2-9 https://www.rd.usda.gov/files/3550-1chapter03.pdf
- Read HB-1-3550, chapter 12 https://www.rd.usda.gov/files/3550-1chapter12.pdf
- 2. Become familiar with your RD Service Center.
- 3. Apply online to receive your Eauthentification Level 2 access to submit applications online to eforms:

https://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home

- **4. Start with a prequalification** to determine credit and total debt ratio.
- 5. Gather information needed to **package the application**. If the potential applicant appears to be eligible for the program, provide them with the required disclosure letter(refer to Attachment 3-J), begin collecting all applicable items needed for a complete application (Attachment 12-E).

Additional Information

How to become a Packager and Packager Training:

• 504 and 502 Packager Training and Information

504 Training and 504 Automated Worksheet:

• 504 Repair Loan and Grant Website/Forms and Resource Tab for 504 Worksheet and Training Posted

Youtube Videos for all Rural Housing Programs:

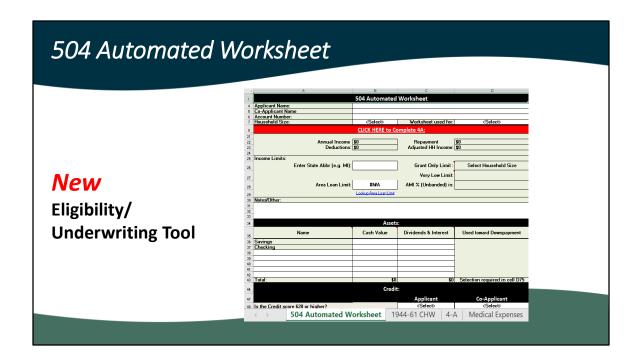
- 502 https://www.youtube.com/watch?v=95s5oD7Ta3g
- 502 Spanish https://www.youtube.com/watch?v=tCuOANZNRQA
- 523 https://www.youtube.com/watch?v=db_wZFoBWwE
- 504 https://www.youtube.com/watch?v=K1WV1nNWL54
- 3550-23 https://www.youtube.com/watch?v=XxobzC24FfU

State Office Contact:

• https://www.rd.usda.gov/contact-us/state-offices

Do you need more information about Rural Housing Programs and Packaging?

If you are interested in learning more about our program or how to become a 502 and 504 packager, try using the websites listed above or contacting your Local State Office.



504 Automated Worksheet is a tool that must be used to calculate eligible program type for 504 Loan, Grants and Combos.

- Only the white areas need to be completed for each tab. The shaded areas are programed or prefilled with information.
- Please watch the 504 Automated Worksheet tutorial for more information on how to fill out the worksheet
- Make sure you have the most up to date worksheet by reviewing the revision date
- The worksheet is located on our 504 Repair Loan and Grant Website, under Forms and Resources: https://www.rd.usda.gov/programs-services/single-family-housing-repair-loans-grants

This tool can be shared with Partners or Packaging affiliates.

➤ It can be easier for partners to package 504 loans by providing the capability to review if it's a loan, combo or grant only prior to packaging. Please advise your partners of program change.



To recap:

In this webinar, we have examined Procedure Notice 527.

Additional training can be found on the SharePoint site:

https://usdagcc.sharepoint.com/sites/rd_hcfp/SFH1/trainhub/National%20Office%20 Training/Forms/AllItems.aspx?id=%2Fsites%2Frd%5Fhcfp%2FSFH1%2Ftrainhub%2FNa tional%20Office%20Training%2F504%20Training

Single Family Housing Direct Program Updates

- Sign up for GovDelivery to receive email updates on the Single Family Housing Direct Programs.
- Using the link below, enter your email and select "SFH Direct Loan and Grant Programs" (and any other programs of interest) and then click "submit".
- https://public.govdelivery.com/accounts/USDARD/subscriber/new? qsq=USDARD 25

Sign up for Gov Delivery to receive email updates on the Single Family Housing Direct Programs.

Using the link on this slide, enter your email and select the "SFH Direct Loan and Grant Programs" (and any other programs of interest) and then click "Submit".

This email subscription service is used to provide updates regarding changes to the:

- · Section 502 program's interest rate,
- Handbook-1-3550,
- Certified packaging process,
- · And much more...



Are you interested in learning more about the Single Family Housing Direct Programs?

Please contact your applicable RD State Office. Contact information can be found using the link on this slide.

Finally, please note that the contents of this training are current as of this presentation's revision date. Please refer to the Handbook 1-3550 for the most recent guidance on the programs.

Thank you for joining us for this webinar on Determining the three income types for the Single Family Housing Direct Programs.